

Shiven Bodasing – Cape of Good Hope SPCA

From: Palesa Tengwa <skutala@gmail.com>
Sent: Tuesday, 05 March 2024 13:39
To: Shiven Bodasing – Cape of Good Hope SPCA
Subject: Re: CoGH SPCA: Final Notice
Attachments: RSIImage.png

Good Day Shiven

You can't be judged without evidence and found guilty that's the constitution of this country of which applies to all citizens of this country. Point of correction as for dogs not having shelter they did have a shelter as I pointed out to the office who was here who filed the initial complaint and I even showed her the material of which she suggested that we use a strong plastic as I pointed out that they broke our trash can and we had to apply for the second one. So I don't understand what animal cruelty you are referring to as had these dogs from puppies till now. They are not malnourished they aren't wandering the streets, they are not biting people on the street so and they don't have scars or broken legs let alone parasites you are claiming that they have.

Regards

Kutala Tengwa

On Tue, 05 Mar 2024, 09:52 Shiven Bodasing – Cape of Good Hope SPCA, <inspsupervisor@spca-ct.co.za> wrote:

Good day,

The aforementioned refers:

1. Allegations of animal cruelty are taken seriously based on credible information, not your preferences for proof.
2. Our commitment to fairness remains unwavering, but cooperation is essential.
3. Addressing allegations of animal cruelty does not detract from addressing other crimes. Each matter is handled independently.
4. Additionally, please be reminded that you were given until Monday to provide shelter for your animals and address the issues noted in the warning provided. Failure to comply will result in severe legal action, including criminal charges under Section 8(4) of the Animals Protection Act 71 of 1962 for obstruction of an SPCA officer, and cruelty to animals under Sections 2(1)(a) and 2(1)(b).

Please ensure that you comply.

Shiven Bodasing

Inspectorate Supervisor: Area North

Shiven Bodasing

Inspectorate Supervisor: Area North

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

Animal Cruelty Must Stop. No Animal Should Suffer.

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Shiven Bodasing

Inspectorate Supervisor: Area North

T: 021 700 4158

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From: Palesa Tengwa <skutala@gmail.com>

Sent: Monday, 04 March 2024 14:37

To: Shiven Bodasing – Cape of Good Hope SPCA <inspsupervisor@spca-ct.co.za>

Subject: Re: CoGH SPCA: Final Notice

Good day Shiven

What animal cruelties you referring to? because you never came to me with a video or caught me abuse my dog's. You come to our family with rumors of animal cruelty of which you just got from your trusted informat of which you never have investigated what are her intentions are or whether we are quarreling with residential issues or she just has malicious issues. And yet you were so quick to take one side of the story and judging us without hearing our side of a story something that is not even done in court. And now when I want to also need to protect my family needs for a static rate of crimes that are happening in our village that I can prove even in court as we witnessed them it's not important, because some people have privileges to benefit from the constitution of this country is what you are saying.

On Mon, 04 Mar 2024, 13:44 Shiven Bodasing – Cape of Good Hope SPCA, <inspsupervisor@spca-ct.co.za> wrote:

Dear Kutala,

Thank you for your email.

Although I can understand your frustration, a quick google search cannot provide you with a contextual understanding of the law and its application. I am well versed in the Constitution of the Republic of South Africa, 1996 and am also highly sensitive to the fact that there exists competing and conflicting pieces of legislation around this particular issue.

In case I was unclear earlier, the application of your right to information in the sphere of complaints relating to cruelty to animals is not an absolute right. If you take a look at Section 36 of the Constitution, you'll notice that not all rights are absolute, and they may be infringed upon from time to time where the interests of justice require. Therefore, put simply, you do not have an absolute right to access of information, and this is indeed such an instance. I implore you to have a discussion with your legal representative who will in all eventuality echo my sentiments.

I have already provided you with a detailed explanation in my previous correspondence, and am therefore confident that any further ventilation of this issue with you would be fruitless. Please ensure that you comply with the instructions of an authorised officer of the SPCA and that your animals are kept as required by law. Any failure to do so, will render you liable for prosecution in terms of the Animals Protection Act 71 of 1962.

I will not address this issue a third time. If you have questions relating to anything other than the complainant information I will gladly assist.

