



SWORN AFFIDAVIT

I, the undersigned

WERNER ALWYN TALJAARD
(ID 9504055054086)

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 corner of 1st Avenue and First Road, Grassy Park with contact telephone number/s 021 700 4158/9 and email address insp7@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 the 16th of March 2024, I received a case about a man named Mr Mauritz Rossouw that strangled and killed a dog at the address of number 65 Hofmeyer Street, Strand. A video was received from the complainant, in which I observed three males and a female. One male suspect Mauritz Rossouw is seen on the video on top of a dog, attempting to strangle it with a rope. Additionally, the video showed two adult African males assisting the suspect in the act.

4.

It was seen that Mr Mauritz Rossouw was intentionally and in an unlawful manner, restraining the dog. The animal could be heard choking in the video, and the struggle went on for almost 10 minutes. The animal was repeatedly choked, and at one point, its body went limp, indicating that it had lost consciousness. The witness who took the video can be heard screaming at him to stop as he was killing the dog. She pleaded with him to leave the dog alone and get trained individuals from the SPCA or any welfare organization to collect the dog. She shouted at him multiple times that he was strangling the dog, but he did not listen. It is important to note that this act was not necessary. There was no urgency in removing the dog, and certainly, if they were scared of the risk of the dog's aggressiveness, they would not have undertaken to physically restrain the dog themselves. Instead, they would have waited until trained individuals could safely remove the dog. Therefore, it is directly due to their lack of foresight and brandish approach that they used a degree of force that was not proportional to the circumstances and was undeniably unnecessary.

I, Werner Alwyn Taljaard, further state under oath and in English that:

5.

On the 16th of March 2024, I received information that AWS (Animal Welfare Society) had the dead dog. Subsequently, I met with a member of AWS and collected the deceased animal, which was found inside a black body bag secured with a cable tie. I then proceeded to the complainant's residence at number 65 Hofmeyer Street, Strand, where I met with the complainant named Helena Burger. Mrs. Burger was visibly distressed, informing me that she had already completed an affidavit regarding the incident. During our conversation, Mrs. Burger identified the main suspect as Mr. Mauritz Rossouw and stated that she attempted to intervene during the incident. Mrs. Burger also provided information regarding Mr. Rossouw's residence, which she indicated as Plot 22 Firlands Equestrian Estate. Additionally, Mrs. Burger showed me a Protection Order she had against Mr. Rossouw, alleging his violation of it. I obtained copies of the affidavit and Protection Order before leaving the property with the deceased dog for postmortem examination at the Cape of Good Hope SPCA.

6.

I hereby respectfully request that **Mr Mauritz Rossouw** be charged in terms of Section 2(1)(a), 2(1)(b) and 2(1)(f) of the Animals Protection Act 71 of 1962;

7.

Section 2(1)(a) of the Animals Protection Act 71 of 1962 pertains to various forms of cruelty or mistreatment towards animals. The suspect did engage in actions that constitute cruelty or mistreatment towards an animal. In this case:

Cruelty and mistreatment of an animal, contrary to Section 2(1)(a) of the Animals Protection Act 71 of 1962.

Particulars of Offense: On or about the 14th of March 2024, at number 65 Hofmeyer Street, Strand, the accused, Mauritz Rossouw, did intentionally and unlawfully attempt to strangle a mixed breed dog named Olaf with a rope, thereby committing acts of cruelty and mistreatment towards the animal.

Section 2(1)(a): *"Overloads, overdrives, overrides, ill-treats, neglects, infuriates, tortures, or maims any animal."*

7.1.

Cruelty by confining an animal under conditions causing unnecessary suffering, contrary to Section 2(1)(b) of the Animals Protection Act 71 of 1962.

Particulars of Offense: On or about the 14th of March 2024, at number 65 Hofmeyer Street, Strand, the accused, Mauritz Rossouw, did confine a mixed breed dog named

I, Werner Alwyn Taljaard, further state under oath and in English that:

Olaf under conditions causing unnecessary suffering, namely by restraining the dog with a rope in such a manner as to cause it unnecessary suffering.

Section 2(1)(b): "*Confines 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.*"

7.2

Cruelty by using an item causing injury or suffering to an animal, contrary to Section 2(1)(f) of the Animals Protection Act 71 of 1962.

Particulars of Offense: On or about the 14th of March 2024, at number 65 Hofmeyer Street, Strand, the accused, Mauritz Rossouw, did use a rope on a mixed breed dog named Olaf in a manner causing injury or suffering to the animal.

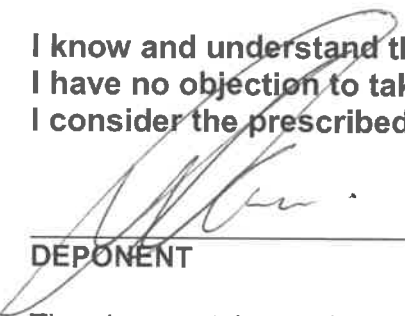
Section 2(1)(f): "*Uses on or attaches to any animal any equipment, appliance, or vehicle which causes or will cause injury to such animal or which is loaded, used, or attached in such a manner as will cause such animal to be injured or become diseased or to suffer unnecessarily.*"

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.


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 Cape Town on this the 28th day of March 2024, 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: _____

Nashira Abrahams Commissioner of Oaths 51 Rohm Road Goodwood 7460
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