



SWORN AFFIDAVIT

I, the undersigned

**JASON DYLAN PAGE
(ID 990917 5683 08 8)**

Do hereby make oath and state that:

1.

I am an adult male Inspector authorised thereto by writing under the hand of the magistrate of the Stellenbosch magisterial district in terms of Section 8 of the Animals Protection Act 71 of 1962 and employed as such by the Cape of Good Hope Society for the Prevention of Cruelty to Animals ("SPCA") at corner of 1st Avenue and First Road, Grassy Park with contact telephone number/s 021 700 4158/9 and 083 326 1619 and email address insp4@spca-ct.co.za

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 Thursday, **05 October 2023** at approximately 14h16, I attempted to conduct an inspection at the facility commonly known as **Eagle Encounters** situated at **Spier Wine Farm, R310 Baden Powell Drive, Lynedoch** in **Stellenbosch** ("the property") with my colleagues, the Cape of Good Hope SPCA's Wildlife Department Supervisor, Mr. Jon Friedman, and Cadet Inspector Bryan Arendse.

3.1.

Upon our arrival, we were denied access to the facility by the owner, Mrs Tracy Chalmers. Mrs Chalmers informed us that we will not be permitted into the facility to conduct an inspection. It was explained to Mrs Chalmers that the Performing Animals Protection Act 24 of 1935 legally allows authorised SPCA Inspectors to conduct inspections at any facility that exhibits or trains animals, and that it is an offence to wilfully obstruct or otherwise interfere with an SPCA Inspector to exercise their powers in terms of the Performing Animals Protection Act 24 of 1935, which includes the right of entry. Mrs Chalmers acknowledged our explanation and reiterated that she will not allow us onto the property and we were therefore obstructed from conducting an inspection. A criminal case has been opened against Mrs Tracy Chalmers in this regard under CAS 255/10/2023 at the Stellenbosch SAPS.

4.

Due to us being denied entry to the facility and due to contraventions observed by my colleagues upon previous inspections, I was tasked to apply for a court order in terms of Section 8 of the Animals Protection Act 71 of 1962, read together with Regulation 468, at the

I, Jason Dylan Page, further state under oath and in English that:

Stellenbosch Magistrates court, which was granted. The application for this court order as presented to the magistrate is self-explanatory. On **06 October 2023**, I was accompanied by Chief Inspector Jaco Pieterse, Cadet Inspector Bryan Arendse and the Cape of Good Hope SPCA's Wildlife Department Supervisor, Mr. Jon Friedman on this inspection. We arrived at the property at approximately 10:38. We met with an adult man at the entrance of the facility who introduced himself as Rico. Chief Inspector Pieterse explained the reason for our inspection, but he denied us access, and he attempted to obstruct Chief Inspector Pieterse from entering the facility. Chief Inspector Pieterse then handed him a copy of the court order. He did not want to take the court order from us. We proceeded into the facility regardless, and we were then met with Gabrielle. She informed us that she had called Joshua, who is the manager and told us to wait for him. Chief Inspector Pieterse informed her that we have a court order and that we will not be waiting for anyone. Chief Inspector Pieterse further informed her that she or anyone else from the facility is welcome to accompany us on the inspection. A copy of the court order had been handed to Gabrielle, and Chief Inspector Pieterse asked if there was anything she wanted us to explain to her with regard to the court order, but she declined this offer.

4.1

Gabrielle and another adult female who identified herself as Lauren, accompanied us on the inspection and answered some of our questions. During this inspection, both Gabrielle and Lauren video-recorded us the whole time.

4.2

In this affidavit, I am only focussing on the contraventions of the Animals Protection Act that were found at the facility. During the inspection, we came across a door right next to the crow enclosure with a sign on that says 'no entry staff only' leading into a shed-type building. Chief Inspector Pieterse asked Lauren twice if there were any animals inside the shed by pointing to the building and she stated that there were no animals. Chief Inspector Pieterse opened the door leading into the shed, and as we entered on the left, I observed a room with carriers/cages covered with towels. I observed other materials such as paint, washing machines, dirty laundry and building tools and materials in this shed amongst the carriers. All the carriers were placed either on the floor or on top of other carriers. Upon further investigation we found wild birds kept in these carriers. Some of these birds appeared to be compromised. Additionally, their keeping conditions were observed to be inadequate as they were kept under conditions which afforded inadequate space and light and were denied water. We then also came across three containers (covered with towels) stacked on top of each other and concealed behind one of the washing machines. Chief Inspector Pieterse again asked if there are any animals in the boxes and Lauren assured us that there is nothing in the boxes. We removed these three containers and found that the containers contained one (1) snake in each. We attempted to open the black container, which was the only one that is not see-through, but we were stopped by Lauren who told us that there is a very dangerous animal inside this container, which indicates that she knew exactly that there were animals in the boxes but were being dishonest. The snakes were also kept in these containers without any hiding space and without any water provision. Chief Inspector Pieterse asked Lauren and Gabrielle for any records for these animals which we only received later that day when the owner of the facility, Mrs. Tracy Chalmers, arrived at the property. The records were not kept in the office and the admission records of the snakes were separate from that of the birds. Mrs. Chalmers stated that they are not permitting us to take the admission records. When asked, Joshua confirmed that the booted eagle and one of the spotted eagle owls found in the shed did not receive any veterinary treatment yet. They claim that they do treat the animals themselves, even the ones with broken wings, before taking them to a veterinarian.

4.3

I, Jason Dylan Page, further state under oath and in English that:

After the records had been handed over, the Cape of Good Hope SPCA's Wildlife Department Supervisor, Mr. Friedman, and I continued with the inspection of the rest of the animals on display while Chief Inspector Pieterse and Cadet Inspector Arendse stayed with the animals found in the shed. Mrs. Chalmers sent Rico with us to answer any of our questions and Rico continued filming us. We came across two Lanner falcons which were tethered to a perch inside an enclosure. The straps were very short, and in my opinion, it was unnecessary for the birds to be tethered as they were inside an enclosure and could not escape. There is also a double-door system which would prevent the birds from escaping should they manage to get out the door of their enclosure should someone enter. While tethered to these straps, the birds did not have access to water. I called Chief Inspector Pieterse to look at the birds, and he agreed with my concerns.

4.5

All the animals we expressed severe concerns over in the shed had been seized, these animals include, two (2) Spotted Eagle Owls, one (1) Booted Eagle, one (1) Sparrow Hawk, one (1) Egyptian Goose, one (1) Puff Adder, two (2) Cape Cobras and the then two (2) Lanner Falcons that were found tethered. A seizure notice had been issued to the owner under Seizure Notice 0729, and the seizure was reported to the Stellenbosch police station, as is required in terms of Regulation 468, under OB number 488. The seized animals were handed over to Inspector Trevor Rodney (excluding the two (2) Lanner Falcons), who was instructed to take them to the Cape of Good Hope SPCA where Dr David Roberts, an independent veterinarian, will examine the animals. The two Lanner Falcons were transported to the Cape of Good Hope SPCA by Trainee Inspector Arendse.

5.

I hereby request that the following persons be charged for contravening the Animals Protection Act 71 of 1962:

- Mrs. Tracy Chalmers with ID number 700823 0030 08 8
- Mr. Hank Chalmers with ID number 680713 5190 08 2
- Mr. Joshua Chalmers with ID number 010912 5126 08 5
- Mr. Rico Pentz with ID number 840711 5250 08 5
- Ms. Lauren Conradie with ID number 940628 0024 08 4

in terms of the following sections of the Animals Protection Act 71 of 1962:

- Sections 2(1)(a) by neglecting their duties to provide the animals found in the shed with adequate veterinary attention, afford them adequate space and denying them potable water, and
- 2(1)(b) by confining the animals in the shed in a place which affords inadequate space, light and ventilation, and
- 2(1)(b) by tethering the two Lanner Falcons unnecessarily and confining animals to a place which affords inadequate space, and
- 2(1)(c) by unnecessarily denying the animals in their care drinking water, and
- 2(1)(e) by failing to procure adequate veterinary treatment for the animals in their care in need of such treatment and for failing to destroy animals in their care which are in such a condition that by prolonging their life caused unnecessary suffering,
- 2(1)(m)(iii) for tethering, restraining and confining animals unnecessarily in their care and without making provision of potable water, and
- 2(1)(q) for causing and assisting in the commission and omission of the aforementioned acts and section, and

I, Jason Dylan Page, further state under oath and in English that:

- 2(1)(r) by wantonly, unreasonable and negligently doing and omitting to do the aforementioned acts thereby causing unnecessary suffering with due regard to Section 2(2) of the Animals Protection Act 71 of 1962.

6.

Additionally, I request that Mr. Rico Pentz (ID number 840711 5250 08 5) and Ms. Lauren Conradie (ID number 940628 0024 08 4) be charged for contravening the Animals Protection Act 71 of 1962 in terms of section 8(4) for wilfully hindering officers authorised under the aforementioned Act by attempting to conceal animals in their care with the intent to defeat the exercise of the powers granted to authorised officers in Section 8 of the Animals Protection Act 71 of 1962.

7.

All the photographs in "Photographic Evidence – A" were taken by myself, with my Samsung Galaxy A33 cell phone, on 06 October 2023. The photographs contained in the album labelled "Photographic Evidence – A" have not been edited or altered in any way. The photographs are a true and accurate reflection of my findings.

8.

Video labelled "20231006_114542" was taken by myself with my Samsung Galaxy A33 cell phone. I downloaded the video onto my work computer and placed it onto a USB memory stick in a folder labelled "Video evidence A". The video is original and was not edited or altered in any way. The video is a true reflection of my findings. The USB memory stick was placed in an evidence bag with number FSCC-1018407 and sealed in my presence.

9.

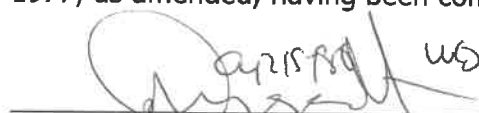
I know and understand the content of this declaration.

I have no objection to taking the prescribed oath.

I consider the prescribed oath to be binding on my conscience.


DEPONENT

The deponent has acknowledged that he knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at Stellenbosch on this the 23 day of OCTOBER 2023, 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

Full names: Karl-und Kyrill

Designation: warrant Officer

Business address: dw. 1st street Stellenbosch



PREAMBLE TO STATEMENT * AANHEF TOT VERKLARING

Station, Stasie	STELLENBOSCH										CAS no											MAS no	10 / 2023											
PERSONAL PARTICULARS * PERSOONLIKE BESONDERHEDE																																		
Title Titel	MR				Initials Voorletters				JD				Surname Van												PAGE									
First names Voornamen	JASON DYLAN																																	
Identity number Identiteitsnommer	9909175683088												Race Ras		A		Br		Bl		☒													
Passport number Paspoortnommer													Country of issue Land van uitreiking												A		Br		Sw		☒			
Date of Birth Geboortedatum	19990917												Age Ouderdom		24		Gender Geslag		☒		F		☒											
Nationality Nasionaliteit	RSA																																	

I am/am not a member of the SAPS with PERSAL no * Ek is lid/nie lid van die SAPD met PERSAL no

RESIDENTIAL ADDRESS * WOONADRES									
Street name Straatnaam									
Building/farm/plot/place Gebou/plaas/plot/plek									
Suburb/Extension/Area Voorstad/Uitbreiding/Gebied		NA							
Town/City Dorp/Stad									
Telephone number Telefoonnommer		Home Huis		Code		No		Postal Code Poskode	
Cellphone number Sellulêre foonnommer									
ADDRESS WORK/BUSINESS/INSTANSIE									

ADDRESS--WORK/BUSINESS/INSTITUTION/ORGANISATION		*ADRES--WERK/BESIGHEID/INSTANSIE/ORGANISASIE	
Name of Institution/Organisation Naam van Instansie/Organisasie	CAPE OF GOOD HOPE SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS.		
Street name Straatnaam	1ST AVENUE AND FIRST ROAD		
Building/farm/plot/place Gebou/plaas/plot/plek	CORNER OF (40)		
Suburb/Extension/Area Voorstad/Uitbreiding/Gebied	GRASSY PARK		
Town/City Dorp/Stad	CAPE TOWN		
Telephone number Telefoonnommer	Home Huis	Code	No
Cellphone number Sellulêre foonnommer	084 045 8899		
Work Werk	Code	No	
Fax Faks	Code	No	
Postal Code Poskode		7941	
Would you like to receive information regarding this case via sms? Wil u inligting in verband met die saak ontvang per sms?		☒ Yes / Ja ☐ No / Nee	
CONTACT PERSON (IF APPLICABLE) / KONTAKPERSOON (INDIEN TOEGEPAS)			

CONTACT PERSON (IF APPLICABLE) * KONTAK PERSOON (INDIEN VAN TOEPASSING)

Title Title	MR	Initials Voorletters	J H J	Surname Van	PIETERSE
Telephone number Telefoonnummer	Home Huis	Code	083	No	678 8460
		Work Werk	Code	021	No
					700 4158/9



STATEMENT * VERKLARING

Station STELLENBOSCH CAS no 10, 2023
Stasie MAS no

The following particulars in respect of the offence / incident is supplied:
Die volgende gegevens met betrekking tot die misdryf / voorval word verstrek:

PARTICULARS OF OFFENCE/INCIDENT * BESONDERHEDE VAN MISDRYF/VOORVAL

Date and time of offence/incident 20231006 - 1038 Or Period: Between 1038 on
Datum en tyd van misdryf/voorval 1038 Of Tydperk: Tussen 1038 op
1038 and 1038 on 1038 Day of week Su M D W D V S
en 1038 op 1038 Dag van week So M D W D V S

Description of Offence/Incident ANIMAL CRUELTY
Beskrywing van Misdryf/Voorval

Method used/Entrance gained NEGLECT, INADEQUATE SPACE AND LIGHT, DENIAL OF
Metode gebruik/Toegang verkry WATER, DENIAL OF VETERINARY TREATMENT, DENIAL OF WATER,
UNNECESSARY TETHERING.

Type of instrument used ANIMAL, DOPE, BOXES OR CARRIERS
Tipe instrument gebruik

SCENE OF CRIME * TONEEL VAN MISDAAD

Between: Name of place R316 BADEN POWELL DRIVE
Tussen: Pleknaam
and: Name of place EAGLE ENCOUNTERS, SPIER WINE FARM
en: Pleknaam
Or / Of LYNEBOLH
Street name STELLENBOSCH
Straatnaam
Building/farm/plot/place STELLENBOSCH
Gebou/plaas/plot/plek
Suburb/Extension/Area STELLENBOSCH
Voorstad/Uitbreiding/Gebied
Town/City STELLENBOSCH
Dorp/Stad
Geographical block no STELLENBOSCH Type of premises STELLENBOSCH
Geografiese blok no STELLENBOSCH Tipe perseel

Date/Datum

Signature/Handtekening

In a case of theft of a vehicle the statement must be continued on form SAPS 3M(c).
In a case of theft of a firearm the statement must be continued on form SAPS 3M(d).
In all other cases the statement must be continued on blank folio paper.

In die geval van diefstal van 'n motorvoertuig moet die verklaring op vorm SAPD 3M(c) voortgesit word.
In die geval van diefstal van 'n vuurwapen moet die verklaring op vorm SAPD 3M(d) voortgesit word.
In alle ander sake moet die verklaring op 'n blanko foliopapier voorgesit word.



SWORN AFFIDAVIT

I, the undersigned

**JAN HENDRIK JACOBUS PIETERSE
(ID 900518 5089 083)**

Do hereby make oath and state that:

1.

I am an adult male Chief Inspector authorised thereto by writing under the hand of the magistrate of the Stellenbosch magisterial district in terms of Section 8 of the Animals Protection Act 71 of 1962 and employed as such by the Cape of Good Hope Society for the Prevention of Cruelty to Animals ("SPCA") at corner of 1st Avenue and First Road, Grassy Park with contact telephone number/s 021 700 4158/9 and 083 678 8460 and email address inspmanager@spca-ct.co.za

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 Friday, **6 October 2023**, I accompanied Inspector Jason Page to execute a court order he had obtained in terms of Section 8 of the Animals Protection Act 71 of 1962, read together with Regulation 468, from the Stellenbosch Magistrates Court to conduct an investigation at Eagle Encounters situated at Spier Wine Farm, R310 Baden Powell Drive in Lynedoch.

3.1.

We arrived at Eagle Encounters at approximately 10h38. We were accompanied by Trainee Inspector Bryan Arendse and Mr Jon Friedman (SPCA Wildlife Supervisor). Upon our arrival, a white man was standing at the entrance leading to the main reception of Eagle Encounters. The man made a remark towards me about claiming to know me. I told him I was not sure who he is, and he introduced himself as Rico and that he is an employee of Eagle Encounters. At this point, I then realised he was a former employee of the Cape of Good Hope SPCA (before my time) and that his surname is Pentz. Mr Pentz attempted to obstruct us from performing our duties and obstructed us from conducting an inspection at Eagle Encounters. Mr Pentz tried to block me from entering the facility. I then informed Mr Pentz that he is obstructing me from performing my duties and I also informed him that we were in possession of a court order. I presented the court order to Mr Pentz, but he refused to take it from me. I then walked past Mr Pentz and proceeded to enter the facility to conduct our inspection as directed by the court order. Mr Pentz took out his phone and started recording us, I assume he was making a video recording as he was holding the phone in such a manner to create this assumption.

I, Jan Hendrik Jacobus Pieterse, further state under oath and in English that:

3.2.

As we proceeded to conduct our inspection a white female approached us and introduced herself as Gabrielle. I asked Gabrielle if she was the Manager, and she informed me that she is the assistant manager. Gabrielle informed me that she had contacted the Manager, Mr Joshua Chalmers and requested that we wait for him to arrive. I informed Gabrielle that we were in possession of a court order that permitted us to conduct an inspection. I gave a copy of the court order to Gabrielle, briefly explained our rights in terms of the court order and asked her to read the content thereof. I also asked her if there was anything she required me to explain with regard to the court order and its content, but she said it was not necessary. I believe she took a photo of the court order on her cell phone and sent it to her manager. Another white female approached us and introduced herself as Lauren. I asked Lauren what her position was at the facility, and she informed me that she is an animal assistant. I invited both Gabrielle and Lauren to accompany us on the inspection. At this point both Gabrielle and Lauren were also recording us on their cell phones, making video recordings.

3.3.

We started inspecting the animals closest to the office. Note: I am not going into detail with regards to the animals being exhibited and that we inspected, unless concerns and contraventions in terms of the Animals Protection Act 71 of 1962 were noted. After inspecting one of the resident crows, I observed a shed-type of building constructed from corrugated iron with a wooden door right next to the crow enclosure. The door was closed and had a sign on it that stated 'NO ENTRY STAFF ONLY'. I asked Lauren if there were any animals being kept in the building, pointing to the shed. Lauren informed me that there were no animals being kept inside the building. I was not convinced and asked her again if there were any animals being kept inside the building and she again stated that there were no animals inside. Lauren then attempted to divert our attention to other enclosures with animals inside, however, I insisted on inspecting the shed. Lauren informed me that we are not permitted to go inside the shed as it is for staff only. I informed Lauren that we were in possession of a court order, and we can inspect any part of the property. I then proceeded to open the door and walked into the shed. As I walked into the shed, there was a room to the left. Inside the room, I saw animal carriers/crates on the floor covered with towels and blankets. At first, I thought the carriers/crates were empty as the room was not suitable to house animals in as there were gardening tools and equipment, paint containers of which some were open, washing machines, a box with dirty towels inside, and various other items that is typically kept in a storeroom.

3.4.

Upon closer inspection, we found wild birds being kept in the carriers/crates. Each carrier/crate was individually inspected, and I took video evidence of each as we opened them. In the carriers/crates, we found the following animals:

- Two (2) Spotted eagle owls
- One (1) booted eagle
- One (1) black sparrowhawk
- One (1) Egyptian goose

In my opinion, the conditions in which the birds were being kept were unsuitable, especially for a facility that purports to be a rehabilitation centre for birds of prey (over and above the exhibition/zoo part of their business). None of the birds had access to any form of drinking water – this is a basic requirement for any animal. The carriers/crates that the birds were being kept in were not suitable and did not afford adequate space or light. None of the carriers/crates had perches for the birds of prey that required perches for improved welfare. There was also a lack of light and ventilation inside the room. I asked Lauren why the birds

I, Jan Hendrik Jacobus Pieterse, further state under oath and in English that:

were being kept in the shed, and she claimed that the birds were there for rehabilitation. At this point, Dr Annelie Cloete from the Boland State Veterinary Services also arrived, but her duty was to ensure compliance with the Performing Animals Protection Act 24 of 1935 as the PAPA licencing officer on behalf of the State Veterinary Services. I then contacted Dr Karin Lourens of the Johannesburg Wildlife Veterinary Hospital via WhatsApp, who is a registered veterinarian who runs a well-respected wildlife rehabilitation centre in Gauteng, and in my opinion, is one of the best wildlife rehabilitators in the country. I asked Dr Lourens if she was willing to observe the conditions in which the animals were being kept in the shed and provide us with her opinion, and she agreed. I then switched the call to a video call and showed Dr Lourens the shed and how the animals were kept. We opened each carrier/crate in order for Dr Lourens to observe the animals and the conditions under which they were so kept. After my call with Dr Lourens, I asked Lauren for the admission and medical records for the birds. She asked Gabrielle to fetch the records from the office. Needless to say, the records never arrived until when Mrs. Tracy Chalmers and Mr Joshua Chalmers arrived much later.

