

**IN THE MAGISTRATES COURT OF CAPE TOWN IN THE DISTRICT OF
WYNBERG**

In the matter of:

CASE: INSP190505

STATE / SPCA – CAPE OF GOOD HOPE

V

Ra'eesah Davids - 9810050140089

ACCUSED

DIVERSION CONDITIONS

Whereas it has been considered after the representations by the Accused and their legal Practitioner that;

1. The accused persons in this matter be diverted, with the following conditions to be imposed by the SPCA, in accordance with its powers and objects as envisaged in terms of Section 9(1)(l) of the Society for the Prevention of Cruelty to Animals Act 169 of 1993.
2. The accused person is alleged to have committed one or more offences in respect of the Animals Protection Act 71 of 1962, in that;
 - a. The accused person failed to destroy or cause to be destroyed 1 x White and Tabby Cat, that was in such a poor condition or so diseased that to prolong its life would be cruel, in contravention of Section 2(1)(e) of the Act.
3. The accused persons complete the below diversion conditions:
 - a. They complete **10 hours of community service** at the Cape of Good Hope SPCA (Cattery Facilities – Cleaning and General Care) and a time

sheet thereof is to be kept, which shall commence within 10 days of this order.

- b. The Accused pay to the Cape of Good Hope SPCA an amount of **R500**, in accordance with the costs of Seizure in terms of Section 5 of Regulation 468, for the costs incurred by the SPCA in connection with the seizure of animals, within 10 days of this order (paid to the Pound with reference code: 1051).
 - c. The accused person shall keep and maintain their animals in accordance with the law, and that any further contraventions of the Animals Protection Act 71 of 1962 found upon their premises, that a Public Prosecutor or SPCA Prosecutor finds to be severe, shall render the performance already tendered in respect of this diversion null and void, and automatically place this matter on the Court roll.
 - d. The Accused person permits an inspection of their premises by the Cape Of Good Hope SPCA, which must be done within 10 days of the date on this order.
4. The accused persons are hereby warned that any failure to adhere to these conditions or perform in respect of the above, without lawful excuse, shall be deemed a failure to comply and will result in the matter being brought before the Court again for prosecution.
 5. In line with the principles of justice, and in the best interest of justice, a reformatory approach has been considered at the grace of the National Prosecuting Authority and the Society for the Prevention of Cruelty to Animals.
 6. The Accused persons are advised that this is an attempt at reform, and that the SPCA and the NPA extend this opportunity in good faith, and both entities reserve their rights to prosecute this matter in the event of unsatisfactory conduct.

This shall be an order made by the SPCA or NPA in accordance with the directives dealing with Alternative Dispute Resolution, the Accused person is to acknowledge and agree to the terms hereof, and indicate so by affixing a signature hereunder.

ADRM Conditions endorsed by - Mr S. Bodasing

Prosecution Officer – Cape of Good Hope SPCA

Accused: Rhais

Legal Rep: hii

Date: 6/11/24

STAMP – SPP / SPCA