Regards

Shiven Bodasing

Inspectorate Supervisor: Area North

Shiven Bodasing

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Shiven Bodasing

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From: Palesa Tengwa <skutala@gmail.com>

Sent: Monday, 04 March 2024 13:05

To: Shiven Bodasing – Cape of Good Hope SPCA <inspsupervisor@spca-ct.co.za>

Subject: Re: CoGH SPCA: Final Notice

Please find the attached document above.

Regards

Kutala Mudzwugu

On Mon, 04 Mar 2024, 13:03 Palesa Tengwa, <skutala@gmail.com> wrote:

Good Shiven

Please find the constitution attached to this email. So tell me who does this applies to as We are South African citizens who pays taxes or Are we excluded to be safe at a public and privately spaces. Because my dog's never bitten any of the residences here.Or the person who complaint has a right to be free and be safe in his or her house and not be a part of crime statistics as you want us to be, is what you are saying. Am going to involve law now because as my family lives do not matter according to you and your institution. Let alone being excluded to benefit on the laws of this country that states that we have a right to safety public and private.

Regards

Kutala Mudzwugu

On Mon, 04 Mar 2024, 09:30 Shiven Bodasing – Cape of Good Hope SPCA, <inspsupervisor@spca-ct.co.za> wrote:

Dear Kutala,

Thank you for your message regarding the complaints about your dogs. I understand your concerns regarding safety and privacy, and I appreciate you reaching out.

However, I must inform you that the Protection of Personal Information (POPI) Act governs the handling of personal information, including the identities of complainants. Disclosing such information would not only be a violation of the confidentiality standards upheld by recent legal precedents, such as the SAPPO v NSPCA case, but it would also contravene the provisions outlined in the POPI Act.

As such, I regret to inform you that we are unable to fulfill your request for the details of the complainant. Our priority is to address any valid complaints while safeguarding the rights and safety of all parties involved.

I assure you that we take all complaints seriously and investigate them thoroughly to ensure the well-being of both animals and residents. Should you have any further concerns or questions, please do not hesitate to reach out.

Thank you for your understanding.

Shiven Bodasing

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From: Palesa Tengwa <skutala@gmail.com>
Sent: Friday, 01 March 2024 16:51
To: Inspectorate – Cape of Good Hope SPCA <inspectorate@spca-ct.co.za>
Cc: Shiven Bodasing – Cape of Good Hope SPCA <inspsupervisor@spca-ct.co.za>
Subject: Re: CoGH SPCA: Final Notice

Good day Shiven

Thanks for your response. I would like to have the information of the person who wrote complaints towards my dog's that are inside my yard reasons are, Fear of safety as I don't know what where his or her intentions this person to come inside my yards without my authority or permission so that I can protect my family because we're in danger. Secondly it's invasion of privacy as it's our rights as citizens of this country to privacy which was violated. I would like to have this information ASAP as the statistics of this area is in high in burglary and crime.

Regards

Kutala Mudzwugu

On Fri, 01 Mar 2024, 10:13 Inspectorate – Cape of Good Hope SPCA, <inspectorate@spca-ct.co.za> wrote:

Good day Palesa

Thank you for contacting the Cape of Good Hope SPCA. We acknowledge receipt of your email.

Kindly note that your correspondence has been forwarded to the relevant Inspector for a response.

Should you have any other queries, please feel free to contact us at 021 700 4158/59, and we will gladly advise and assist where we can.

Kind regards

Roshin

Inspectorate

Inspectorate Control

T: 0217004158

E: inspectorate@sPCA-ct.co.za

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From: Palesa Tengwa <skutala@gmail.com>

Sent: Thursday, 29 February 2024 17:40

To: Inspectorate – Cape of Good Hope SPCA <inspectorate@sPCA-ct.co.za>

Subject: Final Notice

Good day Sir/Madam

My name is Kutala Mudzwugu I am responding to the final notice of the latter we received today.

1 The report is filled with lies, as she has stated that the dogs had no water there's was water

2 Dogs are full of parasites

3. We asked her to wait for us as we also have 9 to 5 jobs as we were on our way back home so that we can show her we have taken organizing all the things that we supposed to have for our dogs eg chains and we explained to her reasons we didn't put them on the dogs as yet it's because we were waiting for the houses to be finished to be built as it's two houses

4 what she wrote is completely different from the 2 initial reports and we were given 21 days to accomplish all of the requirements of which it has not arrived yet.

4. This is also ambush and threats with final notice filled with lies.

Please see the attached documents above

Regards

Kutala Mudzwugu

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