3.5.

Still inside the shed, we found containers covered with towels being hidden/concealed behind one of the washing machines. I asked Lauren if there were any animals inside the boxes and she claimed that there were no animals inside the boxes. When we removed the boxes from behind the washing machine and removed the towels, we observed three (3) plastic boxes of which two were transparent and housing snakes inside. The snakes did not have access to any form of drinking water, and there was no substrate or hiding space for the snakes inside the boxes. Lauren cautioned us not to open the black box as there was a dangerous animal inside. I asked Lauren why she once again lied to us about animals being concealed, and she got upset and said she did not know there were snakes in the room. The snakes inside the transparent boxes were identified as Cape Cobra's. The snake that was housed in the black box was later identified as a Puff Adder. The manner in which these snakes were being kept is totally unacceptable. The washing machine next to the snakes also had laundry inside that appeared to have been washed recently as it was still wet.

3.6.

As we concluded our inspection of the animals in the shed did Mrs. Tracy Chalmers and Mr Joshua Chalmers arrive. Mr Joshua Chalmers requested us to leave the shed so that we could discuss what was going on outside. I informed Mr Joshua Chalmers that we will not be leaving the animals unattended inside the shed. I asked Mr Joshua Chalmers if any of the animals were examined by a veterinarian, and he confirmed that the animals were not examined by a veterinarian. I then requested the admission and medical records of the birds found in the shed from Mrs Tracy Chalmers, who informed me that the records were with her, and they are now in the office. I accompanied Mrs Tracy Chalmers to the office to inspect the admission and medical records. In the main reception, I was presented with the admission and medical records of the birds found in the shed. This was not provided without an argument because at first Mrs Tracy Chalmers refused to hand over the records for inspection as she was allegedly advised by her lawyer that we have no right to inspect the records. I informed Mrs Tracy Chalmers that our court order allows us to seize any evidence for the purpose of prosecution, which includes the records.

3.7.

The records that I inspected consisted of the following, and the records were seized as evidence for the purpose of prosecution.

EE Ref No	Date Admit	Species	Condition on form	SPCA Ref No
5102	3/10/2023	Spotted Eagle Owl	Concussion / Small wound on foot	1584

I, Jan Hendrik Jacobus Pieterse, further state under oath and in English that:

5103	3/10/2023 altered to 4/10/2023	Booted Eagle	Fractured wing – broken at the joint (left)	1581
5104	4/10/2023	Black Sparrowhawk	Fractured wing – small break in wing / concussion	1580
5105	5/10/2023	Egyptian goose	Broken blood feather + few scrapes	1582
5106	5/10/2023	Spotted Eagle Owl	Fractured wing – not bad	1583
5107	5/09/2023	Cape Cobra	Nothing recorded	
5108	5/09/2023	Cape Cobra	Nothing recorded	
5109	5/09/2023	Puff Adder	Nothing recorded	

Based on the records, it is evident that some of the animals, in particular the Booted Eagle with reference number 5103 with the fractured wing has been in the care of Eagle Encounters since 3/10/2023 without any veterinary attention being provided for this bird that was evidently suffering. At the SPCA the fractured wing area was discovered to be infested with maggots. The Spotted Eagle Owl with reference number 5106 was admitted 24 hours before our inspection, and this bird also had a fractured wing that was left untreated. The fractured wings were not even bandaged to the body to prevent the birds from moving their wings to stop further pain and suffering being caused. The manner in which these birds were kept is against industry standards and acceptable conditions for a rehabilitation centre.

3.8.

After I inspected the records, Dr Coetzee De Beer, who is known to me as an avian veterinarian, arrived and wanted to inspect the birds we found in the shed. Dr De Beer acts as the veterinarian for Eagle Encounters. I informed Dr De Beer that we will be seizing the birds. Dr De Beer argued with me about us wanting to seize the birds at first, but later agreed that the conditions in which the birds were being kept were not suitable and that he did not want to fight with me. Dr De Beer examined all five (5) birds and made notes of his findings at the bottom of the admission and medical forms of each bird, as listed in paragraph 3.7. In my opinion, Dr De Beer did not do a thorough examination and I am of the view that his examinations were rushed and substandard. I made video recordings of each bird being examined. Whilst Dr De Beer was busy examining the birds and making his notes, Mrs. Tracy Chalmers came to challenge me as to what right we have to look at the documentation pertaining to the animals in question – it was an evident attempt to stop us from inspecting the evidence that proves that the birds were in the care of the facility for more than 24 hours (some for 3 days and were left to suffer) and that they have not provided the animals with the veterinary and other care they required. It is important to note that Gabrielle was video recording the entire process.

3.9.

Examination of the birds by Dr De Beer and applicable comments:

- Black Sparrowhawk with reference 5104 – admitted on 04/10/2023. Dr De Beer stated that the bird had no wing fractures, the bird was in good weight and active. In his opinion the bird can go into an enclosure to see how the bird flies. Dr De Beer further stated "Yes the other stuff going on here is not great", agreeing that the conditions in which the birds are being kept are not acceptable. Further to this, there was no reason for this bird to have been kept confined in such a small crate without access to water – this was unnecessary. This bird should have been placed in a suitable aviary as there

4 5.8
M.C.

I, Jan Hendrik Jacobus Pieterse, further state under oath and in English that:

- was no valid veterinary reason for this bird to be kept confined unnecessarily in a small crate for days. See video "20231006_100628000_iOS" of the examination.
- Spotted Eagle Owl with reference 5106 – admitted the day before (on 05/10/2023). Dr De Beer agreed that this bird had to be euthanised for welfare reasons. Dr De Beer recorded on the relevant form that the wing of the bird is not flexible for release – old. See video "20231006_100939000_iOS" of the examination.
- Egyptian goose with reference 5105 – admitted the day before (on 05/10/2023). Dr De Beer found no concerns with this bird, and it was declared fit for release. This indicates that the bird was confined unnecessarily to a box that afforded inadequate space and was denied water. This animal could have been safely released to avoid being kept unnecessarily in confinement. See video "20231006_101448000_iOS" of the examination.
- Booted Eagle with reference 5106 – admitted on the evening of 03/10/2023 (note: the form was altered to 04/10/2023). Dr De Beer stated that this bird needed to be seen by a veterinarian and he confirmed that it was a fracture. Dr Beer however did not look at the fracture area and omitted to see that the fracture area was infested with maggots. Dr De Beer stated on the form that the bird cannot be released and that it is an old fracture older than 48 hours and that the bird needs to be euthanised. See video "20231006_101809000_iOS" of the examination. This means that this bird suffered in the care of Eagle Encounters for 3 days without receiving any form of veterinary treatment. It was cruel and inhumane to keep this bird alive in this condition.
- Spotted Eagle Owl with reference 5102 – admitted on 03/10/2023. Dr De Beer stated that the bird does not require to be seen by a vet and just requires monitoring. The foot however required treatment for a wound. This bird was not provided with treatment by the facility for the wound on the foot. Further to this, there was no reason for this bird to have been kept confined in such a small crate without access to water – this was unnecessary. This bird should have been placed in a suitable size crate or enclosure where the bird would be able to sit on a perch. See video "20231006_102042000_iOS" of the examination.

3.10.

After Dr Coetzee examined the birds, the birds were handed over to Inspector Trevor Rodney of the Cape of Good Hope SPCA who came to collect the five (5) birds and three (3) snakes from the shed. The animals were carried out by myself and Bryan Arendse, with the assistance of Mr. Joshua Chalmers, as Inspector Rodney was not listed on the court order. Inspector Rodney was requested to take the animals back to the Cape of Good Hope SPCA Wildlife Department where they were examined by Dr David Roberts, an independent veterinarian. To my shock, Dr De Beer contacted Dr Lourens, attempting to intimidate her. Dr Lourens was acting on behalf of the SPCA and is our witness. Dr De Beer had no right to contact her and scream at her and threaten her with reporting her to the South African Veterinary Council. In my opinion, this is unprofessional conduct and an attempt to intimidate a witness.

3.11.

After the animals in the shed were removed, I joined up with Inspector Jason Page and Mr Jon Friedman, who proceeded with inspecting the facility of the animals on exhibition in the zoo section. Inspector Page pointed out two Lanner Falcons that were tethered on ropes of less than 34 centimetres. I went into the aviary but first had to go through a double-door system. A double-door system is used in aviaries to prevent birds from escaping should they escape out of their aviary. I observed the two tethered Lanner Falcons. In my opinion, the birds were tethered unnecessarily as their aviary was suitable for them to be kept free. Further to this, the two Lanner Falcons did not have access to any form of drinking water and their

I, Jan Hendrik Jacobus Pieterse, further state under oath and in English that:

movement was restricted by the tethers. I pulled on the ropes that was used to tether the falcon on the left to see if the rope was stretchable, however, the rope was not stretchable when I pulled on it. I asked Mr Jashua Chalmers why the falcons were tethered, and he stated it was about the personality of the birds and that these two birds tend to throw themselves against the walls, claiming that if they were left untethered, they would bash themselves against the walls. The two (2) Lanner Falcons were also seized. When Dr De Beer heard that we were going to seize the two (2) Lanner Falcons, he lost his temper, shouted at me and my colleagues, insulted us and attempted to stop us from seizing the birds, shouting that we will need to have him arrested if we want to take the two (2) Lanner Falcons. The behaviour of Dr De Beer was very unbecoming and unprofessional of a veterinarian.

3.12.

Following the seizure, a seizure notice with number 0729 was issued to the owner, which Mrs Tracy Chalmers signed and accepted with a note that it was under duress. A copy of Regulation 468 was also given to Mrs Tracy Chalmers.

3.13.

Upon arrival back at the SPCA, the two (2) Lanner Falcons were released into a single aviary at the SPCA Wildlife Department. The two (2) Lanner Falcons were not aggressive towards each other and did not fly into the sides of the aviary, which indicates that their tethering was totally unnecessary. At the time of the disposition of this affidavit, the two (2) Lanner Falcons were still kept together with no fighting or aggression observed to one another, nor flying into the sides of the aviary. I see no valid reason for these birds to be kept tethered and deem it to be unnecessary and cruel. It is also important to note that the facility has previously been warned about the tethering of their birds and to refrain from doing so. These warnings were issued on 26 April 2023 (I sent this warning via email) and again on 05 May 2023.

4.

On Saturday, **07 October 2023**, I made contact with the following experts to provide us with a report and their professional opinions based on the videos and photos taken by myself on 06 October 2023 at Eagle Encounters. I did not disclose the details of the facility to any of the experts and provided them with a brief background of our findings. Reports were provided by the following experts:

- Dr Neil A Forbes, a specialist veterinarian in avian medicine and raptors with over 30 years of experience and regarded as one of the best avian veterinarians in the world – he was requested to give an opinion on the tethering of the two Lanner Falcons;
- Ms Nicola Jane Wright, a wildlife rehabilitation specialist with 24 years' experience – she was requested to give an opinion on how the birds for rehabilitation were being kept in the shed-type building;
- Ms Tamlyn Peta Caine, a bird of prey specialist with 17 years' experience – she was requested to give an opinion on both the manner in which the birds for rehabilitation were being kept in the shed-type building and the tethering of the two Lanner Falcons.

5.

On Monday, **09 October 2023**, an email was sent to the SPCA by Mr Hank Chalmers, claiming ownership of the two (2) Lanner Falcons and, *inter alia*, demanded their return.

6.

On Tuesday, **10 October 2023**, Dr De Beer sent me several WhatsApp voice messages whereby he apologised for shouting at me and explained that he gets angry, which he blamed on not eating the day and that he suffers from diabetes and severe anxiety disorder, and this causes him to get angry and aggressive easily. Dr De Beer also stated that if the birds were

I, Jan Hendrik Jacobus Pieterse, further state under oath and in English that:

brought into his practice, he would have euthanised them within 5 minutes and emphasised that it was unacceptable.

7.

On Thursday, **12 October 2023**, I made contact with Dr Katja Koeppel, a registered veterinarian and wildlife specialist to provide us with a report and her professional opinion based on the videos and photos taken by myself on 06 October 2023 at Eagle Encounters regarding the tethering of the two Lanner Falcons. I did not disclose the details of the facility and provided a brief background of our findings. Dr Koeppel provided a report.

8.

In my opinion, the facility and its staff are guilty of animal cruelty and for contravening various sections of the Animals Protection Act 71 of 1962 and they should be prosecuted accordingly.

9.

All the photographs in "Photographic Evidence – B" were taken by myself, with my iPhone 13 cell phone, on 06 October 2023 at Eagle Encounters. The photographs contained in the album labelled "Photographic Evidence – B" have not been edited or altered in any way. The photographs are a true and accurate reflection of my findings.

10.

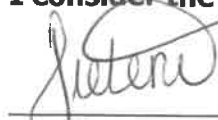
The videos taken on 06 October 2023 as automatically labelled by the cell phone device as "20231006_090654000_iOS", "20231006_090930000_iOS", "20231006_091023000_iOS", "20231006_091044000_iOS", "20231006_091118000_iOS", "20231006_091210000_iOS", "20231006_100628000_iOS", "20231006_100939000_iOS", "20231006_101448000_iOS", "20231006_101809000_iOS", "20231006_102042000_iOS", "20231006_105231000_iOS", "20231006_112233000_iOS" and "20231006_112307000_iOS" were taken by myself with my iPhone 13 cell phone. I downloaded the videos onto my work computer and placed them onto a USB memory stick on 17 October 2023 and labelled the USB as "Video evidence B". These videos are originals and were not edited or altered in any way. The videos are a true reflection of my findings. The USB memory stick was placed in an evidence bag with number FSCC=1018407 and sealed in my presence.

11.

I know and understand the content of this declaration.

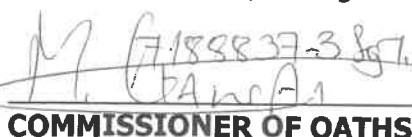
I have no objection to taking the prescribed oath.

I consider the prescribed oath to be binding on my conscience.



**Jan Hendrik Jacobus Pieterse
(Deponent)**

The deponent has acknowledged that he knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at SEA POINT on this the 23 day of OCTOBER 2023, 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

SOUTH AFRICAN POLICE SERVICE
COMMUNITY SERVICE CENTRE
23 OCT 2023
GEMEENSAP DIENSSENTRUM SEA POINT/SEEPUNT
SUID AFRIKAANSE POLISIEDIENS

03/2023

ORDER IN TERMS OF SECTION 8(1) OF THE ANIMALS PROTECTION ACT 71 OF 1962, READ TOGETHER (WHERE APPLICABLE) WITH REGULATION 468 ISSUED IN TERMS OF SECTION 10(1)(b) AND (c) OF THE AFORESAID ACT

To: INSPECTOR J.D. PAGE AND/OR CHIEF INSPECTOR J.H.J. PIETERSE OF THE CAPE OF GOOD HOPE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA)

WHEREAS it appears to me from information provided on oath that there are reasonable grounds to believe that within the Magisterial District of **STELLENBOSCH** there are certain animals under the control of **TRACY CHALMERS** and/or **HANK CHALMERS** upon the property known as **EAGLE ENCOUNTERS** situated at **SPIER WINE FARM, R310 BADEN POWELL DRIVE, LYNEDOCH** in **STELLENBOSCH** whose conditions are required to be examined for purposes of determining whether an offence in terms of section 2 of the aforesaid Act has been, is being or is likely to be committed.

This is therefore to authorise you to enter and search the identified premises and direct you to:

1. Examine the animal/s and the conditions in which it/they is/are kept.
2. Take such photographic and/or video footage of such conditions as may be reasonably necessary.
3. Take into custody any and all evidence and/or equipment required for the purposes of a prosecution.
4. If necessary take with you onto the aforesaid property the following persons:
 - a. **Wildlife Department Supervisor Jon Friedman of the Cape of Good Hope Society for the Prevention of Cruelty to Animals (SPCA)**
 - b. **Cadet Inspector Bryan Arendse of the Cape of Good Hope Society for the Prevention of Cruelty to Animals (SPCA)**
 - c. **Members of the South African Police Service (SAPS) as delegated by the Station Commander**
5. Seize any animal/s and take it/them into your custody if it is reasonably necessary to prevent cruelty to or suffering of such animal/s.
6. Deal with it/them according to law.

GIVEN UNDER my hand at **STELLENBOSCH** on this 06 day of **OCTOBER 2023**



[Signature]
Magistrate Signature
Ms. M. Pag
Magistrate Name & Surname
Senior Magistrate

Cape of Good Hope


 FR/FI No. 003-244 NPO
 Registration No. 1939/013624/08

 Tel : 021 700 4158/9
 After Hours : 083 326 1604
 Email : inspectorate@spca-ct.co.za

 Society for the Prevention of Cruelty to Animals
 Dierebeskermingsvereniging
N^o 0729

SEIZURE NOTICE

 NAME & SURNAME: The owner / Manager DATE: 6/10/2023
 PHYSICAL ADDRESS: Eagle Encounters - at Spier Wine Farm
Buden Powell Drive, Lynedoch ID No. _____
 TEL. No. _____ CELL No. 063 681 8732 REG No. _____

The following animals have been seized:

- Spotted Eagle Owl X2
- Booted Eagle X1
- Black Sparrowhawk X1
- Egyptian Goose X1
- Cape Cobra X2
- Puff Adder X1
- Lanner Falcons X2 + tethering devices/straps

- > Copy of Court order given
- > Copy of Regulation 468 given

- Joshua Chalmers agreed for the SPCA to utilise the carrier/transport boxes to transport the animals to the SPCA. The boxes will be returned in due course and are on loan to the SPCA during this time.

- RCHAB Forms/Sheets

- Documents pertaining to animals above has also been taken into SPCA custody.

The above mentioned animals have been seized in terms of the Animals Protection Act No 71 of 1962 read together with Regulation 468 issued in terms of the aforementioned Act.

SIGNED & ACCEPTED BY: [Signature]PLACE: Spier Wine Farm TIME: 13h58INSPECTOR: J Page & J Pieterse

**REHAB CENTRE:
EAGLE ENCOUNTERS**

REF #:

5702

SPECIES	AGE	✓	SEX	✓
Spotted Eagle	Nestling		Male	
Owl	Juvenile		Female	
	Adult	X	Unknown	X

DATE: / /20
3/10/23

Received by Lauren

DETAILS OF COLLECTION LOCALITY (if possible, please provide exact location):

Fire fighters found it in the road on their way to work, early morning

CONTACT DETAILS OF PERSON BRINGING BIRD IN:

Katy Fyfe - 084 464 7964 Katy@Katyfyfe.co.za

CONDITION: KEEL	✓	MASS (g):		
Excellent				
Fair	X			
Poor				
CONDITION: PLUMAGE	✓	WING LENGTH:		
Excellent		(mm)	Left wing	Right wing
Fair	X			
Poor				

INJURY	✓	CAUSE (if known)
Fractured wing		
Fractured leg		
Concussion	X	May have been hit by a car
Internal injury		
Missing / injured digits		
Starvation		
Nestling / Brancher		
Eye problems		
Poisoning		
Other (please state)	X	Small wound on foot

TREATMENT (& VET):

Currently in Baby Room for observation 5/10/23

FITNESS TRAINING (= METHOD FOR RELEASE PREPARATION)

MORTALITY DATE

RELEASE DATE

RELEASE LOCATION

COLOUR RING (?)

RING NUMBER

NOTES

Monitor, treat foot, no need for
vet right now QML 6/10/23

**REHAB CENTRE:
EAGLE ENCOUNTERS**

REF #:

5103

SPECIES	AGE	✓	SEX	✓
Booted Eagle	Nestling		Male	
	Juvenile		Female	
	Adult	X	Unknown	

DATE: / /20
4/10/23

Josh went to fetch it

DETAILS OF COLLECTION LOCALITY (if possible, please provide exact location):

Josh went to collect it the previous evening

CONTACT DETAILS OF PERSON BRINGING BIRD IN:

CONDITION: KEEL	✓	MASS (g):		
Excellent				
Fair	X			
Poor				
CONDITION: PLUMAGE	✓	WING LENGTH:	Left wing	Right wing
Excellent		(mm)		
Fair	X			
Poor				

INJURY	✓	CAUSE (if known)
Fractured wing	X	broken at the joint (left)
Fractured leg		
Concussion		
Internal injury		
Missing / injured digits		
Starvation		
Nestling / Brancher		
Eye problems		
Poisoning		
Other (please state)		

TREATMENT (& VET):

Currently in Baby Room (5/10/23)

FITNESS TRAINING (= METHOD FOR RELEASE PREPARATION)

MORTALITY DATE

RELEASE DATE

RELEASE LOCATION

COLOUR RING (?)

RING NUMBER

NOTES

PTU can't release. 6/10/23
- old fracture > 48 hrs old

**REHAB CENTRE:
EAGLE ENCOUNTERS**

REF #:

5104

SPECIES	AGE	✓	SEX	✓
Black Sparrowhawk	Nestling		Male	X
	Juvenile	X	Female	
	Adult		Unknown	

DATE: / /20
4/10/23

Received by Rico

DETAILS OF COLLECTION LOCALITY (if possible, please provide exact location):

7 Kanarie Street, Onderpapegaaiberg, Stellenbosch

CONTACT DETAILS OF PERSON BRINGING BIRD IN:

Tanya Schloms 082 562 6655

CONDITION: KEEL	✓	MASS (g):		
Excellent				
Fair	X			
Poor				
CONDITION: PLUMAGE	✓	WING LENGTH:		
Excellent		(mm)	Left wing	Right wing
Fair	X			
Poor				

INJURY	✓	CAUSE (if known)
Fractured wing	X	Small break in 1 wing
Fractured leg		
Concussion	X	
Internal injury		
Missing / injured digits		
Starvation		
Nestling / Brancher		
Eye problems		
Poisoning		
Other (please state)		

TREATMENT (& VET):

FITNESS TRAINING (= METHOD FOR RELEASE PREPARATION)

MORTALITY DATE

RELEASE DATE

RELEASE LOCATION

COLOUR RING (?)

RING NUMBER

NOTES

monitor, see if it can fly, release
6/10/23.

**REHAB CENTRE:
EAGLE ENCOUNTERS**

REF #:

5105

SPECIES	AGE	✓	SEX	✓
Egyptian	Nestling		Male	
Goose	Juvenile	X	Female	
	Adult		Unknown	X

DATE: 1 / 5/10/23 /20

Received by Lauren

DETAILS OF COLLECTION LOCALITY (if possible, please provide exact location):

Found in the driveway

4B Dennehoek, Helderview, Somerset West

CONTACT DETAILS OF PERSON BRINGING BIRD IN:

Steve Bower 079 226 4014

CONDITION: KEEL	✓	MASS (g):		
Excellent				
Fair	X			
Poor				
CONDITION: PLUMAGE	✓	WING LENGTH: (mm)	Left wing	Right wing
Excellent				
Fair	X			
Poor				

INJURY	✓	CAUSE (if known)
Fractured wing		
Fractured leg		
Concussion		
Internal injury		
Missing / injured digits		
Starvation		
Nestling / Brancher	X	
Eye problems		
Poisoning		
Other (please state)	X	Broken blood feather + few scrapes

TREATMENT (& VET):

FITNESS TRAINING (= METHOD FOR RELEASE PREPARATION)

MORTALITY DATE

RELEASE DATE

RELEASE LOCATION

COLOUR RING (?)

RING NUMBER

NOTES

release

Cutter

5/10/23

6

REHAB CENTRE:
EAGLE ENCOUNTERS

REF #: 5106

SPECIES	AGE	✓	SEX	✓
S.E.O	Nestling		Male	✓
	Juvenile		Female	
	Adult	✓	Unknown	

DATE: 05/10/2023

2023

DETAILS OF COLLECTION LOCALITY (if possible, please provide exact location):

Sonop, Farm, Koelenhof next to the Astron garage at Deuren Bosch

CONTACT DETAILS OF PERSON BRINGING BIRD IN:

Gawie du Bois 082 577 6991

CONDITION: KEEL	✓	MASS (g):		
Excellent				
Fair	✓			
Poor				
CONDITION: PLUMAGE	✓	WING LENGTH: (mm)	Left wing	Right wing
Excellent				
Fair	✓			
Poor				

INJURY	✓	CAUSE (if known)
Fractured wing	✓	Not bad
Fractured leg		
Concussion		
Internal injury		
Missing / injured digits		
Starvation		
Nestling / Brancher		
Eye problems		
Poisoning		
Other (please state)		

TREATMENT (& VET):

FITNESS TRAINING (= METHOD FOR RELEASE PREPARATION)

MORTALITY DATE

RELEASE DATE

RELEASE LOCATION

COLOUR RING (?)

RING NUMBER

NOTES

12:11 PM - very not fixable. for release - old.
- should PLS come in yesterday.

1/11/23

6/10/23

**REHAB CENTRE:
EAGLE ENCOUNTERS**

REF #: 5107

SPECIES	AGE	✓	SEX	✓
Cape Cobra	Nestling		Male	
	Juvenile		Female	
	Adult	X	Unknown	

DATE: 05 / 09 / 2023

DETAILS OF COLLECTION LOCALITY (if possible, please provide exact location):

Somerset West

CONTACT DETAILS OF PERSON BRINGING BIRD IN:

Rico Pentz

CONDITION: KEEL	✓	MASS (g):		
Excellent				
Fair				
Poor				
CONDITION: PLUMAGE	✓	WING LENGTH:	Left wing	Right wing
Excellent		(mm)		
Fair				
Poor				

INJURY	✓	CAUSE (if known)
Fractured wing		
Fractured leg		
Concussion		
Internal injury		
Missing / injured digits		
Starvation		
Nestling / Brancher		
Eye problems		
Poisoning		
Other (please state)		

TREATMENT (& VET):

FITNESS TRAINING (= METHOD FOR RELEASE PREPARATION)

MORTALITY DATE	
RELEASE DATE	
RELEASE LOCATION	
COLOUR RING (?)	
RING NUMBER	

NOTES

To be released at Helderberg Nature Reserve



Photographic Evidence - A

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Inspector Jason Page

Taken with: Samsung Galaxy A33



Photograph 01 – Depicting an overall view of the entrance of the facility commonly known as “Eagle Encounters”.



Photograph 02 - Depicting a building next to an enclosure containing a crow.



Photographic Evidence - A

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Inspector Jason Page

Taken with: Samsung Galaxy A33



Photograph 03 – Depicting a close up of the shed referred to and seen in Photograph 02.



Photograph 04 - Depicting the same view of the shed referred to and seen in Photograph 03 with an open door.



Photographic Evidence - A

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Inspector Jason Page

Taken with: Samsung Galaxy A33



Photograph 05 – Depicting the view of the room where animals were kept in unacceptable conditions from the window seen in Photograph 04.



Photograph 06 - Depicting crates containing animals kept in the room referred to in Photograph 05. Note the paint, washing machine and other objects in this room.



Photographic Evidence - A

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Inspector Jason Page

Taken with: Samsung Galaxy A33



Photographs 07 & 08 - Depicting plastic containers covered by towels hidden behind a washing machine in the room referred to in Photograph 6. It was later discovered that these containers contained a snake in each one of them.



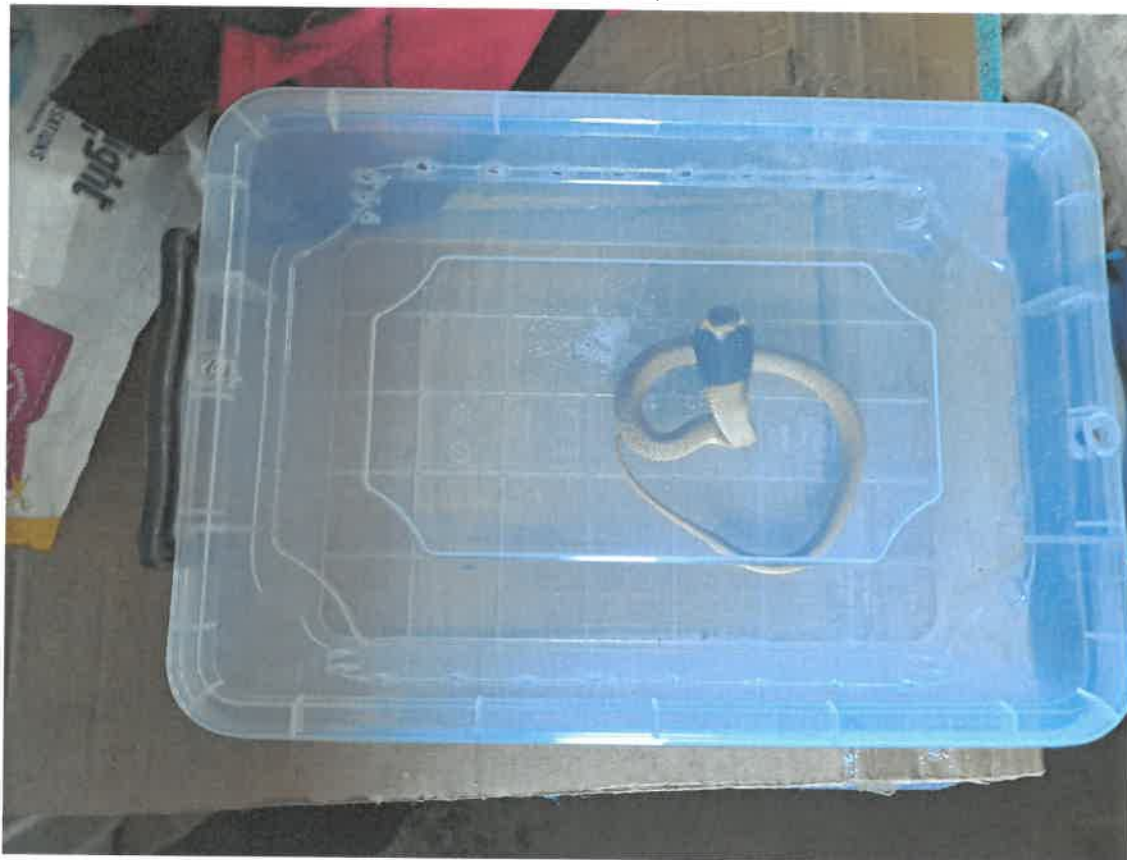
Photographic Evidence - A

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Inspector Jason Page

Taken with: Samsung Galaxy A33



Photographs 09 & 10 - Depicting one of the containers referred to in Photographs 08 & 09 containing a snake. Note that this snake does not have any water availability within this confinement and also does not have any bedding or hiding space.



Photographic Evidence - A

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Inspector Jason Page

Taken with: Samsung Galaxy A33



Photographs 11 & 12 - Depicting two different individual birds tethered to a perch inside of an enclosure. Note that these birds do not have access to water and can't move to other furniture in the enclosure.



Photographic Evidence - B

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Chief Inspector Jaco Pieterse

Taken with: iPhone 13

01



02



Photographs 01 & 02 – Depicting an overall view of the room where we found animals confined to unacceptable conditions. The animals are kept inside the carriers pointed out by the arrows. Note the paint tins, old equipment, tools and building material that is kept in the same room.



Photographic Evidence - B

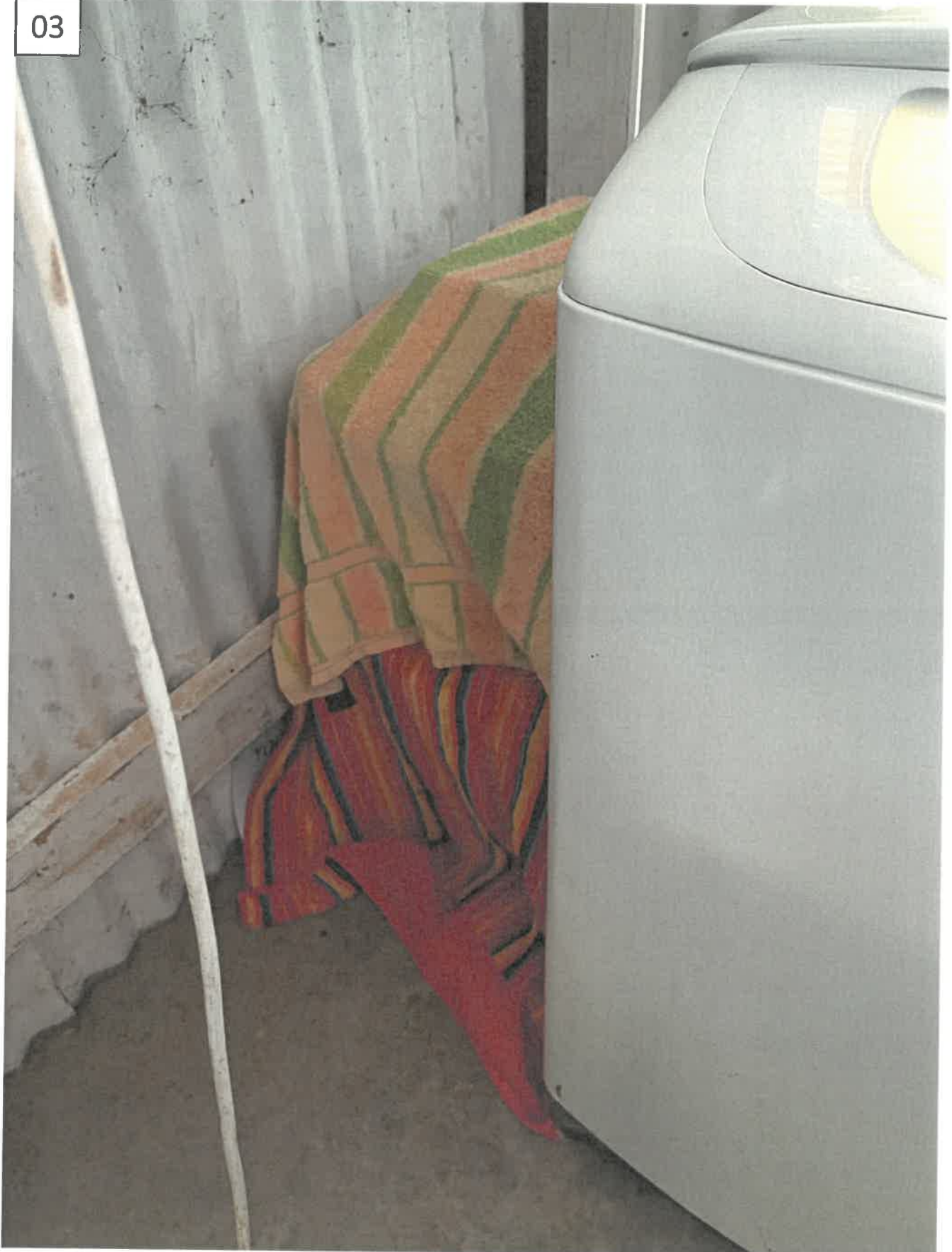
Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Chief Inspector Jaco Pieterse

Taken with: iPhone 13

03



Photograph 03 - Depicting three plastic containers covered with towels and hidden behind a washing machine in the same room referred to in Photograph 01.



Photographic Evidence - B

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Chief Inspector Jaco Pieterse

Taken with: iPhone 13



Photograph 04 – Depicting a snake confined to one of the plastic containers referred to in Photograph 03. Note that there is no water or bedding provided to this animal.



Photograph 05 - Depicting a snake confined to one of the plastic containers referred to in Photograph 03. Note that there is no water or bedding provided to this animal.



Photographic Evidence - B

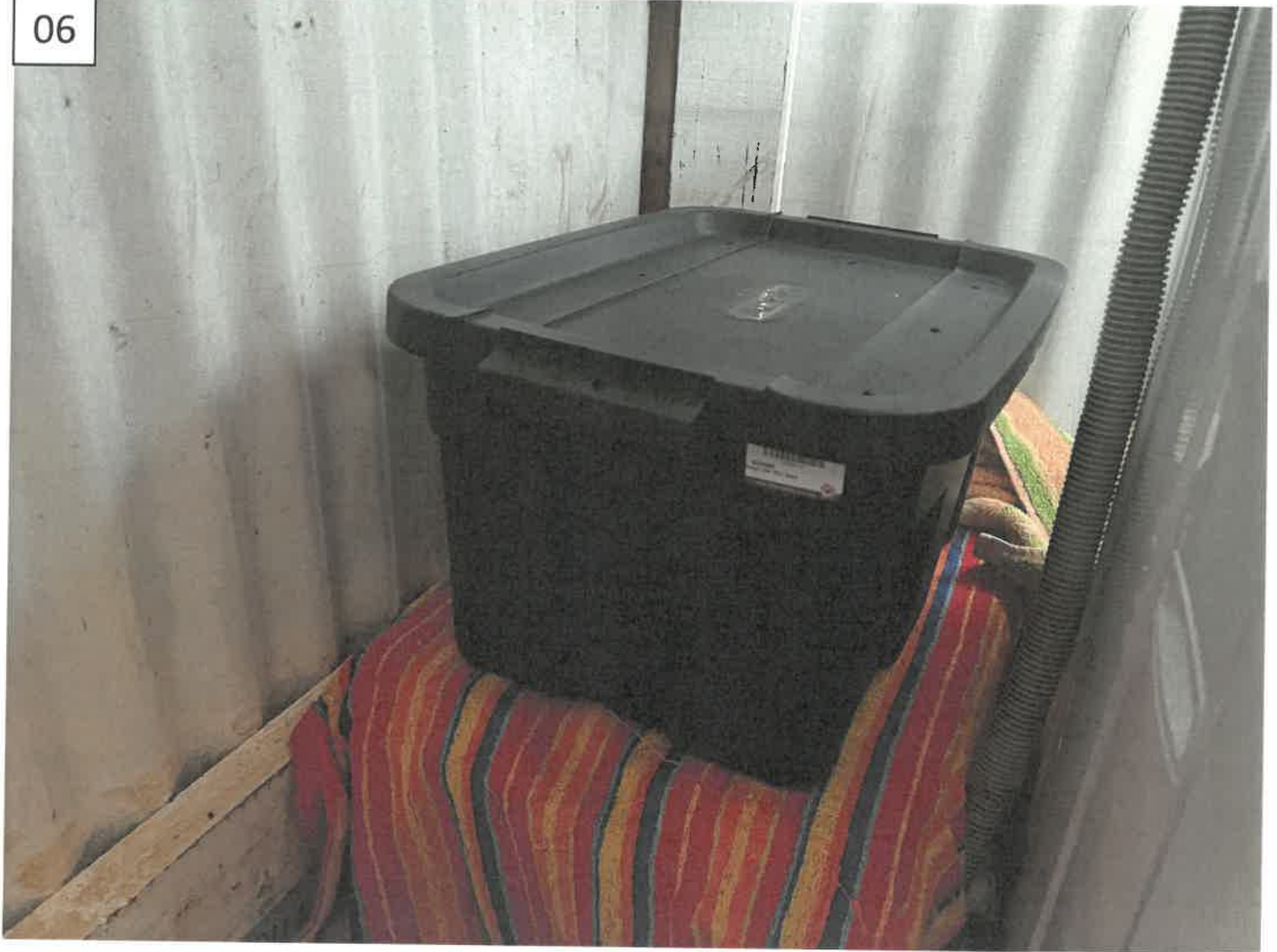
Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Chief Inspector Jaco Pieterse

Taken with: iPhone 13

06



Photograph 06 - Depicting one of the plastic containers referred to in Photograph 3. There was another snake confined to this container.



Photographic Evidence - B

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Chief Inspector Jaco Pieterse

Taken with: iPhone 13

07



Photograph 07 – Depicting an overall view of one of the carrier referred to in Photograph 01 containing a goose. Note that there is no water made available to this animal and he is not afforded enough space to move around comfortably.

08



Photograph 08 - Depicting an overall view of one of the carriers referred to in Photograph 1 containing a bird of prey. Note that there is no water made available to this animal and he is not afforded enough space to move around comfortably.



Photographic Evidence - B

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Chief Inspector Jaco Pieterse

Taken with: iPhone 13

09



Photograph 09 – Depicting an overall view of one of the carrier referred to in Photograph 01 containing a bird of prey. Note that there is no water made available to this animal and he is not afforded enough space to move around comfortably.

10



Photograph 10 - Depicting an overall view of one of the carrier referred to in Photograph 01 containing a bird of prey. Note that there is no water made available to this animal and he is not afforded enough space to move around comfortably.



Photographic Evidence - B

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Chief Inspector Jaco Pieterse

Taken with: iPhone 13



Photograph 11 - Depicting one of the carriers referred to in Photograph 01.



Photograph 12 – Depicting the now open carrier referred to in Photograph 11 containing a bird of prey. Note that there is no water made available to this animal and he is not afforded enough space to move around comfortably.



Photographic Evidence - B

Date taken: 06 October 2023

Address: Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch

Taken by: Chief Inspector Jaco Pieterse

Taken with: iPhone 13



Photograph 13 – Depicting a bird of prey which is tethered with a strap which is approximately 34cm long.



Photograph 14 – Depicting another bird of prey that is tethered. Note that this bird is unable to get to any water.



SWORN AFFIDAVIT

I, the undersigned

**JONATHON LEO FRIEDMAN
(ID 730918 5255 08 8)**

Do hereby make oath and state that:

1.

I am an adult male employed in a full-time capacity as the Supervisor of the Wildlife Department at the Cape of Good Hope Society for the Prevention of Cruelty to Animals ("SPCA"), at corner of 1st Avenue and First Road, Grassy Park with contact telephone number/s 021 700 4158/9 and 064 363 4455 and email address wildlife1@spca-ct.co.za

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 Thursday, 05 October 2023, I was accompanied by Inspector Jason Page and Trainee Inspector Bryan Arendse of the Cape of Good Hope SPCA and we attempted to conduct an inspection at the facility commonly known as Eagle Encounters situated at Spier Wine Farm. The intention of the inspection was to follow-up on two written warnings that were previously issued to the facility (warnings numbered 13027 and 13031 that were previously issued) and to ensure compliance thereof as previously contraventions in terms of both the Animals Protection Act 71 of 1962 and the Performing Animals Protection Act 24 of 1935 were found.

3.1.

Upon our arrival at the facility at approximately 14h16, we were denied access to the facility by one of the facility owners; an adult female known to me as Mrs. Tracy Chalmers. Mrs Chalmers informed us that the we will not be granted entry into the facility to conduct an inspection. I reminded Mrs Chalmers that in terms of the Performing Animals Protection Act 24 of 1935; an Act to which her facility must subscribe in order to legally operate to exhibit animals and allows authorised SPCA Inspectors to conduct inspections at any facility that publicly exhibits or trains animals of any description, and that it is an offence in terms of this Act to wilfully obstruct or otherwise interfere with an SPCA Inspector/s to exercise their powers in terms of the Performing Animals Protection Act 24 of 1935, which includes the right of entry. However, Mrs Chalmers denied that the law stated such and she further stated that upon advice from her legal representative, the SPCA will not be granted access to her facility at this time, or at any other time, on this day or evermore. We were therefore obstructed from conducting an inspection at the facility and we left the property.

4.

On Friday, 06 October 2023 at approximately 10:38, I accompanied Cape of Good Hope SPCA Chief Inspector Jaco Pieterse, Inspector Jason Page, Trainee Inspector Bryan Arendse to Eagle

I, Jonathon Leo Friedman, further state under oath and in English that:

Encounters to conduct an inspection under the auspices of a court order. When we arrived at the facility, we met with an adult male employee of the facility at the entrance to the facility who introduced himself as 'Rico'. Chief Inspector Pieterse explained the reason for our inspection. Rico denied us access to the facility attempting to obstruct Chief Inspector Pieterse from entering the facility. Chief Inspector Pieterse informed him that we were there under the auspices of a court order and offered him a copy of the court order. He positioned his body in such a manner as to block the entrance to the facility, stating that the SPCA "were not welcome" at the facility. Chief Inspector Pieterse informed Rico that obstructing an Inspector of the SPCA from performing their duties was a criminal offence, at which point he relented, and he stepped aside to allow us entry. Inside the facility, we were met with an adult female employee of the facility who gave her name as Gabrielle. She informed us that she had called the facility manager; Mr. Joshua Chalmers, whom we would need to wait outside for before proceeding any further inside the facility. Chief Inspector Pieterse informed her that we are executing a court order and that as such, are not required to await the arrival of any other staff member. Chief Inspector Pieterse gave her an overview of what the court order stated. She, and any other staff member who was present, were invited to accompany us on the inspection. A copy of the court order was handed to Gabrielle and she was asked by Chief Inspector Pieterse if there was any part of the document she would like to have explained to her, or any other staff member, before we proceeded. She indicated that she had no questions and that we may proceed. Male staff member Rico began recording the inspection on his cellular device. Gabrielle and another adult female employee of the facility who gave her name as Lauren and her function as "animal handler", accompanied us on the inspection and answered the questions we posed about the exhibits we visited. Both Gabrielle and Lauren also filmed the proceedings on their respective cellular devices.

4.1.

The inspection proceeded without incident until our arrival at a building located to the left of the Cape crow enclosure that was nondescript bar for a 'No Entry / Staff Only' sign upon the door leading into a shed. Chief Inspector Pieterse queried the adult female employee named Lauren if there were any animals in the shed, to which she replied that there were no animals in the shed. Chief Inspector Pieterse asked for a second time, and she again denied that there were any animals in the shed. Lauren made an attempt to steer the group past the building. Chief Inspector Pieterse proceeded to open the door whereby Lauren told him that only staff are permitted in the building. Chief Inspector Pieterse opened the door regardless and proceeded through the door regardless, where we followed and observed a room to the immediate left containing numerous animal carriers on the floor of the room, each was covered with a towel or blanket. Upon inspection of the pet carriers, it was evident to us that each contained a different bird species. At least two of the birds appeared to be ill or injured. In total there were five (5) birds individually contained; two (2) Spotted eagle owls (1 juvenile and 1 adult bird), one (1) booted eagle (adult), one (1) black sparrowhawk (juvenile), one (1) Egyptian goose (juvenile). It was apparent to us that the containers the animals were housed in were inadequate; they afforded the animals no space to express natural movement, and none contained the means to hold drinking water or any form of perches for the animals to rest on. When questioned by Chief Inspector Pieterse after the animals were discovered, she claimed to have misunderstood. Cadet Inspector Bryan Arendse noticed items hidden behind a washing machine that were covered with towels. Upon closer investigation, it revealed three plastic storage containers of different sizes stacked on top of each with snakes in. Chief Inspector Pieterse enquired from Lauren if she knew the snakes were there but she denied any knowledge of the snakes being there. I have extensive snake-handling experience and knowledge of snakes so I went over to the bins to identify the species in each container. I identified one (1) juvenile Cape cobra (*Naja nivea*) snake in the smallest transparent container and one (1) large, adult Cape cobra (*Naja nivea*) snake in the large transparent container. As I moved to open the third, black bin, the employee Lauren warned me not to open the container as it contained "a very dangerous animal" and that she must insist that I do not to

I, Jonathon Leo Friedman, further state under oath and in English that:

open the container lest I "could be seriously injured." It is concerning that Lauren knew there was a dangerous animal in the box, but denied any knowledge of knowing the animals were there. I opened the black container to discover one (1) large, adult puff adder (*Bitis arietans*) snake inside. Each of these species of indigenous snake are considered potentially venomous. None of the snakes had been provided with substrate or hides or a water container. The shed, comprising a corrugated tin roof and sides, had no proper insulation against heat or cold. The temperature inside the shed at the time of day we were present was uncomfortable for us, even for the relatively short period of time we were there because of the heat. Animals, especially compromised and confined animals are susceptible to heat stress under these sorts of conditions. The two Cape cobras were continuously raising their hoods and striking repeatedly at the walls of their container which is a sign of stress. Had they been provided something to hide under and placed in containers suitable for their size, they would most certainly have been more relaxed. Snakes are ectotherms (animals that cannot control their own body temperature), and as such are prone to hyperthermia when exposed to excessive temperatures which they cannot escape for sustained periods of time. It is inexcusable that anyone experienced in wild animal / wild bird rehabilitation would have chosen this area to hold compromised or healthy animals for even a few hours, let alone days. Chief Inspector Pieterse asked employee Lauren to please provide any admission records for these animals found in the shed. She left the shed to go and obtain the records. After some time has passed, the facility co-owner Mrs. Tracy Chalmers arrived on scene in the company of her son and facility manager Mr. Joshua Chalmers. She immediately demanded to know of us what was going on and Joshua Chalmers requested that we all step outside of the shed to explain ourselves.

4.2.

After some time had passed and three requests to the facility co-owner Mrs. Chalmers for the admission or the veterinary records of the animals in the room to please be shown, the records were handed over to Chief Inspector Pieterse. Mr. Joshua Chalmers confirmed that none of the animals had veterinary treatment. Inspector Jason Page and I continued with the inspection of the rest of the facility and the animals on display in the company of the male staff member Rico Pentz, who continued to film the inspection further on his cellular device.

4.3.

A full inspection was conducted of the animals being exhibited. An off-display, sensory-deprivation aviary was found to contain two adult lanner falcons (*Falco biarmicus*), each separately tethered to a common perch via falconry jesses and cord not exceeding 34cm. Chief Inspector Jaco Pieterse measured the length. These birds had no access to water within their aviary and were denied free movement. Chief Inspector Pieterse also pulled on the rope to feel if it was able to stretch, which the rope couldn't do. We are of the opinion that tethering raptors is an act of animal cruelty, and so subsequently the two birds were confiscated and taken to the Cape of Good Hope SPCA. There was no valid reason for these birds to be tethered and therefore the tethering was unnecessary. It is notable that the two previous warnings issued to the facility by the SPCA on 26/04/2023 (Warning #13027) and 05/05/2023 (Warning #13031), both contained as item number 1: "Unnecessary tethering".

Extract from SPCA Warning 13027 issued on 26 April 2023:

"You are hereby warned that:

1. **Unnecessary tethering: Birds were found tethered unnecessarily** – this includes 3 Wood owls, 1 Martial Eagle and 2 Verreaux Eagles. It is our insistence that captive animals be allowed to roam freely in their enclosures at all times. **We are of the view that tethering the birds is unnecessary and cruel. Birds of the same species were also observed on the property free roaming inside their**

I, Jonathon Leo Friedman, further state under oath and in English that:

aviaries. This must be rectified within 7 days. (see Section 2(1)(b) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(3)(b) and (c) of the Performing Animals Protection Act Regulation, 2016)."

Extract from warning 13031 issued on 05 May2023:

"You are hereby warned that:

1. **Unnecessary tethering: Birds were found tethered unnecessarily** – this includes 1 Martial Eagle and 2 Verreaux Eagles. **It is our insistence that captive animals be allowed to roam freely in their enclosures at all times. We are of the view that tethering the birds is unnecessary and cruel. Birds of the same species were also observed on the property free roaming inside their aviaries. This must be rectified within 7 days.** (see Section 2(1)(b) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(3)(b) and (c) of the Performing Animals Protection Act Regulation, 2016)."

4.4.

The animals seized that were of concern were seized and taken to the Cape of Good Hope SPCA by Inspector Trevor Rodney who waited outside the facility. Chief Inspector Jaco Pieterse completed a seizure notice and handed a copy to Mr. Joshua Chalmers. Mr. Joshua Chalmers also agreed to the SPCA utilizing the carriers to transport the animals to the SPCA and that they can be returned at a later stage.

5.

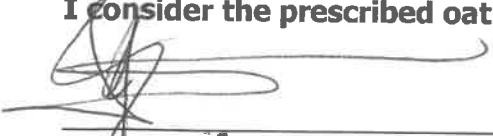
The two lanner falcons were transported in separate holding boxes (provided to us by Eagle Encounters) to the SPCA Wildlife Care Facility. Upon untethered release into our aviary (Aviary number 4 - which is especially prepared to hold raptor birds), each bird immediately flapped up to a perch and exhibited calm and relaxed behaviour. There was no vocalising and no aggression shown towards each other. At no point did either bird attempt to fly into the cage sides. At the SPCA I removed the falconry jesses and cord and placed them in an evidence bag with serial number PA5002292191 and I sealed the bag. I monitor the two birds daily throughout the week and I administer their feeding regime and aviary cleaning on a daily basis with a veterinarian present. The two birds are not unduly startled by my presence in the aviary and are happy to observe us from their perch sites. I have no concern that these untethered birds pose a risk to each other, or to anyone entering the aviary and therefore having them tethered is unnecessary and cruel.

6.

I know and understand the content of this declaration.

I have no objection to taking the prescribed oath.

I consider the prescribed oath to be binding on my conscience.


DEPONENT

The deponent has acknowledged that he knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at CRASSY PARK on this the 23 day of August 2023, 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.

I, Jonathon Leo Friedman, further state under oath and in English that:

712164 n
N. L. Friedman
COMMISSIONER OF OATHS

Full names: NORUTHULA FXI

Designation: SECRETARY

Business address: Room A-101, CHASSY PARK



Nicole Venter - Cape of Good Hope SPCA

From: Jaco Pieterse - Cape of Good Hope SPCA
Sent: Wednesday, 26 April 2023 11:36
To: tracy@eagle-encounters.co.za
Cc: Nicole Venter - Cape of Good Hope SPCA; Jon Friedman - Cape of Good Hope SPCA; NSPCA Wildlife Protection Unit
Subject: Eagle Encounters - Warning
Attachments: 2023-04-26 Eagle Encounters - Warning.pdf

Good day Sir/Madam

Please find attached warning for your perusal.

It was suggested by Mr Hank Chalmers that a meeting be scheduled between the parties to discuss any ongoing concerns at the facility and their solutions. We are happy to attend such a meeting in order to address the concerns found by our Inspectors.

Kind regards

Jaco Pieterse
Chief Inspector



WARNING # 13027

NAME & SURNAME: Mr. Hank Chalmers	DATE OF INSPECTION: 12 & 25 April 2023
PHYSICAL ADDRESS: Eagle Encounters, Spier Wine Farm, Baden Powell Drive, Stellenbosch (GPS: -33.9716480, 18.7852260)	
E-mail: tracy@eagle-encounters.co.za	ID No.: 6807135190082
CELL No.: 082 783 1812	REG No.:

You are hereby warned that:

- 1. Unnecessary tethering:** Birds were found tethered unnecessarily – this includes 3 Wood owls, 1 Martial Eagle and 2 Verreaux Eagles. It is our insistence that captive animals be allowed to roam freely in their enclosures at all times. We are of the view that tethering the birds is unnecessary and cruel. Birds of the same species were also observed on the property free roaming inside their aviaries. This must be rectified **within 7 days**. (see Section 2(1)(b) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(3)(b) and (c) of the Performing Animals Protection Act Regulation, 2016).
- 2. Cleanliness:** The facility displays concerning cleanliness issues. Excessive build-up of either faeces, food material or other animal matter must be avoided. Persistent lack of hygiene may cause parasitic conditions that could lead to zoonotic outbreaks that are best prevented by installing stricter cleaning regimes. This must be rectified **within 7 days**. (see Section 2(1)(b) and (e) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(3)(b) of the Performing Animals Protection Act Regulation, 2016).
- 3. Water containers:** All animals must have access to potable water at all times. Drinking bowls were observed to be dirty and containing excessive algal growth. We suggest a deep clean of all water-containing receptacles in the animal enclosures and aviaries and this should be done on a daily basis. (see Section 2(1)(c) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(3)(e) of the Performing Animals Protection Act Regulation, 2016).
- 4. Vegetation:** Overgrown vegetation in aviaries should be trimmed. Dead or dying vegetation should be removed. This is to discourage parasitic conditions (ticks, fleas, mites, etc), as well as wild rodents. This must be rectified **within 7 days**. (see Section 2(1)(e) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(4)(b) of the Performing Animals Protection Act Regulation, 2016).
- 5. "Quarantine/Observation Room":** Various bird species were kept in close confinement to one another in unsuitable holding boxes/crates, which do not afford adequate space. Suitable temporary holding cages must be installed should you wish to continue using this room for the temporary housing of animals. This must be rectified **within 30 days**. (see Section 2(1)(a) and (b) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(3)(b) of the Performing Animals Protection Act Regulation, 2016).

--- continued: page 2 ---

- a. In the interim, the temporary holding boxes/cages should not face one another and should not be stacked on top of each other. This is to avoid causing unnecessary stress being caused to such birds facing a predator or be in proximity while waiting for assessment.
- 6. Hides/Shelter:** Adequate hide spaces must be provided in the enclosures/aviaries for the animals to retreat when they feel threatened. Ensure all the aviaries/enclosures are provided with adequate hiding spaces according to species requirements **within 30 days** (excluding the bearded dragons – see below). *(see Section 2(1)(a) and (b) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(3)(d) and (f) of the Performing Animals Protection Act Regulation, 2016).*
- a. **Bearded dragons:** It was observed that three bearded dragons were kept in one enclosure with no shelter/hiding spaces. Ensure to provide enough hiding spaces **within 14 days**.
- 7. Pest Control:** Rodent burrows were observed in some of the animal enclosures/aviaries. Further to this, no fly control methods were observed. A pest control system must be implemented for both rodent and fly control **within 7 days**. *(see Section 2(1)(e) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(4)(b) of the Performing Animals Protection Act Regulation, 2016).*
- 8. Records:** Updated records such as animal registers, veterinary records, PAPA license, Emergency Plans, and other necessary documentation in relation to the captive animals must be kept onsite for inspection by legal authorities. *(see the Licencing requirements in terms of Article 4(1) of the Performing Animals Protection Act Regulation, 2016).*

Recommendations:

1. Minimal disinfectant methods were in place. It is strongly advised to obtain disinfecting products and have more spray bottles available at the entrance to aviaries or displays. *(see Article 3(b) of the Performing Animals Protection Act Regulation, 2016).*

We remind you to adhere to all the provisions of the Animals Protection Act 71 of 1962, Performing Animals Protection Act 24 of 1935 (as amended in 2016) & its supporting Regulations.

This warning has been issued in terms of the Society for the Prevention of Cruelty to Animals Act No 169 of 1993.

Failure to comply with this warning may render you liable for prosecution under the Animals Protection Act No 71 of 1962 and / or Performing Animals Protection Act No 24 of 1935.

Any person who:- obstructs, hinders or resists an officer authorised in terms of the Animals Protection Act No 71 of 1962 or conceals any animal shall be guilty of an offence in terms of Section 8(4) of the aforementioned Act.

SIGNED & ACCEPTED BY: Sent via Email	
PLACE: Cape Town	DATE: 26 April 2023
INSPECTOR: Insp E. Graham & Cadet Insp J. Friedman	

Nicole Venter - Cape of Good Hope SPCA

From: Nicole Venter - Cape of Good Hope SPCA
Sent: Friday, 05 May 2023 16:12
To: tracy@eagle-encounters.co.za
Cc: Jaco Pieterse - Cape of Good Hope SPCA; wild3@nspca.co.za; Jon Friedman - Cape of Good Hope SPCA
Subject: Eagle Encounters - Warning 13031
Attachments: WARNING 13031.pdf
Follow Up Flag: Follow up
Flag Status: Flagged



Good day Sir/Madam

Please find attached warning for your perusal.

Kind regards

Cape of Good Hope



Elani Graham

Inspectorate Supervisor: Area North

T: 0217004158

E: insp8@spca-ct.co.za

Cnr First Road and 1st Avenue, Grassy Park, 7941
www.capespca.co.za



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Society for the Prevention of Cruelty to Animals

Cape of Good Hope



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Incorporated Association not for gain

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Ingelyfde Vereniging sonder winsoogmerk

Cnr 1st Avenue & 1st Road, Grassy Park, 7941
P O Box 3, Plumstead, 7801
Tel: 021 700 4140
Fax: 021 705 2127
enquiries@spca-ct.co.za
www.capespca.co.za

WARNING # 13031

NAME & SURNAME: Mr. Hank Chalmers	DATE: 03 May 2023
PHYSICAL ADDRESS: Eagle Encounters, Spier Wine Farm, Baden Powell Drive, Stellenbosch (GPS: -33.9716480, 18.7852260)	
E-mail: tracy@eagle-encounters.co.za	ID No.: 6807135190082
TEL. No.:	CELL No.: 082 783 1812 REG No.:

You are hereby warned that:

- 1. Unnecessary tethering:** Birds were found tethered unnecessarily – this includes 1 Martial Eagle and 2 Verreaux Eagles. It is our insistence that captive animals be allowed to roam freely in their enclosures at all times. We are of the view that tethering the birds is unnecessary and cruel. Birds of the same species were also observed on the property free roaming inside their aviaries. This must be rectified **within 7 days**. (see *Section 2(1)(b) of the Animals Protection Act 71 of 1962 and see the Licencing requirements in terms of Article 4(3)(b) and (c) of the Performing Animals Protection Act Regulation, 2016*).
- 2. Important to note** that the concerns/contraventions listed on the warning issued on 26 April 2023 that have not yet lapsed are still valid and must be remedied within the given timeframe as listed on that particular warning.

This warning has been issued in terms of the Society for the Prevention of Cruelty to Animals Act No 169 of 1993.

Failure to comply with this warning may render you liable for prosecution under the Animals Protection Act No 71 of 1962 and / or Performing Animals Protection Act No 24 of 1935.

Any person who:- obstructs, hinders or resists an officer authorised in terms of the Animals Protection Act No 71 of 1962 or conceals any animal shall be guilty of an offence in terms of Section 8(4) of the aforementioned Act.

SIGNED & ACCEPTED BY: Sent via Email	
PLACE: Cape of Good Hope SPCA	DATE: 05 May 2023
INSPECTOR: E. Graham and Jon Friedman	



SWORN AFFIDAVIT

I, the undersigned

**TREVOR STEVEN RODNEY
(ID 6702285167081)**

Do hereby make oath in English and state that:

1.

I am an adult male Inspector employed as such by the Cape of Good Hope Society for the Prevention of Cruelty to Animals ("SPCA") at the corner of 1st Avenue and First Road, Grassy Park with contact telephone number/s 021 700 4158/9 and with email address inspectorate@spca-ct.co.za.

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 **06 October 2023**, I was telephonically contacted by my colleague, Bryan Arendse, and requested to drive to a facility commonly known as "**Eagle Encounters**". I was told to drive to the facility with an empty vehicle for me to go and fetch animals that had been confiscated from the facility to be taken to the Cape of Good Hope SPCA for veterinary examination.

3.1.

Upon my arrival, I waited outside the facility as I was not listed on the court order. My colleagues brought the animals outside in carriers, crates, and plastic containers. We loaded one (1) juvenile Egyptian goose; one (1) Booted eagle; two (2) Spotted eagle owls; one (1) Black Sparrowhawk; one (1) adult Cape cobra; one (1) adult Puffadder; and one (1) juvenile Cape cobra.

3.2.

I immediately took the animals to the Cape of Good Hope SPCA. Upon my arrival at the Cape of Good Hope SPCA's Wildlife Department I met with my colleague, Inspector Nicole Venter. Inspector Venter and I offloaded the animals in my vehicle into the Wildlife Department's clinic. Whilst waiting for the veterinarians to arrive, Inspector Venter and I provided water to the animals. Once we placed water in the carrier containing the Egyptian goose, it immediately rushed to the bowl and started drinking.

4.

**I know and understand the content of this declaration.
I have no objection to taking the prescribed oath.
I consider the prescribed oath to be binding on my conscience.**

I, Trevor Steven Rodney, further state under oath and in English:

T. Rod

DEPONENT

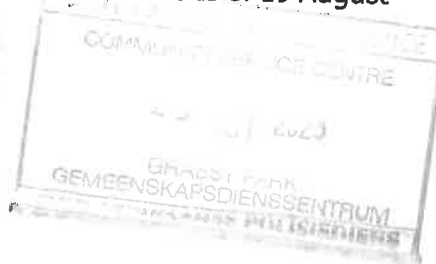
The deponent has acknowledged that he knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at GRASSY PARK on this the 23 day of OCTOBER 2023 the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

COMMISSIONER OF OATHS

Full names: K. Matthews

Designation: constable

Business address: Reddy Avenue GRASSY
Park





SWORN AFFIDAVIT

I, the undersigned

**NICOLE VENTER
(ID 9701100040082)**

Do hereby make oath in English and state that:

1.

I am an adult female Inspector employed as such by the Cape of Good Hope Society for the Prevention of Cruelty to Animals ("SPCA") at the corner of 1st Avenue and First Road, Grassy Park with contact telephone number/s 021 700 4158/9 and with email address inspectorate@spca-ct.co.za.

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 Friday afternoon, 06 October 2023, I was requested to wait for and assist my colleague, Inspector Trevor Rodney, with offloading animals that had been removed from a wildlife facility. I waited for Inspector Rodney at the Wildlife Department of the Cape of Good SPCA. Upon his arrived, we offloaded eight (8) animals (confined to various containers) into the Wildlife Department's clinic. Whilst waiting for the veterinarians to arrive, Inspector Rodney and I provided the animals with water. When Inspector Rodney and I placed water inside the Egyptian goose's container, it rushed to drink the water and didn't stop drinking. Whilst providing water I observed the following animals in the containers: two (2) Spotted eagle owls; one (1) juvenile Egyptian goose; one (1) Sparrowhawk, one (1) Booted eagle; two (2) Cape cobras (1 juvenile and 1 adult); and one (1) Puffadder.

4.

I met with Dr David Roberts, an independent veterinarian, when he arrived at the Wildlife Department. Whilst Dr Roberts examined the animals, I took footage using my iPhone 8 cellular phone camera.

4.1.

When Dr Roberts examined the Booted eagle, he found an open wound on the eagle's wing. When he showed me the wound, I smelt a putrid odour exhuming from the wound. Additionally, I observed an excessive number of maggots moving inside the wound. The wound appeared to reach deep within the flesh of the eagle and I could see bone inside the wound. Dr Roberts explained that the wound was very concerning and that the eagle would be suffering. To end the eagle's suffering, Dr Roberts then immediately humanely euthanised the eagle. Once the eagle no longer had a heartbeat, it was wrapped in a towel and put aside

I, Nicole Venter, further state under oath and in English:

so it could be taken for x-rays at the SPCA's Hospital facilities. I took videos of the maggots inside the eagle's wound at the SPCA's Hospital facilities when it was taken for x-rays.

4.2.

When Dr Roberts examined the Spotted eagle owls, he found one of the owls appeared to have an injured wing. Upon further examination, Dr Roberts found that there was an open wound on the owl's wing that caused the wing to be stuck to the owl's body. Dr Roberts stated the owl must go for x-rays for the wing to be further examined. Once the owl was sedated for x-rays at the Hospital, Dr Roberts found what appeared to be joint infection in the owl's affected wing and advised the owl to be euthanased. Once the owl was euthanased, I took photographs of the wound on its wing.

4.3.

The photographs depicted in "Photographic Evidence - C" and the videos labelled "IMV_3871" and "IMV_3880" were taken by myself, with my iPhone 8 cellular phone camera. I downloaded the videos onto my computer and placed them onto a USB memory stick in a folder labelled "Video Evidence C". Both the photographs in "Photographic Evidence - C" and the videos in "Video evidence C" are originals and were not edited or altered in any way. They are a true reflection of my findings. The USB memory stick was placed in an evidence bag with number 1018407 and sealed in my presence.

5.

I know and understand the content of this declaration.

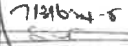
I have no objection to taking the prescribed oath.

I consider the prescribed oath to be binding on my conscience.



DEPONENT

The deponent has acknowledged that she knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at GRASSY PARK on this the 23 day of OCTOBER 2023, 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.

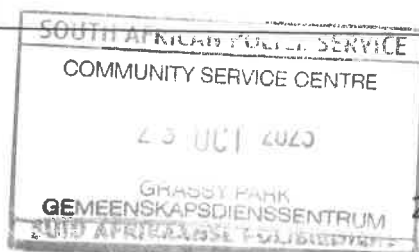


COMMISSIONER OF OATHS

Full names: NIKOLAUS ESK1

Designation: GRASSY PARK

Business address: 23001 AVENUE, GRASSY PARK





Photographic Evidence - C

Date taken: 06 October 2023

Address: Cape of Good Hope SPCA, c/o First Ave & First Rd, Grassy Park, Cape Town

Taken by: Inspector Nicole Venter

Taken with: iPhone 8

01



Photograph 01 - Depicting an overall view of a Booted Eagle that had been seized by Inspectors of the Cape of Good Hope SPCA on 06 October 2023. The photograph was taken during a veterinary assessment of the bird.



Photographic Evidence - C

Date taken: 06 October 2023

Address: Cape of Good Hope SPCA, c/o First Ave & First Rd, Grassy Park, Cape Town

Taken by: Inspector Nicole Venter

Taken with: iPhone 8

02



Photograph 02 - Depicting a close up of the left wing of the bird referred to in Photograph 01. Note the injury pointed out by the red arrow.



Photographic Evidence - C

Date taken: 06 October 2023

Address: Cape of Good Hope SPCA, c/o First Ave & First Rd, Grassy Park, Cape Town

Taken by: Inspector Nicole Venter

Taken with: iPhone 8

03



04



Photographs 03 & 04 - Depicting a close up of the injury referred to in Photograph 02. Note the bone and maggots inside the wound depicted in these photographs.



Photographic Evidence - C

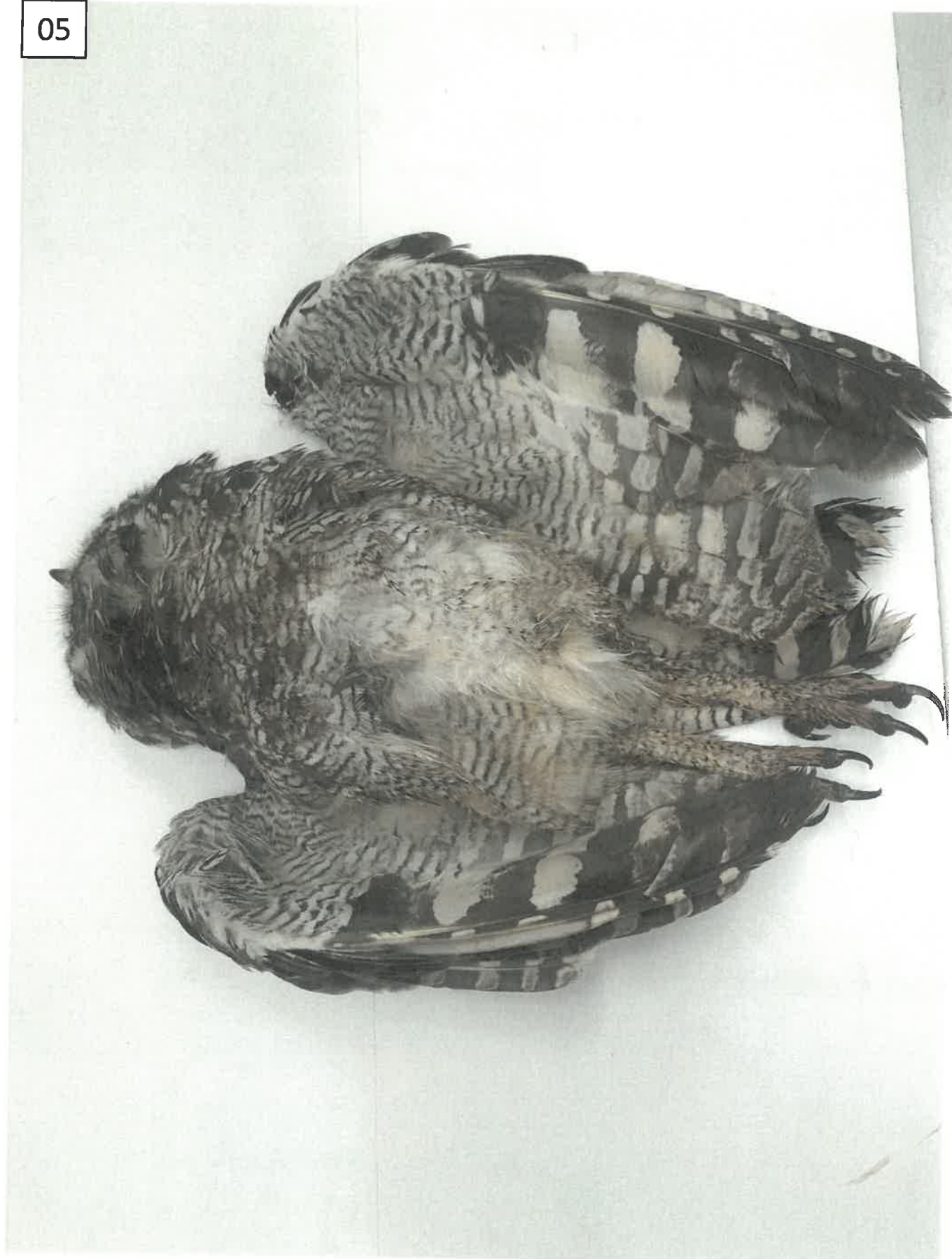
Date taken: 06 October 2023

Address: Cape of Good Hope SPCA, c/o First Ave & First Rd, Grassy Park, Cape Town

Taken by: Inspector Nicole Venter

Taken with: iPhone 8

05



Photograph 05 - Depicting an overall view of a Spotted Eagle Owl, that had been seized along with the bird seen in Photograph 1, on 06 October 2023. This photograph was taken during a veterinary assessment of the bird.

Cape of Good Hope



06

Photographic Evidence - C

Date taken: 06 October 2023

Address: Cape of Good Hope SPCA, c/o First Ave & First Rd, Grassy Park, Cape Town

Taken by: Inspector Nicole Venter

Taken with: iPhone 8



Photograph 06 - Depicting a close up of the left wing of the bird referred to in Photograph 05. Note the injury pointed out by the red arrow.



07

Photographic Evidence - C

Date taken: 06 October 2023

Address: Cape of Good Hope SPCA, c/o First Ave & First Rd, Grassy Park, Cape Town

Taken by: Inspector Nicole Venter

Taken with: iPhone 8



Photograph 07 - Depicting a close up of the wound referred to in Photograph 06.

Cape of Good Hope



08

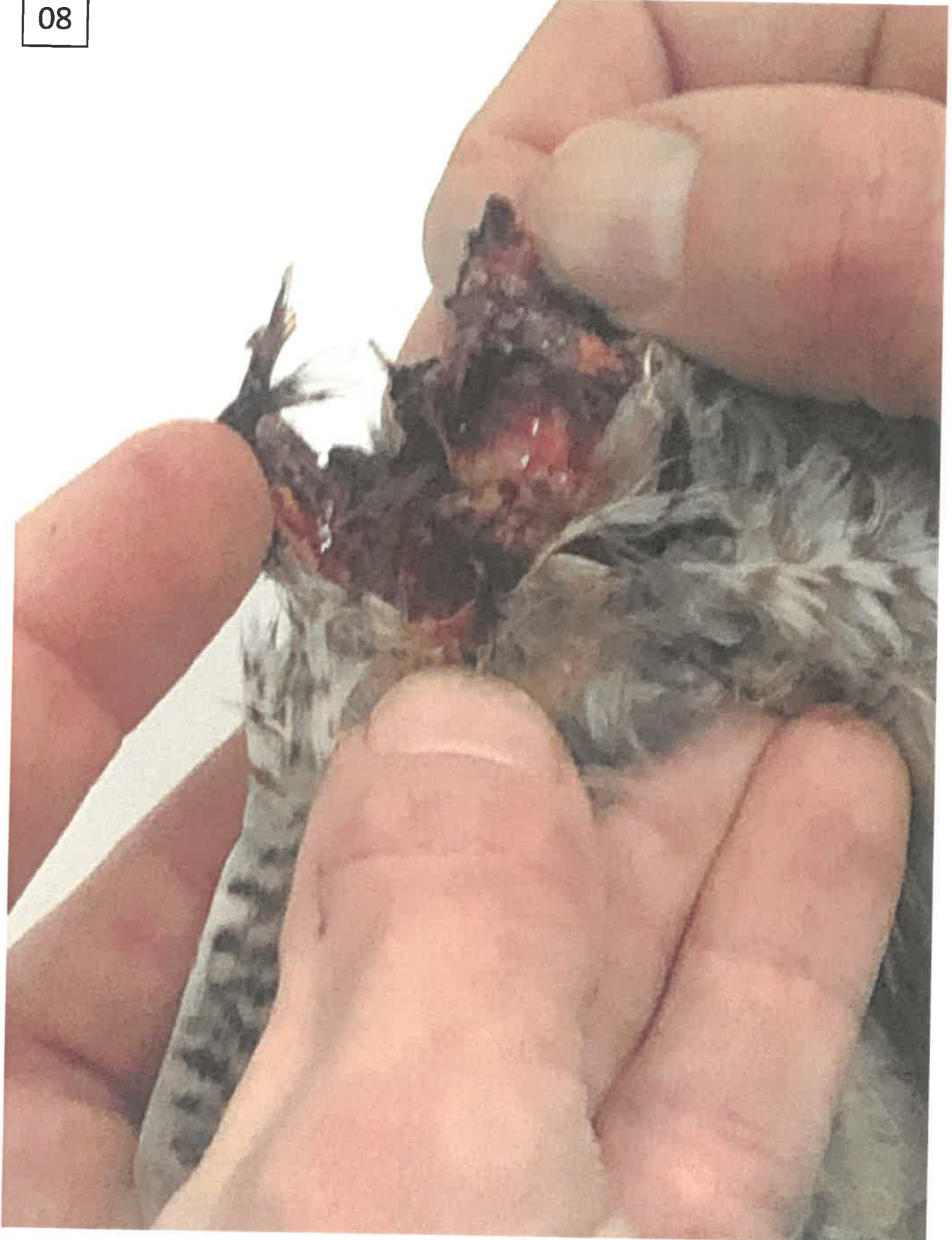
Photographic Evidence - C

Date taken: 06 October 2023

Address: Cape of Good Hope SPCA, c/o First Ave & First Rd, Grassy Park, Cape Town

Taken by: Inspector Nicole Venter

Taken with: iPhone 8



Photograph 08 - Depicting a close up of the wound referred to in Photograph 6.

11 October 2023

Veterinary Assessment Report

On the 6th of October 2023 I, Dr David Roberts (MSc, BVSc), SANCCOB's clinical veterinarian, was asked by the Cape of Good Hope SPCA to assess the health of several wild birds that had been confiscated by the SPCA Inspectors from a wildlife facility.

The following report lists the results of the clinical health examinations which I performed at the SPCA Wildlife Unit in Grassy Park and the condition of the birds when I examined them. The birds were still in the same cages in which they were confiscated.

Admission number 1580: Sparrowhawk

Body condition score 3/5 (reasonable). Mildly dehydrated. No other abnormalities were noted except that the distal parts of the primary wing feathers were more curved than I expected. This may have been normal for this species. This level of dehydration is normal confinement for a day without access to water. Water was however provided by the SPCA upon arrival at the SPCA.



Admission number 1581: Booted Eagle

Body condition score 2/5 (thin). An old, open wound was found on the left elbow joint. It was infested with maggots. An open distal humerus fracture was suspected. Due to the severity of the wound the bird was immediately euthanised. An x-ray of the affected wing was done after euthanasia and revealed a severe, fracture of the distal humerus, proximal radius and ulna. The injury was typical of one which would have occurred in the wild. In my professional opinion, this bird was in severe pain and was suffering unnecessarily. This bird should have received a full examination on admission to the wildlife facility and analgesic treatment as soon as possible. Humane euthanasia should have been arranged as soon as possible after it was clear that the prognosis for successful rehabilitation was low.



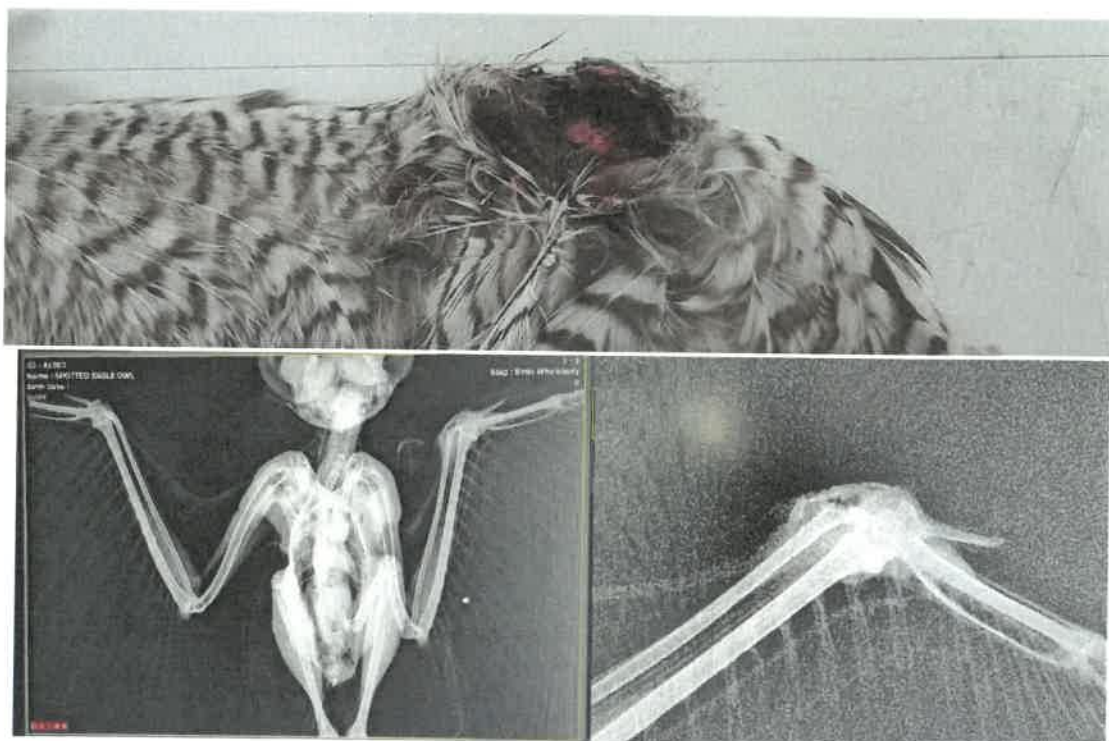


Admission number 1582: Egyptian Goose

The bird was mildly dehydrated, and some blood staining was found on the feathers under the right wing. There were some small, healing wounds on top of the left foot which were not a cause for concern. The tips of the tail feathers were slightly bent. Body condition score 3/5 (reasonable). This level of dehydration would be typical for a bird which was kept without water for a day. Water was however provided by the SPCA upon arrival at the SPCA. In my professional opinion, this bird was fit for release, and no further treatment or rehabilitation was required.

Admission number 1583: Spotted Eagle Owl

A large scab was found on the left wrist area which caused the wing to stick to the body. This was from a wound on the left wrist. Small scratches were seen on the right foot, they were healing and not concerning. An X-ray was taken of the injury which showed a high probability of joint infection and a very poor prognosis for release. I therefore recommended humane euthanasia. In my professional opinion, this wound would be painful and distressing. This bird should have received an examination on admission at the wildlife facility. Any bird with a wound like this should receive analgesic treatment as soon as possible. In cases like this, where the prognosis for successful release is poor, humane euthanasia should be arranged without delay, to prevent suffering.



Admission number 1584: Spotted Eagle Owl

The right eye was held half closed, more than the left eye. There was a small, old, healed wound in the margin of the lower eyelid. Body condition score 2/5 (thin). An area of featherless skin was noticed on the lower (ventrocaudal) part of the body and was associated with an area of unusual swelling which could have been due to fluid (oedema) or air (subcutaneous emphysema) under the skin. No other diagnostic tests were done.



Conclusion:

In my professional opinion, the Booted Eagle and the Spotted Eagle Owl that were humanely euthanised were suffering without appropriate analgesic treatment these wounds would be severely painful and distressing. Since the prognosis for successful release was low, and they were in pain, they should have been humanely euthanised without delay. In cases where prompt euthanasia by a veterinarian is impossible, appropriate analgesic medication should be given as well as additional measures to reduce distress, these would include wound treatment and providing a comfortable environment which minimises stress. It is vital that any wildlife rehabilitation centre examines all patients on admission, in a manner which reduces the stress of the patient and provides the care needed to reduce pain, distress and suffering. It is also important that the prognosis for successful rehabilitation is evaluated soon after admission. In cases where animals are in pain or distress and the prognosis for successful release is poor, humane euthanasia is recommended and should not be delayed.

Dr David Roberts (MSc, BVSc)
Clinical Veterinarian
SANCCOB



SWORN AFFIDAVIT

I, Dr Karin Lourens, hereby make oath and declare in English as follows:

1.

All facts herein contained are, except where otherwise stated, within my own personal knowledge and are both true and correct.

2.

I am a veterinarian with 20 years' experience and owner of the Johannesburg Wildlife Veterinary Hospital. This facility is both a registered veterinary practice as well as a permitted wildlife rehabilitation center. We are permitted to work with all indigenous wildlife including TOPS species (Threatened or Protected Species).

My qualifications and experience are as follows:

- 2.1 I am in possession of a BVSc degree (Veterinary Science) obtained from the University of Pretoria in November 2002.
- 2.2 I obtained a Master's degree (cum laude) in February 2020, with the title: Reference intervals for selected haematological and clinical biochemistry measurands in Temminck's pangolin (*Smutsia temminckii*).
- 2.3 I am registered with the South African Veterinary Council (SAVC), and I am a Member of the South African Veterinary Association (SAVA).
- 2.4 I have extensive experience working with small and medium indigenous wildlife – eight years part time and six years on a full-time basis.
- 2.5 I have treated over 300 different indigenous Southern African species.
- 2.6 I regularly give lectures to veterinarians and veterinary nurses on local and international platforms about the keeping/husbandry and treatment of small and medium wildlife.

3.

On 6 October 2023 at approximately 11H19, I received a WhatsApp audio call from Chief Inspector Jaco Pieterse of the Cape of Good Hope SPCA. He asked if I would be willing to assist him in evaluating the keeping conditions of animals being held at a facility that he was in the process of inspecting in Cape Town. When I agreed, he placed me on video call and then proceeded with his inspection.

4.

The facts recorded in this report were established by my extensive experience in treating, keeping and rehabilitating injured wild animals.

5.

The video call started with Chief Inspector Pieterse opening a wooden shed-like door and entering into a dark passageway and then into a small dark room on his left-hand side. The open door allowed some light into the room, and I observed several animal carriers, makeshift carriers and plastic containers on the floor which were discovered to be holding a selection of wild birds in them when the covers on the carriers were



lifted. I also observed that the room contained a lot of garage and storeroom items such as paint containers (some open) and painting equipment, washing machines, clothing, piles of towels and blankets, empty glass tanks, plastic bins and cardboard boxes full of discarded items. As Chief Inspector Pieterse proceeded to show me the room I observed the dirty cement floor as well as two separate areas where it appeared that rats had been entering the room. I was then shown a washing machine placed to one side of the room with washing inside of it. Right next to the washing machine were three lidded plastic containers stacked on top of each other. Two of the containers were clear plastic and I could see that they each held a snake inside. Neither of these containers had any floor covering, a place for the snakes to hide or any water or even a water container. Both these snakes appeared to be Cape cobras, both animals were very distressed and striking at the sides of the containers. The third container was a large black plastic container and Chief Inspector Pieterse indicated that he had been informed that it also held a snake. This container was not opened as he was unsure as to what type of snake it contained. The snakes' close proximity to the washing machine was concerning to me as snakes are particularly sensitive to vibrations and a working washing machine would have caused intense distress and anxiety.

6.

Chief Inspector Pieterse then returned to examine each animal in more detail, lifting the towel covering (all the animals had been covered) of each animal carrier/container to show me their keeping conditions. These were the animals and conditions I observed:

- One juvenile Black Sparrowhawk in a plastic animal carrier with a partial towel cover. No perch inside and no water provided. The carrier was too small for this species.
- One adult Spotted Eagle Owl inside a plastic animal carrier with a partial towel cover. No perch and no water provided.
- One adult Spotted Eagle Owl inside a plastic animal carrier partially covered with a towel. No perch and no water provided.
- One juvenile Egyptian Goose inside a plastic animal carrier. No food or water provided, completely covered by towel, no access to light. The carrier was too small for this species.
- One adult Booted Eagle. Kept in a make-shift container of two plastic crates with a wooden hinge on one side. No perch inside carrier, and no food or water provided. Completely covered by a blanket, no access to light. This container was too small for this species.
- One Cape Cobra, juvenile. Kept in a clear plastic container, no floor covering, no hiding place and no water provided.
- One Cape Cobra, adult. Kept in a clear plastic container, no floor covering, no hiding place and no water provided.
- One black plastic container, alleged to be holding a snake inside (later confirmed to be holding an adult Puff adder)

6.

Discussion:

It is my opinion that these wild animals were kept in suboptimal conditions with very little thought given to their welfare and wellbeing. The crates/carriers were on the floor, next to open paint containers in amongst the debris of the room – See Photo 1 and 2. Paint fumes have the potential to release noxious fumes,



which can cause respiratory and eye irritation. Birds are especially susceptible to the effects of these fumes, and the inhalation thereof can lead to respiratory distress and even death. The floor was dirty and clear evidence of rat activity could be seen. One of the biggest welfare concerns here was that not a single animal had access to water. No bowls were seen in any of the carriers either. None of the birds had perches. It is extremely important to have the correct perch for a species, especially birds of prey. The perch should be high enough that the tail and wings of the bird are completely off the bottom of the carrier. This is to ensure optimal feather health and condition, as this is paramount to successfully releasing any species of bird. The booted eagle and the black sparrowhawk both have long tail feathers, this is to facilitate the way they hunt in the wild. If the tail feathers are damaged or broken, it makes hunting prey almost impossible, and this would mean that the bird would not be immediately releasable. Both the booted eagle and the sparrowhawk had no perches. In the case of an injured bird where a perch would not be possible, then a tail guard should be used to protect the feathers. Neither of these birds had a tail guard.



Photo 1: Open paint container (red arrow) amongst the other debris.



Photo 2: Open paint container (red arrow) with even more debris visible.

The snakes were found next to the washing machine, three plastic containers stacked on top of each other and covered with a blanket. It appears that they had been hidden here – See **Photo 3 and 4**. The vibrations of the washing machine would have caused severe discomfort and distress – this can be compared to someone shouting at the top of their lungs into a person's ear for a prolonged period of time. The snakes also had no water or a place to hide. Wild-caught snakes are scared of humans and always need a place to hide. Just covering the container with a towel/blanket is not adequate. Water is important, even if the snake is not injured, just the stress of being caught, transported in a vehicle and handled can cause dehydration. Water should be available at all times, and the animal should always be given the choice to drink or not.



Photo 3: Covered snakes next to washing machine



Photo 4: Snakes uncovered, and pulled out from where they were hidden next to the washing machine.

7.

Conclusion:

The keeping conditions of all the animals found in the "shed" were poor. None of the animals had water, and some of the carriers/containers were too small for the species they contained. The minimum requirements for these animals were not met.

I am of the opinion that the welfare of every single one of these animals was compromised. Wildlife rehabilitation has a bad reputation in South Africa, and if facilities like this one continue to get away with such obvious welfare concerns, then many more animals will suffer.

Note: Photos used in this report were supplied by Chief Inspector Pieterse for illustration purposes.

AS



8.

I know and understand the content of this declaration.

I have no objection to taking the prescribed oath.

I consider the prescribed oath to be binding on my conscience.

Signature of deponent

Dr Karin Lourens, BVSc

I certify that the deponent has acknowledged that she understands the content of this declaration which was sworn to before me, and the deponent's signature was placed thereon in my presence.

At: Douglasdale On (date): 2023-10-20 At (time): 07:40

Signature: Commissioner of Oaths



Homer Forbes International

Apartment 1, Blairvadach House, Shandon,
Helensburgh, Argyll and Bute, Scotland. UK. G84 8NN

Dr Neil A Forbes BVetMed DipECZM(avian) FRCVS
RCVS Specialist emeritus in Zoo and Wildlife Medicine (avian)

Expert Witness Statement

Prepared 08-15/10/2023

Neil A Forbes

Contents

Statement of Witness

Report

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STATEMENT OF WITNESS

(C.J. Act 1967, Sec.9: M.C. Act 1980, ss 5A (3) (A) and 5(B), M.C. Rules 1981, Rule 70.)

Statement of Neil A. Forbes BVetMed DipECZM(avian) FRCVS
 RCVS Emeritus Veterinary Specialist Zoo & Wildlife (avian)

Age Over 18

Occupation Avian Veterinary Specialist Emeritus

This statement (consisting of 9 page(s) each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 08nd day of October 2023

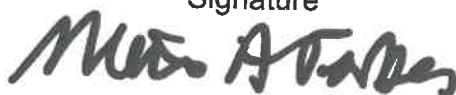
WITNESS REPORT

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Date 15/10/2023

Signature

Continued yes / 



REPORT

INTRODUCTION

0.0 Formal details

- 0.1 I am a Veterinary Surgeon practising from the above address. I gained a BVetMed (1st), from the Royal Veterinary College in 1983. I was elected MRCVS in 1983, a RCVS Recognised Specialist in Avian Medicine in 1992 and FRCVS (by examination) in 1996 and my Diplomate of the European College of Avian Medicine in 1997. I left full time clinical referral practice in 2017, since when I have maintained a consultancy service, within my Specialist field in the UK and abroad.
- 0.2 I have provided Expert Witness services in Criminal and Civil actions for over 30 years, for prosecution, defence, plaintiff and defendant. I have acted for and advised the RSPCA, SSPCA, RSPB, Customs and Excise, various Police Forces, The Veterinary Defence Society as well as many instructing Solicitors. A full resume of my CV is detailed in Appendix 1, pages 10-11.

1.0 Instruction

- 1.1 I was contacted by Chief Inspector Jaco Pieterse of the Cape of Good Hope Hospital on 07/10/2023, asking me to view the following footage <https://photos.app.goo.gl/8ArYfafLD8bzVWqx5> and to subsequently provide an expert opinion statement.



2.0 Conflicts of Interest

2.1 I do not know who the defendant is but it is unlikely that they are known to me, I am not aware of ever having met the defendant and am unaware of any likely or potential conflict of interest.

3.0 My observations in respect of the photographic footage referred to above. The images show two lanner type falcons, which both appear to be sporting closed 'captive bred' closed rings.

The birds appear to be trained, feather condition is good, although one bird at least has an overgrown rhinotheca (top beak) which requires coping.

There is no indication that the bird has suffered as a consequence of this.

Each falcon is wearing traditional jessies, swivel and leash, both falcons are restrained to a screen perch, within a sheltered enclosure. The length of the free end of the furniture is approximately 34cm. The positioning is such that neither bird can reach each other.

Screen perches remain widely used in falconry husbandry, despite the fact that if a bird falls from the top, and is concurrently unwell, they will be unable to regain their perch position and potentially die whilst left hanging. This appears not to be a concern in these images.

I am informed that the room benefitted from a double door entry system and was of sufficient space to allow both birds to be free lofted.

I have been provided with the RSA relevant legislation

3.2

Animals Protection Act 71 of 1962:

2. OFFENCES IN RESPECT OF ANIMALS - (1) Any person who:

WITNESS REPORT

Page 4/9

Date 15/10/2023

Signature



Continued yes / 

(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

(c) unnecessarily starves or under-feeds or denies water or food to any animal; or

- 3.3 -----
 Whilst I am no expert in South African Law or Law of any jurisdiction, my understanding is that no animal may be tethered where it is unnecessary for it to be so tethered or in a situation where said animal might suffer unnecessarily or in any place where there is inadequate space, ventilation, light, temperature etc..
 Likewise it is an offence to 'deny water' to any animal.
-

- 3.4 I have been provided with footage which I am informed is the same birds being released, and in the time subsequent to being released, into an adequately sized aviary, supplemented by a choice suitable perches and water. The birds were released from carrying boxes one after the other, to fly at will, perch etc, in the aviary. In the video footage provided there was no evidence of any aggression between the two birds, they appeared to behave normally, with neither attempting to be dominant over the other.

4.0 **My Conclusion**

- 4.1 a. These two 'lanner falcon type' birds that I have been provided with footage showing them both tethered. In my expert opinion, based on the video footage and description of the enclosure, the birds did not '**need**' to be tethered, as they could not otherwise escape from the space, and when released in an adequate space there was indication of any aggression between them.
- b. In addition by being tethered, without access to water, they were in effect and actually denied access to water.



- 4.2 It is therefore my expert, as an expert in raptor husbandry but not in 'Law', that offences have been committed in respect of the relevant legislation, against both birds, in the above respects.

Declaration

- 5.1 I understand that my overriding duty is to the court, both in preparing my report and in giving oral evidence.
- 5.2 In my report I have set out what I understand from those instructing me to be the questions in respect of which my opinions, as an expert, are required.
- 5.3 In preparing the report I have done my best to be accurate and complete. I have mentioned all matters which I regard to as relevant to the opinions I have expressed.
- 5.4 All matters on which I have expressed an opinion lie within my field of expertise, and those which are outside my expertise I have identified.
- 5.5 I have drawn to the attention of the court all matters of which I am aware which might adversely affect my opinion.
- 5.6 Where ever, I have supplemented my opinion, I have indicated the source of the factual information.
- 5.7 I have not included anything in this report, or excluded anything from it, which has been suggested to me by anyone, including those who have instructed me, without forming my own independent view on the matter.
- 5.8 Where in my view, there is a range of opinion I have indicated the extent of that range.



5.9 At the time of signing the report I consider it to be complete and accurate. I will notify the court if for any reason I consider that it requires correction or qualification.

5.10 I understand that this report will be evidence that I will give under oath, subject to any correction or qualification I may make before swearing to its veracity.

5.11 I believe that the facts I have stated in this report are true and that the opinions I have expressed are correct.



Neil A Forbes BVetMed DipECZM(avian) FRCVS
RCVS Specialist Emeritus Zoo and Wildlife (avian)



Appendix 1

I am a qualified veterinary surgeon, having gained a 1st Class Honours BVet Med, from the Royal Veterinary College in 1983. Since that time I have been in general practice, having practised on small animals (including birds) since joining Lansdown Veterinary Surgeons in 1984. I gained my Royal College of Veterinary Surgeons Specialist Status Zoo & Wildlife Medicine (**Avian**), in 1992. I lecture to bird keepers, graduate and post graduate students in the UK, Europe, Middle East, Asia & USA on a regular basis, on various aspects of avian medicine my major interest being the husbandry, breeding, medicine and surgery of raptors. I have published more than 76 scientific papers in peer reviewed scientific journals and written or contributed to 39 books.

Within the field of avian medicine, the Taxa in which my main interest has always lain has always been 'birds of prey', and the disciplines of greatest interest have been 'surgery, husbandry (including nutrition), forensics and welfare'.

I have been a major contributor and editor of the British Small Animal Veterinary Association 'Manual of Raptors Pigeons and Waterfowl'. In 1996 I successfully completed my Royal College of Veterinary Surgeons Fellowship examinations in 'Exotic Bird Medicine'. In 1997 I became a Diplomate of the European College of Avian Medicine and Surgery (ECAMS), this later changed to the European College of Zoological Medicine. In time I became President of European College of Zoological Medicine and then latterly the President of the European Board of Veterinary Specialisation (the governing body of all European Veterinary Specialists).

I was a Senior lecturer in the Department of Clinical Veterinary Science at Bristol University Vet School, with responsibility for avian medicine and surgery from 2000 - 2011.

I have provided Masterclass presentations to international avian veterinary conferences in the UK, Europe, South Africa, Qatar, Australia and USA, China, on aspects of captive raptor husbandry and welfare.

I have advised DEFRA, RSPCA, RSPB and various police authorities on aspects of avian and wildlife law. I have acted for Claimant and Insurance Company in a number of 3rd party liability insurance claims.

Apart from avian medicine I have also published internationally and lecture regularly on Forensic Avian Veterinary Medicine and the 'Role of the Veterinary Surgeon as an Expert Witness'. I have acted as a Veterinary Expert Witness (appointed by both prosecution and defence teams), in my field of expertise for over 30 years. I have never received critical comment from any judiciary.

My main employment was as head of the Avian and Exotic Animal department at Great Western referrals based in Swindon, a multidisciplinary Specialist Staffed Training, Research and Referral Centre which opened in Swindon from 2004 – 2017, at which pointy I left commercial referral practice, to pursue voluntary conservation efforts for vultures, whilst continuing my fee earning consulting and clinical duties on a part time basis.



During my career, I have been awarded the following awards:

- 1983 Ag Vet Trophy
- 1983 Centenary Award
- 1991 Mackellar Award
- 1995 FRCVS
- 1996 Diploma European College of Avian Medicine & Surgery
- 1998 Fellow Royal Society of Medicine
- 2002 Melton Award from BSAVA
- 2004 Lafeber – avian practitioner award (first recipient outside USA)
- 2005 William Hunting Award from BVA
- 2006 Registered Forensic Practitioner
- 2010 Helga Gerlach Senior Award for Excellence in Avian Medicine (first ever recipient)
- 2013 Vets Now MAD (making a difference) Awards – best clinical service within Vets Now
- 2016 Vets Now MAD (making a difference) Awards – best clinical innovation within Vets Now

Mad A Forber

AFFIDAVIT

I, Tamlyn Peta Caine, with ID Number 760126 0078 082, white, female aged 47 and employed by FreeMe Wildlife as a Raptor Specialist, residing at Farm 31, Curry's Post Road, Howick, 3290 and contactable on cell phone number 076 724 6846.

Declare under oath in English:

1.

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.

2.

I am a Bird of Prey Specialist with 17 years of experience, having worked primarily with indigenous birds of prey in captive display and rehabilitation facilities. I have dealt with 107 captive individuals of 47 different bird of prey species, and over 1000 rehabilitation cases of 42 different bird of prey species to date.

3.

I have the following qualifications:

- Game Ranging Certificate – Intec College – 2006.
- Wildlife Poisoning Incident Investigation and Management Certificate – A. Botha – Endangered Wildlife Trust – 2016.
- Wildlife Rehabilitation Introduction Certificate – N. Wright and P. Morkel – Johannesburg Wildlife Veterinary Hospital – 2016.
- Raptor Diseases, Treatment, and Rehabilitation Certificate – Dr Neil Forbes (BVetMed, DipECZM, FRCVS) – 2018.
- Wildlife Poisoning Incident Investigation and Management Certificate – Dr G. Tate – Endangered Wildlife Trust – 2019.
- Wildlife Poisoning Incident Investigation and Management Certificate – A. Botha – Endangered Wildlife Trust – Hawk Conservancy Trust Partnership, Vultures for Africa Program – 2021.
- Registered bird of prey ringer, permitted to work with Threatened or Protected Species (ToPS)

4.

My experience includes the following:

- Committee Member on the South African Bird Ringing Scheme (SAFRING) Steering Committee – 2022 to date.
- Financial Manager, Organizational Development Officer, and resident Raptor Specialist – FreeMe Wildlife Rehabilitation Centre KZN – 2018 to date.
- Clinic Manager – Raptor Rescue Rehabilitation Centre – 2014 till 2017.
- Bird of Prey Handler and Livestock Manager – African Raptor Centre (then the African Bird of Centre) – 2006 till 2010, 2012 till 2013.

5.

I have also invested in my personal development as a Raptor Specialist by conducting the following:

- Co-author: 'Surviving the urban jungle: Anthropogenic threats, wildlife conflicts, and management recommendations for African Crowned Eagles' – *McPherson et al*, 2021

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- 70 presentations given on birds of prey, including presenting at research symposiums and forums, since 2015.
- 15 courses on birds of prey, including rehabilitation courses, conducted since 2017.
- 25 articles and publications on birds of prey in newspapers and magazines since 2016.
- Attended the following congresses:
 - 2018 Raptor Research Foundation Congress – Kruger National Park, South Africa
 - 2017 Endangered Wildlife Trust Bird of Prey Program AGM – Witsand, South Africa
 - 2008 Animal Keepers Association of Africa – George, South Africa
- Undertook the following voluntary activities:
 - 2011 – 2019 - Honorary Officer and Secretary for the Ezemvelo KwaZulu-Natal Wildlife Crimes Investigation unit
 - 2018 – Crowned Eagle Research – climbing to nests to retrieve and return chicks for biometric recording and ring fitting over the December period. (Dr Shane McPherson, UKZN)
 - 2015 – 2017 - Vice Chairman of the Non-profit Organisation Predatory Bird Projects (Registration no: 163-459 NPO)
 - 2017 - Volunteer work at FreeMe Wildlife – raptor rehabilitation training.
 - 2016 - Crowned Eagle Research chick ringing season – climbing to nests to retrieve and return chicks, ringing and biometric recording. (Dr Shane McPherson, UKZN)
 - 2015 - Cape Vulture Research – abseiling to nests to retrieve and return chicks, assistance with fitting of rings, transmitters and patagial tags. (Dr Morgan Pfeiffer, UKZN)
 - 2014 - Kuimba Shiri Bird Park, Zimbabwe – training of show birds, presentation of show, assistance with veterinary and rehabilitation work.

6.

On 07/10/2023, Chief Inspector Jaco Pieterse of the Cape of Good Hope Society for the Prevention of Cruelty to Animals (SPCA) contacted me and requested that I review photos and videos that were taken by the SPCA at a wildlife facility that rehabilitates wildlife. The name of the facility was not disclosed to me by Chief Inspector Pieterse.

7.

I have reviewed the photos and videos, and in my professional opinion, the conditions in which the animals were being kept are not in keeping with the national and international standards, either for captive management or rehabilitation.

8.

With regards to the videos and photos of the falcons being used for captive display, from what I could see, the housing is acceptable, but not the tethering. According to the Guidelines for the General Welfare of Falconry Raptors published by Thomas Richter of the International Association for Falconry and Protection of Birds of Prey (IAF), the EAZA Falconiformes and Strigiformes Taxon Advisory Group Husbandry and Management Guidelines for Demonstration Birds by Mark Habben and Jemima Parry-Jones (International Centre for Birds of Prey), and my own experience, the following issues are highlighted: the falcons were tethered too close to each other (this can be very stressful), the tethers were too short (severely restricting movement), and the birds did not have access to water, either for drinking or bathing. Recommendations for improvements in the way these birds should be kept include block perches (the recommended perch type for falcons) with leashes long enough to allow the birds to move easily from the perch down to the ground, with access to a suitable substrate for dust baths, and a water dish for drinking and bathing. It is also preferable that each bird has its own housing, not just because this is far less stressful than having to share space and resources with another individual, but also from a biosecurity point of view to prevent the potential transfer of diseases and parasites.

9.

Of far greater concern were the conditions the birds of prey and other animals were being kept in for rehabilitation. There exists extensive literature on the housing requirements for birds of prey (and other species) undergoing rehabilitation, and for the purpose of this report, I will stick to my area of expertise, and focus on the conditions the birds of prey were being kept in. According to the guidelines in the Rehabilitation Handbook and Code of Practice published by Raptor Rescue in the UK (and adopted by Raptor Rescue in South Africa) as well as the SABS-approved Wildlife Rehabilitation Standards for Housing Requirements for Birds (published 2017), and my own personal experience, the following observations apply: firstly, the facility, or room, the birds were being kept in is clearly not a rehabilitation facility, but some kind of a storage area, and contravenes so many rules with regards to how a rehabilitation facility should be set up that it is difficult to know where to begin. Apart from an assortment of tools and other hardware, hazardous chemicals such as paints were being kept in the same area as the birds. The levels of hygiene necessary for a clinical environment were clearly absent, as was any kind of biohazard control or disease management (filthy towels and bedding were kept in the same room as all the patients, which were also kept in close quarters to one another). The birds were being kept in an assortment of transport boxes (including black carry crates) which cannot be considered as suitable housing for patients needing veterinary care and treatment. The size of the crates prevented the addition of perches and water bowls. While I cannot comment on the physical states of the birds, having not examined them myself, it goes without saying that the environment the birds were being kept in was not conducive to their physiological well-being, stress levels, or recovery.

10.

I would strongly suggest the facility desist from undertaking any further rehabilitation work until such time as they can meet the basic standard requirements for undertaking the rehabilitation of birds of prey. Furthermore, I would suggest the facility apply themselves to upgrading the standards in which they keep their captive display birds. In both regards, the current conditions in which the birds of prey in their care are being kept are far from optimal, do not take the best interests of these birds ethological, biological, and psychological well-being into account, and can be construed as being abusive and causing unnecessary suffering to the birds.

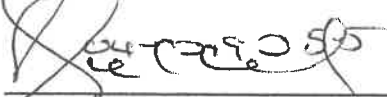
11.

I know and understand the content of this declaration.
I have no objection to taking the prescribed oath.
I consider the prescribed oath to be binding on my conscience.



Tamlyn Peta Caine

The deponent has acknowledged that she knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at Howick on this the 12 day of OCTOBER 2023, 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

Full names: SPENCER SHERLOCK SHABA

Designation: WARRANT-OFF. CER

Business address: 15 MORRIS STREET - Howick

SOUTH AFRICAN POLICE
FINANCE
2023 -10- 12
HOWICK
KWAZULU-NATAL

SWORN AFFIDAVIT

Full names:	Nicola Jane Wright
ID number:	610730 0003 081
Address:	n/a
Cell number:	084 514 3562
Race:	Caucasian
Gender:	female
Age:	62

Do hereby make oath in English and state that:

1.

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.

2.

I am a Wildlife Rehabilitation Specialist with 24 years of experience and have handled and worked with over 350 species of indigenous birds, mammals, and reptiles.

3.

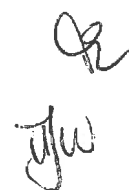
I am in possession of the following qualifications:

- Chemical Restraint of Wild Animals – Professor D. Metzger 2004)
- Venomous Snake Handling Course (2003)
- IWRC Basic Wildlife Rehabilitation Course (2004)
- IWRC Advanced Skills Seminar – Wildlife Feeding and Nutrition (2005)
- IWRC Advanced Skills Seminar – Initial Wildlife Care (2005)
- Wildlife Rehabilitation Advanced Course 1 – Karen Trendler (2009)
- EWT Rhino Response, Rescue and Rehabilitation Workshop – Karen Trendler (2014)
- IWRC Basic Wildlife Rehabilitation Course (2015)
- Compassion Fatigue Course – Jessica Dolce (2016)
- IWRC Advanced Skills Seminar – Parasitology (2017)
- IWRC Advanced Skills Seminar –Wound Management (2017)
- Firearm Competency Certificate

4.

RECORD OF EXPERIENCE:

- April 2017 to present - Senior Wildlife Manager consulting to HSI-Africa
- December 2016 to March 2023—Co-founder and Director of the Johannesburg Wildlife Vet NPC as the wildlife rehabilitation expert.
- July 2015 to present – facilitate comprehensive Wildlife Rehabilitation training and Compassion Fatigue presentations to veterinary professionals, welfare, and rehabilitation personnel.
- 2012 to present - Member of the IUCN SSC Pangolin Group
- 2012 to present - Member of the IUCN SSC Otter Group
- Member of the African Otter Advisory Group
- 2014 – Contributed to establishing the SABS Wildlife Rehabilitation Standards
- 2011 to present - Co-Chair of the African Pangolin Working Group (This NPC focuses on the conservation of all 4 African pangolin species)
- 1999 – July 2015- Senior Animal Manager, FreeMe Wildlife Rehabilitation Centre (10 000 to 12 000 cases of indigenous birds, mammals and reptiles p/a, all aspects



of wildlife rehabilitation – triage, nursing, hand-rearing, release procedures, post-release monitoring, research projects.

5.

PROFESSIONAL DEVELOPMENT:

- October 2012 - Presented a scientific poster at the 3rd Diamond Route Research Conference, Johannesburg (The Release of hand-reared Black-footed Cats onto the Ezemvelo/Telperion Reserve)
- May 2013 - Co-presented at the APWG workshop (NZG May 2013) titled 'International and African Trade of Pangolin'
- October 2013 - Presented a scientific poster at the 4th Diamond Route Research Conference, Johannesburg. ('The Release of Rehabilitated Wildlife on Diamond Route Reserves')
- November 2013- Presented at the Call of the Wild Conference in Virginia, USA.
- February 2016 - Presented at the 2016 South African Veterinary Association Wildlife Conference at Onderstepoort, Pretoria.
- 2016 – to present - Present numerous presentations about pangolins and their threats.
- June 2018 – Co-authored chapter 34 'The rescue, rehabilitation and release of pangolins' for the IUCN book published in 2021.
- July 2018 – to date - Facilitated and presented at 6 provincial and 1 international Pangolin Stakeholders Workshop.
- 2020 – Co-authored a technical report for the IUCN Pangolin SSG on first responder short term care of confiscated pangolins
- 2023 – Contribute to the IUCN Pangolin SSG Conservation Strategy Plans for pangolins in West Africa, Kenya and Southern Africa.

6.

On the 07 October 2023 I was approached by Chief Inspector Jaco Pieterse of the Cape of Good Hope SPCA to review photographs and video footage that was taken at an undisclosed wildlife facility that rehabilitates wildlife.

7.

I have reviewed the photographs and video footage and in my professional opinion that the manner in which the birds of prey and snakes were kept is not in keeping with a professionally run wildlife rehabilitation facility. A rehabilitation facility should be able to provide a clean, hospital-like room in which to house injured and compromised wildlife. There should be general signs of professionalism such as clean, disinfected surfaces, tables on which to place cages or transport boxes in an orderly manner and equipment that should be in daily use, for example a weighing scale. The photos that I reviewed showed that the area the birds were kept in appeared to be a garage or shed. This area was far from organised or clean with washing machines, paint tins and buckets, building materials and bins of rubbish. The boxes containing the compromised birds and snakes were placed haphazardly on the floor in amongst the paint tins, building materials and other items not related to wildlife rehabilitation. In addition, the strong odours and fumes that may have emitted from the building materials and paint tins may have further compromised the wildlife being kept there.

8.

The three venomous snakes – two Cape cobras and one puff adder – were reasonably housed (provided this was temporary housing) in secure plastic boxes with ventilation holes but with no substrate on the floor of the box, no hiding place provided and no water dish. Wild-caught snakes kept in this situation without having the opportunity to hide will feel continually exposed and endure elevated stress levels as a result. Dehydration is a common

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result of stress due to their capture and captivity and the provision of a water source is essential to ease the discomfort caused by dehydration.

9.

I saw 4 birds of prey in the photographs provided, namely 2 spotted eagle owls, 1 booted eagle, 1 black sparrowhawk and 1 Egyptian goose.

1. Spotted eagle owl: housed adequately in a plastic transport box with a yellow towel on the floor. Unless there is a medical reason that prevents them from using a perch, owls should have a perch provided to ensure that they are not standing in their own faeces, that their feet do not develop bumble foot (pressure sores) and to keep their tail feathers in perfect condition by keeping the tail up off the floor. There was no water dish visible in the photo which is a welfare requirement.
2. Spotted eagle owl: housed in a black plastic crate with another crate on top of it to form a lid. No perch was provided although the crate was not big enough to accommodate an owl sitting on a suitable perch. It is not ideal, in my opinion, to house compromised birds of prey in plastic crates – they are not big enough to allow the birds to stretch open their wings or sit on a perch. A rehabilitation facility should have the correct housing for the species they work with. The crate will cause feather damage if the bird does open its wings or brush the tail against the sides when it turns around. There was no water dish visible in the photo which is a welfare requirement.
3. Booted eagle: Housed in a black plastic crate with another crate on top of it to form a lid. Unless there is a medical reason which contraindicates the use of a perch, a perch should be provided. This crate is too small and would not have accommodated a perch if it were possible to provide one. This crate is not adequate to house a booted eagle in and can potentially cause feather damage as laid out in point 2 above. Again, a rehabilitation facility should have the correct housing for the species they work with. A suitable substrate would be astroturf to prevent bumblefoot. There was no water dish visible in the photo which is a welfare requirement.
4. Black sparrowhawk: Housed in a small plastic transport box which is adequate as a temporary measure. This species is known to be highly stressed and has the potential to injure itself on the hard walls of this type of carrier as well as cause further damage by breaking feathers. Raptors such as this are specialised hunters and require perfect feathers to perform their hunting technique. A soft carrier (i.e., Cosmic Pet Carrier type) would lessen any potential injury or damage. Unless there is a medical reason which contraindicates the use of a perch, there should be a suitable stump/perch (covered with astroturf) provided to assist with preventing bumble foot, lift the bird off the floor out of its faeces and to lift the tail feathers off the ground thereby preventing feather damage. No water dish is visible in the photograph which is a welfare requirement.
5. Egyptian goose: The size of the transport box is adequate for temporary housing or if under a veterinarian's instruction to restrict movement due to specific injury. No water dish or food is visible in the photograph which is a welfare requirement.

10.

CONCLUSION:

It is my professional opinion that the manner in which these animals were housed and kept is not in keeping with the expected professional standards of a wildlife rehabilitation facility. Such a facility should operate within a clean, organised space where there are examination

tables, treatment and care sheets, correct housing provided and the necessary equipment to handle and care for the various wildlife species admitted to the facility. This is not the case according to the photographs and video footage I was asked to review. In fact, compromised wildlife may be subjected to further unnecessary suffering as a result of being kept under these conditions. Minimal wildlife rehabilitation standards are easily obtained through various reputable international organisations and these guidelines should be a basic requirement for any rehabilitation facility to create their own best practice protocols.

11.

I know and understand the content of this declaration.

I have no objection to taking the prescribed oath.

I consider the prescribed oath to be binding on my conscience.


DEPONENT

The deponent has acknowledged that she knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at FOURWAYS on this the 9 day of OCTOBER 2023 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

Full names: _____

Designation: _____

Business address: _____


Signature & Full Name: TANIA EDWARDS
Commissioner of Oaths
Designation: Owner of 3601 Fourways (Pty) Ltd
Ref No. 9/1/8/2 Randburg 03 10, 2006
Date: 09/10/2023 Place: Fourways
Business Address: Laughing Frog Centre, Williams Road, Edburg

**NATIONAL
COUNCIL OF
SPCAs**



**NASIONALE
RAAD VAN
DBVs**

Incorporated Association with legal status

legally for Veterinary registration purposes

Reg No 003-189 NPO

1320

Alberton

1450

Republic of South Africa

☎ (011) 907-3590/1/2/3

Fax (011) 907-4013

e-mail nspca@nspca.co.za

website <http://www.nspca.co.za>

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

JASON PAGE

ID No. 990917 5683 088

a Qualified Inspector and an Officer for the **CAPE OF GOOD HOPE SPCA (Society for the Prevention of Cruelty to Animals)**, to exercise within the Magisterial District of **STELLENBOSCH (WC)**, 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 **CAPE OF GOOD HOPE SPCA** to act on its behalf.

Given under my hand this 12th day of September 2023

Name Mrs. M. Prag

Official Stamp to go here

Signed



Holder's Photograph



**NATIONAL
COUNCIL OF
SPCAs**



**NASIONALE
RAAD VAN
DBVs**

Incorporated Association not for gain

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Reg No 003-189 NPO

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Alberton

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Republic of South Africa

(011) 907-3590/1/2/3

Fax (011) 907 4013

e-mail: nspca@nspca.co.za

website: http://www.nspca.co.za

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

JAN HENDRIK JACOBUS PIETERSE

ID No. 900518 5089 083

a Qualified Inspector and an Officer for the **CAPE OF GOOD HOPE SPCA (Society for the Prevention of Cruelty to Animals)**, to exercise within the Magisterial District of **STELLENBOSCH (WC)**, 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 **CAPE OF GOOD HOPE SPCA** to act on its behalf.

Given under my hand this 09th day of March 2023

Official Stamp to go here

Name Mrs. M. Prag
Senior Magistrate

Signed

SPCA NATIONAL COUNCIL
Certificate of Competency

No. **13068**



Case No/Saak Nr: 672/10/2023
Count No/Aanklag Nr: 1

THE STATE versus

Mr H. Chalmers with ID no. 680713 5190 08 2 (ACC 1)
Mrs T. Chalmers with ID no. 700823 0030 088 (ACC 2)
Mr J. Chalmers with ID no. 010912 5126 08 5 (ACC 3)
Mr R. Pentz with ID no. 840711 5250 08 5 (ACC 4)
Ms L. Conradie with ID no. 940628 0024 08 4 (ACC 5)

(Hereinafter referred to as the accused)

CRUELTY TO ANIMALS

THAT the accused is/are guilty of the crime of contravening of Section 2(1)(a) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT on **06 October 2023** and at or near **Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch** in the District/Regional Division of **Stellenbosch**, the accused did unlawfully: -

- To wit **the one (1) Booted Eagle in their care** by neglecting their duties as the owners of this animal in denying necessary veterinary treatment, potable water and affording insufficient space to such animal.
- To wit **the one (1) Black Sparrowhawk in their care** by neglecting their duties as the owners of this animal in denying potable water and affording insufficient space to such animal.
- To wit **the one (1) Egyptian Goose in their care** by neglecting their duties as the owners of this animal in denying potable water and affording insufficient space to such animal.
- To wit **the two (2) Spotted Eagle Owls in their care** by neglecting their duties as the owners of these animals in denying necessary veterinary treatment, potable water and affording insufficient space to such animals.
- To wit **the two (2) Lanner Falcons in their care** by neglecting their duties as the owners of these animals in denying potable water and affording insufficient space to such animals.
- To wit **the two (2) Cape Cobras in their care** by neglecting their duties as the owners of these animals in denying potable water to such animals.
- To wit **the one (1) Puff Adder in their care** by neglecting their duties as the owners of this animal in denying potable water to such animal.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: 672/10/2023
Count No/Aanklag Nr: 2

THE STATE versus

Mr H. Chalmers with ID no. 680713 5190 08 2 (ACC 1)
Mrs T. Chalmers with ID no. 700823 0030 088 (ACC 2)
Mr J. Chalmers with ID no. 010912 5126 08 5 (ACC 3)
Mr R. Pentz with ID no. 840711 5250 08 5 (ACC 4)
Ms L. Conradie with ID no. 940628 0024 08 4 (ACC 5)

(Hereinafter referred to as the accused)

CRUELTY TO ANIMALS

THAT the accused is/are guilty of the crime of contravening of Section 2(1)(b) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT on **06 October 2023** and at or near **Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch** in the District/Regional Division of **Stellenbosch**, the accused did unlawfully: -

- To wit **the one (1) Booted Eagle in their care** by confining such animal to a place which affords inadequate space.
- To wit **the one (1) Black Sparrowhawk in their care** by confining such animal to a place which affords inadequate space.
- To wit **the one (1) Egyptian Goose in their care** by confining such animals to a place which affords inadequate space.
- To wit **the two (2) Spotted Eagle Owls in their care** by confining such animals to a place which affords inadequate space.
- To wit **the two (2) Lanner Falcons in their care** by unnecessarily tethering such animals in such a manner as to cause suffering and in a manner, which affords inadequate space.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: 672/10/2023
Count No/Aanklag Nr: 3

THE STATE versus

Mr H. Chalmers with ID no. 680713 5190 08 2 (ACC 1)
Mrs T. Chalmers with ID no. 700823 0030 088 (ACC 2)
Mr J. Chalmers with ID no. 010912 5126 08 5 (ACC 3)
Mr R. Pentz with ID no. 840711 5250 08 5 (ACC 4)
Ms L. Conradie with ID no. 940628 0024 08 4 (ACC 5)

(Hereinafter referred to as the accused)

CRUELTY TO ANIMALS

THAT the accused is/are guilty of the crime of contravening of Section 2(1)(c) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT on **06 October 2023** and at or near **Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch** in the District/Regional Division of **Stellenbosch**, the accused did unlawfully: -

- To wit **the one (1) Booted Eagle in their care** by unnecessarily denying water to such animal.
- To wit **the one (1) Black Sparrowhawk in their care** by unnecessarily denying water to such animal.
- To wit **the one (1) Egyptian Goose in their care** by unnecessarily denying water to such animal.
- To wit **the two (2) Spotted Eagle Owls in their care** by unnecessarily denying water to such animals.
- To wit **the two (2) Lanner Falcons in their care** by unnecessarily denying water to such animals.
- To wit **the two (2) Cape Cobras in their care** by unnecessarily denying water to such animals.
- To wit **the one (1) Puff Adder in their care** by unnecessarily denying water to such animals.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: 672/10/2023
Count No/Aanklag Nr: 4

THE STATE versus

Mr H. Chalmers with ID no. 680713 5190 08 2 (ACC 1)
Mrs T. Chalmers with ID no. 700823 0030 088 (ACC 2)
Mr J. Chalmers with ID no. 010912 5126 08 5 (ACC 3)
Mr R. Pentz with ID no. 840711 5250 08 5 (ACC 4)
Ms L. Conradie with ID no. 940628 0024 08 4 (ACC 5)

(Hereinafter referred to as the accused)

CRUELTY TO ANIMALS

THAT the accused is/are guilty of the crime of contravening of Section 2(1)(e) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT on **06 October 2023** and at or near **Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch** in the District/Regional Division of **Stellenbosch**, the accused did unlawfully: -

- To wit **the one (1) Booted Eagle in their care** by failing to procure necessary veterinary or medical treatment and/or failing to destroy this animal that was in such a physical condition that by prolonging its life caused such animal unnecessary suffering and for allowing this animal to become infested with external parasites (Maggots).
- To wit **the one (1) Spotted Eagle Owls in their care** by failing to procure necessary veterinary or medical treatment and/or failing to destroy this animal that was in such a physical condition that by prolonging its life caused such animal unnecessary suffering.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: 672/10/2023
Count No/Aanklag Nr: 5

THE STATE versus

Mr H. Chalmers with ID no. 680713 5190 08 2 (ACC 1)
Mrs T. Chalmers with ID no. 700823 0030 088 (ACC 2)
Mr J. Chalmers with ID no. 010912 5126 08 5 (ACC 3)
Mr R. Pentz with ID no. 840711 5250 08 5 (ACC 4)
Ms L. Conradie with ID no. 940628 0024 08 4 (ACC 5)

(Hereinafter referred to as the accused)

CRUELTY TO ANIMALS

THAT the accused is/are guilty of the crime of contravening of Section 2(1)(m)(iii) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT on **06 October 2023** and at or near **Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch** in the District/Regional Division of **Stellenbosch**, the accused did unlawfully: -

- To wit **the one (1) Booted Eagle in their care** by confining this animal without making adequate provision of potable water for this animal.
- To wit **the one (1) Black Sparrowhawk in their care** by confining this animal without making provision of potable water for this animal.
- To wit **the one (1) Egyptian Goose in their care** by confining this animal without making adequate provision of potable water for this animal.
- To wit **the two (2) Spotted Eagle Owls in their care** by confining these animals without making adequate provision of potable water for these animals.
- To wit **the two (2) Lanner Falcons in their care** by tethering these animals without making adequate provision of potable water for these animals.
- To wit **the two (2) Cape Cobras in their care** by confining these animals without making adequate provision of potable water for these animals.
- To wit **the one (1) Puff Adder in their care** by confining this animal without making adequate provision of potable water for this animal.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: 672/10/2023
Count No/Aanklag Nr: 6

THE STATE versus

Mr H. Chalmers with ID no. 680713 5190 08 2 (ACC 1)
Mrs T. Chalmers with ID no. 700823 0030 088 (ACC 2)
Mr J. Chalmers with ID no. 010912 5126 08 5 (ACC 3)
Mr R. Pentz with ID no. 840711 5250 08 5 (ACC 4)
Ms L. Conradie with ID no. 940628 0024 08 4 (ACC 5)

(Hereinafter referred to as the accused)

CRUELTY TO ANIMALS

THAT the accused is/are guilty of the crime of contravening of Section 2(1)(q) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT on **06 October 2023** and at or near **Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch** in the District/Regional Division of **Stellenbosch**, the accused did unlawfully: -

- To wit **the one (1) Booted Eagle in their care** by causing and assisting in the commission and omission of the aforesaid acts.
- To wit **the one (1) Black Sparrowhawk in their care** by causing and assisting in the commission and omission of the aforesaid acts.
- To wit **the one (1) Egyptian Goose in their care** by causing and assisting in the commission and omission of the aforesaid acts.
- To wit **the two (2) Spotted Eagle Owls in their care** by causing and assisting in the commission and omission of the aforesaid acts.
- To wit **the two (2) Lanner Falcons in their care** by causing and assisting in the commission and omission of the aforesaid acts.
- To wit **the two (2) Cape Cobras in their care** by causing and assisting in the commission and omission of the aforesaid acts.
- To wit **the one (1) Puff Adder in their care** by causing and assisting in the commission and omission of the aforesaid acts.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: 672/10/2023
Count No/Aanklag Nr: 7

THE STATE versus

Mr H. Chalmers with ID no. 680713 5190 08 2 (ACC 1)
Mrs T. Chalmers with ID no. 700823 0030 088 (ACC 2)
Mr J. Chalmers with ID no. 010912 5126 08 5 (ACC 3)
Mr R. Pentz with ID no. 840711 5250 08 5 (ACC 4)
Ms L. Conradie with ID no. 940628 0024 08 4 (ACC 5)

(Hereinafter referred to as the accused)

CRUELTY TO ANIMALS

THAT the accused is/are guilty of the crime of contravening of Section 2(1)(r) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT on **06 October 2023** and at or near **Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch** in the District/Regional Division of **Stellenbosch**, the accused did unlawfully: -

- To wit **the one (1) Booted Eagle in their care** by omitting to do the aforesaid acts thereby causing and procuring the commission and omission of the aforesaid acts resulting in the unnecessary suffering of this animal.
- To wit **the one (1) Black Sparrowhawk in their care** by omitting to do the aforesaid acts thereby causing and procuring the commission and omission of the aforesaid acts resulting in the unnecessary suffering of this animal.
- To wit **the one (1) Egyptian Goose in their care** by omitting to do the aforesaid acts thereby causing and procuring the commission and omission of the aforesaid acts resulting in the unnecessary suffering of this animal.
- To wit **the two (2) Spotted Eagle Owls in their care** by omitting to do the aforesaid acts thereby causing and procuring the commission and omission of the aforesaid acts resulting in the unnecessary suffering of these animals.
- To wit **the two (2) Lanner Falcons in their care** by omitting to do the aforesaid acts thereby causing and procuring the commission and omission of the aforesaid acts resulting in the unnecessary suffering of these animals.
- To wit **the two (2) Cape Cobras in their care** by omitting to do the aforesaid acts thereby causing and procuring the commission and omission of the aforesaid acts resulting in the unnecessary suffering of these animals.
- To wit **the one (1) Puff Adder in their care** by omitting to do the aforesaid acts thereby causing and procuring the commission and omission of the aforesaid acts resulting in the unnecessary suffering of this animal.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: 672/10/2023
Count No/Aanklag Nr: 8

THE STATE versus
Mr R. Pentz with ID no. 840711 5250 08 5 (ACC 4)

(Hereinafter referred to as the accused)

OBSTRUCTION AND CONCEALING OF ANIMALS

THAT the accused is/are guilty of the crime of contravening of Section 8(4) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT on **06 October 2023** and at or near **Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch** in the District/Regional Division of **Stellenbosch**, the accused did unlawfully: -

- The accused wilfully obstructed officers authorized in terms of the Animals Protection Act 71 of 1962 by attempting to prevent and deny access to the property.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: 672/10/2023
Count No/Aanklag Nr: 9

THE STATE versus
Ms L. Conradie with ID no. 940628 0024 08 4 (ACC 5)

(Hereinafter referred to as the accused)

OBSTRUCTION AND CONCEALING OF ANIMALS

THAT the accused is/are guilty of the crime of contravening of Section 8(4) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT on **06 October 2023** and at or near **Eagle Encounters, Spier Wine Farm, R310, Baden Powell Drive, Lynedoch, Stellenbosch** in the District/Regional Division of **Stellenbosch**, the accused did unlawfully: -

- The accused wilfully obstructed officers authorized in terms of the Animals Protection Act 71 of 1962 by concealing animals in their care with intent to defeat the exercise of the powers conferred upon such officer.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Incorporated Association not for gain

Co. No. 1939/013624/08
NPO 003-244 • PBO 930004317

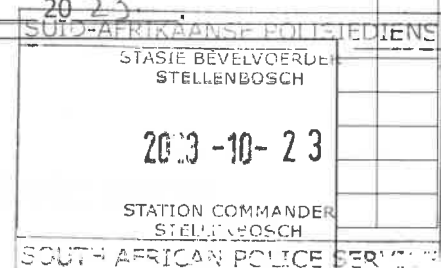


Ingelyfde Vereniging sonder winsoogmerk

Cnr 1st Avenue & 1st Road, Grassy Park, 7941
P O Box 3, Plumstead, 7801
Tel: 021 700 4140
Fax: 021 705 2127
enquiries@spca-ct.co.za
www.capespca.co.za

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A2	Statement: Chief Inspector J.H.J. Pieterse (7 Pages)
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A4	Seizure Notice: No. 0729 (1 Page)
A5	Eagle Encounters Admission Records Ref#: 5102, 5103, 5104, 5105, 5106, 5107, 5108, 5109 (8 Pages)
A6	Photographic Evidence A (6 Pages)
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B1	Animals Protection Act No 71 of 1962 (7 Pages)
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B4	Amounts (1 Page)
B5	Counts 1, 2, 3, 4, 5, 6, 7 and 8 (11 Pages)
B6	Letter to the Public Prosecutor (3 Pages)
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C1	SAPS 5 Form (1 Page)
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	I, <u>Robert M. W. W. W.</u> , confirm that I have received all of the above documents on this <u>23</u> day of <u>OCTOBER</u> <u>2023</u> .
	Signature: <u>[Signature]</u>



PARTICULARS OF ACCUSED

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

BYKOMENDE BESKULDIGDES - ADDITIONAL ACCUSED

A. 1

Besonderhede—Beskuldigde No 1
Particulars—Accused No 1 Van Surname CHALMERS

Voornamen
Christian names HANK

Identiteitsno
Identity No 6807135190082

Geboortedatum
Date of birth 19680713

Of—Ouderdom
Or—Age

Ras
Race A Br Sw W X A Br BI X

Geslag
Sex M V F

Huweliksstaat
Marital status

Beroep
Occupation

Onderwyspeil
Standard of education

Geboorteplek
Place of birth

Nasionaliteit
Nationality

Taal
Language

Woonadres
Residential address

Werkadres
Business address

Tel No

Datum en tyd arresteer
Date and time arrested

SAP 14 No. J398/J127/J534 No.

Vingerafdrukke geneem op
Fingerprints taken on

Vingerafdrukke versend op
Fingerprints despatched on

SAP 69 ontvang op
SAP 69 received on

Vingerafdruknummer
Fingerprint number

Besonderhede—Beskuldigde No 2
Particulars—Accused No 2 Van Surname CHALMERS

Voornamen
Christian names TRACY

Identiteitsno
Identity No 7008230030088

Geboortedatum
Date of birth 19700823

Of—Ouderdom
Or—Age

Ras
Race A Br Sw W X A Br BI X

Geslag
Sex M V F

Huweliksstaat
Marital status

Beroep
Occupation

Onderwyspeil
Standard of education

Geboorteplek
Place of birth

Nasionaliteit
Nationality

Taal
Language

Woonadres
Residential address

Werkadres
Business address

Tel No

Datum en tyd arresteer
Date and time arrested

SAP 14 No. J398/J127/J534 No.

Vingerafdrukke geneem op
Fingerprints taken on

Vingerafdrukke versend op
Fingerprints despatched on

SAP 69 ontvang op
SAP 69 received on

Vingerafdruknummer
Fingerprint number

PARTICULARS OF ACCUSED

G.P.-S 002-0624

SAP 3M (9)

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

BYKOMENDE BESKULDIGDES - ADDITIONAL ACCUSED

A. 2

Besonderhede—Beskuldigde No Particulars—Accused No		2		Van Surname		CHALMERS																	
Voornamen Christian names		TRACY																					
Identiteitsno Identity No		7008230030088										Paspoortnommer Passport number											
Geboortedatum Date of birth		19700823										Of—Ouderdom Or—Age				Ras Race		A Br Sw W A Br BI X		Geslag Sex		M V M X	
Huweliksstaat Marital status		Beroep Occupation		Onderwyspeil Standard of education																			
Geboorteplek Place of birth		Nasionaliteit Nationality		Taal Language																			
Woonadres Residential address																							
Werkadres Business address																							
Datum en tyd arresteer Date and time arrested																							
SAP 14 No. J398/J127/J534 No.																							
Vingerafdrukke geneem op Fingerprints taken on																							
Vingerafdrukke versend op Fingerprints despatched on																							
SAP 69 ontvang op SAP 69 received on																							
Vingerafdruknommer Fingerprint number																							

Besonderhede—Beskuldigde No Particulars—Accused No				Van Surname																			
Voornamen Christian names																							
Identiteitsno Identity No												Paspoortnommer Passport number											
Geboortedatum Date of birth												Of—Ouderdom Or—Age				Ras Race		A Br Sw W A Br BI W		Geslag Sex		M V M F	
Huweliksstaat Marital status		Beroep Occupation		Onderwyspeil Standard of education																			
Geboorteplek Place of birth		Nasionaliteit Nationality		Taal Language																			
Woonadres Residential address																							
Werkadres Business address																							
Datum en tyd arresteer Date and time arrested																							
SAP 14 No. J398/J127/J534 No.																							
Vingerafdrukke geneem op Fingerprints taken on																							
Vingerafdrukke versend op Fingerprints despatched on																							
SAP 69 ontvang op SAP 69 received on																							
Vingerafdruknommer Fingerprint number																							

PARTICULARS OF ACCUSED

G.P.-S 002-0624

SAP 3M (9)

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

BYKOMENDE BESKULDIGDES - ADDITIONAL ACCUSED

A 3

Besonderhede—Beskuldigde No Particulars—Accused No		3		Van Surname		CHALMERS									
Voornamen Christian names		JOSHUA													
Identiteitsno Identity No		0109125126085										Paspoortnommer Passport number			
Geboortedatum Date of birth		20010912										Of—Ouderdom Or—Age			
		J J J J M M D D										Ras Race		A Br Sw W A Br BI X	
		Y Y Y Y M M D D										Geslag Sex		W V X F	
Huweliksstaat Marital status		Beroep Occupation		Onderwyspeil Standard of education											
Geboorteplek Place of birth		Nasionaliteit Nationality		Taal Language											
Woonadres Residential address															
Tel No															
Werksadres Business address															
Tel No															
Datum en tyd arresteer Date and time arrested		J J J J M M D D H H M M													
		Y Y Y Y M M D D													
Vingerafdrukke geneem op Fingerprints taken on		J J J J M M D D										Vingerafdrukke versend op Fingerprints despatched on		J J J J M M D D	
		Y Y Y Y M M D D												Y Y Y Y M M D D	
SAP 69 ontvang op SAP 69 received on		J J J J M M D D										Vingerafdruknommer Fingerprint number		J J	
		Y Y Y Y M M D D												Y Y	

Besonderhede—Beskuldigde No Particulars—Accused No		4		Van Surname		PENTZ									
Voornamen Christian names		RICO													
Identiteitsno Identity No		8407115250085										Paspoortnommer Passport number			
Geboortedatum Date of birth		19840711										Of—Ouderdom Or—Age			
		J J J J M M D D										Ras Race		A Br Sw W A Br BI W	
		Y Y Y Y M M D D										Geslag Sex		W V X F	
Huweliksstaat Marital status		Beroep Occupation		Onderwyspeil Standard of education											
Geboorteplek Place of birth		Nasionaliteit Nationality		Taal Language											
Woonadres Residential address															
Tel No															
Werksadres Business address															
Tel No															
Datum en tyd arresteer Date and time arrested		J J J J M M D D H H M M													
		Y Y Y Y M M D D													
Vingerafdrukke geneem op Fingerprints taken on		J J J J M M D D										Vingerafdrukke versend op Fingerprints despatched on		J J J J M M D D	
		Y Y Y Y M M D D												Y Y Y Y M M D D	
SAP 69 ontvang op SAP 69 received on		J J J J M M D D										Vingerafdruknommer Fingerprint number		J J	
		Y Y Y Y M M D D												Y Y	

PARTICULARS OF ACCUSED

G.P.-S 002-0624

SAP 3M (9)

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

BYKOMENDE BESKULDIGDES - ADDITIONAL ACCUSED

A...4

Besonderhede—Beskuldigde No Particulars—Accused No		4		Van Surname		PENTZ																	
Voornamen Christian names		RICO																					
Identiteitsno Identity No		8407115250085										Paspoortnommer Passport number											
Geboortedatum Date of birth		19840711										Of—Ouderdom Or—Age				Ras Race		A Br Sw W A Br Bl W		Geslag Sex		M V M F	
Huwelikstaat Marital status				Beroep Occupation				Onderwyspeil Standard of education															
Geboorteplek Place of birth				Nasionaliteit Nationality				Taal Language															
Woonadres Residential address																							
Werksadres Business address												Tel No											
Datum en tyd arresteer Date and time arrested												SAP 14 No..... J398/J127/J534 No.....											
Vingerafdrukke geneem op Fingerprints taken on												Vingerafdrukke versend op Fingerprints despatched on											
SAP 69 ontvang op SAP 69 received on												Vingerafdruknommer Fingerprint number											

Besonderhede—Beskuldigde No Particulars—Accused No				Van Surname																			
Voornamen Christian names																							
Identiteitsno Identity No												Paspoortnommer Passport number											
Geboortedatum Date of birth												Of—Ouderdom Or—Age				Ras Race		A Br Sw W A Br Bl W		Geslag Sex		M V M F	
Huwelikstaat Marital status				Beroep Occupation				Onderwyspeil Standard of education															
Geboorteplek Place of birth				Nasionaliteit Nationality				Taal Language															
Woonadres Residential address																							
Werksadres Business address												Tel No											
Datum en tyd arresteer Date and time arrested												SAP 14 No..... J398/J127/J534 No.....											
Vingerafdrukke geneem op Fingerprints taken on												Vingerafdrukke versend op Fingerprints despatched on											
SAP 69 ontvang op SAP 69 received on												Vingerafdruknommer Fingerprint number											

PARTICULARS OF ACCUSED

G.P.-S 002-0824

SAP 3M (9)

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

BYKOMENDE BESKULDIGDES - ADDITIONAL ACCUSED

A 5

Besonderhede—Beskuldigde No Particulars—Accused No		5		Van Surname		CONRADIE																	
Voornamen Christian names		LAUREN																					
Identiteitsno Identity No		9406280024084										Paspoortnommer Passport number											
Geboortedatum Date of birth		119940628										Of—Ouderdom Or—Age				Ras Race		A Br Sw W A Br Bl W		Geslag Sex		M V M X	
Huwelikstaat Marital status				Beroep Occupation				Onderwyspeil Standard of education															
Geboorteplek Place of birth				Nasionaliteit Nationality				Taal Language															
Woonadres Residential address												Tel No											
Werkadres Business address												Tel No											
Datum en tyd arresteer Date and time arrested		J J J J M M D D H H M M										SAP 14 No		J398/J127/J534 No									
Vingerafdrukke geneem op Fingerprints taken on		J J J J M M D D										Vingerafdrukke versend op Fingerprints despatched on		J J J J M M D D									
SAP 69 ontvang op SAP 69 received on		J J J J M M D D										Vingerafdruknommer Fingerprint number											

Besonderhede—Beskuldigde No Particulars—Accused No				Van Surname																			
Voornamen Christian names																							
Identiteitsno Identity No												Paspoortnommer Passport number											
Geboortedatum Date of birth		J J J J M M D D										Of—Ouderdom Or—Age				Ras Race		A Br Sw W A Br Bl W		Geslag Sex		M V M F	
Huwelikstaat Marital status				Beroep Occupation				Onderwyspeil Standard of education															
Geboorteplek Marital status				Nasionaliteit Nationality				Taal Language															
Woonadres Residential address												Tel No											
Werkadres Business address												Tel No											
Datum en tyd arresteer Date and time arrested		J J J J M M D D H H M M										SAP 14 No		J398/J127/J534 No									
Vingerafdrukke geneem op Fingerprints taken on		J J J J M M D D										Vingerafdrukke versend op Fingerprints despatched on		J J J J M M D D									
SAP 69 ontvang op SAP 69 received on		J J J J M M D D										Vingerafdruknommer Fingerprint number											