

CAS#: 387 | 07 | 2024

SAPS STATION: KUILS RIVER

MAGISTRATE COURT: KUILS RIVER

INSP: LEE PRINS

INSP202827



PREAMBLE TO STATEMENT * AANHEF TOT VERKLARING

Station Stasie	Kuilsriver	CAS no MAS no	387	7	2024
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PERSONAL PARTICULARS * PERSOONLIKE BESONDERHEDE

Title Titel	MR	Initials Voorletters	LS	Surname Van	Pearce
First names Voornamen	Lee Shannon				
Identity number Identiteitsnommer	9603135146084				
Passport number Paspoortnommer					
Date of Birth Geboortedatum					
Nationality Nasionaliteit					
Race Ras	A	Br	Bl	W	
Country of issue Land van uitreiking					
Age Ouderdom					
Gender Geslag	M	F			

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

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RESIDENTIAL ADDRESS * WOONADRES

Street name Straatnaam						
Building/farm/plot/place Gebou/plaas/plot/plek						
Suburb/Extension/Area Voorstad/Uitbreiding/Gebied						
Town/City Dorp/Stad						
Telephone number Telefoonnommer	Home Huis	Code	No	Work Werk	Code	No
Cellphone number Sellulêre foonnommer				Fax Faks	Code	No
Postal Code Poskode						

ADDRESS--WORK/BUSINESS/INSTITUTION/ORGANISATION * ADRES--WERK/BESIGHEID/INSTANSIE/ORGANISASIE

Name of Institution/Organisation Naam van Instansie/Organisasie	Cape of Good Hope SPCA					
Street name Straatnaam	Corner of first road and first Avenue					
Building/farm/plot/place Gebou/plaas/plot/plek						
Suburb/Extension/Area Voorstad/Uitbreiding/Gebied	Grassy Park					
Town/City Dorp/Stad	Cape town					
Telephone number Telefoonnommer	Home Huis	Code	No	Work Werk	Code	No
Cellphone number Sellulêre foonnommer	0833261630			Fax Faks	Code	No
Postal Code Poskode	7004158					

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

Title Titel		Initials Voorletters		Surname Van	
Telephone number Telefoonnommer	Home Huis	Code	No	Work Werk	Code
					No

2024/08/26

Date/Datum

Signature/Handtekening



STATEMENT * VERKLARING

Station Stasie Kuilsrivier CAS no. 387 , 7 , 2024
 MAS no.

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

PARTICULARS OF OFFENCE/INCIDENT * BESONDERHEDE VAN MISDRYF/VOORVAL

Date and time of offence/incident
 Datum en tyd van misdryf/voorval 20240726 1201 Or Of Period: Between
 Tydperk: Tussen 1201 on op
 C C Y Y M M D D and en H H M M on op C C Y Y M M D D Day of week
 Dag van week Su M D W D V S S

Description of Offence/Incident
 Beskrywing van Misdryf/Voorval Animal Protection Act 71 of 1962
in terms of Section 3(4), 2(a) and 2(b)

Method used/Entrance gained
 Metode gebruik/Toegang verkry in possession

Type of instrument used
 Tipe instrument gebruik Dog / color black cross breed Adult

SCENE OF CRIME * TONEEL VAN MISDAAD

Between: Name of place
 Tussen: Pleknaam
 and: Name of place
 en: Pleknaam
 Or / Of
 Street name
 Straatnaam 3 Gannabos Avenue
 Building/farm/plot/place
 Gebou/plaas/plot/plek
 Suburb/Extension/Area
 Voorstad/Uitbreiding/Gebied Amanadellig / Kuilsrivier
 Town/City
 Dorp/Stad Cape town
 Geographical block no
 Geografiese blok no 1 1 1 1 1 1 1 1 1 1
 Type of premises
 Tipe perseel Residential
 Postal Code
 Poskode 7800

2024/07/26

Date/Datum

[Signature]
 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 blanke foliopapier voortgesit word.

RANK
 KUILSRIVIER / KUILS RIVER
 Van Riebeeckweg

I Lee Sharon Prins declare under oath in English

(1)

I am a colored male with ID number 9603135146094 appointed as an Inspector at the Cape of Good Hope SPOA under Animals Protection Act 71 of 1962. Based Corner of 1st Road and 1st Avenue, Grossy Park, 0217004158. Deployed in the Kurloriver area.

(2)

on 26/07/2024 I obtained a court order for the Animals Protection Act 71 of 1962 in terms of Section 8(1). I then got assistens from Warrant Officer Lamberts of Kurloriver SAPs.

(3)

Upon arrival at 3 Gannabos Avenue, Kurloriver, myself and warrant officer Lamberts met with Heli Kleynhans. and served her with a court order, explaining the condition of the court order, in the presence of warrant officer Lamberts. I asked if the animal is on the premises she replied that her sister took the dog to the veterinarian in Bellville, where the dog was put down.

(4)

She gave permission for us to enter the premises to confirm that the dog is not there. Into my inspection, I found that she misled me and that the dog was concealed in her room, which according to the Animals Protection Act 71 of 1962 Section 8(4) is a

LB

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G.P.-S. 01/02

(H1)
2 of 2
P. 21 (81/143198)

I Lee Shanon Prins Bore further under oath
(5)

criminal offence. I then inspected the dog and found that the dog's nails were overgrown, which is an offence in terms of the Animals Protection Act Section 2(c) and that the dog had some difficulty when walking, which is an offence of the Animals Protection Act Section 2(c). I again explained to Hélé Kleynhans that this is a criminal offence. In the presence of Warrant Officer Lamberts, I seized the dog in Hélé Kleynhans' presence and explained to her the seizure process. I then read her her rights and placed her under arrest for the Animals Protection Act 71 of 1962 in terms of sections 2(c), 2(c) and 2(c). Suspect free of injuries and taken to Kuilsriver SAPS.

(b)

At Kuilsriver SAPS, suspect Hélé Kleynhans, ID number 7612240131081, from 3 Gannabos Avenue Kuilsriver Prisoner's property booked in to SAP 22.m0223/032. SAP 14A 54145810. Docket forwarded to Kuilsriver CID for further investigation.

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



Merwyn Lamberts declare under oath in English

(1)
I Merwyn Lamberts 58 years of age, a warrant officer in the South-African Police Service with force number 0019 885-C, Sector Manager Van Riebeeck road Kimberley Tel 02052 771638.

(2)
On Friday 2024-07-26 at about 12:00 I did visit a residence at 3 Ganna bog street Aunandlang Kimberley with the SPCA Inspector Prins with a court order to seize the dog and to arrest the owner of the dog.

(3)
When we arrived there the lady 5 Ganna bog the owner of the dog open the door and told the inspector the dog is not there anymore it was euthanized. But with further investigation the dog was found in the house. The SPCA take the dog and the dog owner went with her to the station. Inspector Prins explain to the lady what she charged with and she was charged dog kidnapping after she was thoroughly informed of her rights in terms of Act 108/1998.

(4)
I know and understand the content of my statement.
I have no objection to take the prescribed oath. I can take the prescribed oath as binding of my conscience.

M. Lamberts 0019328



INVESTIGATION DIARY * ONDERSOEKDAGBOEK

Station Stasie	Kuils river	CAS no MAS no	387 , 7 , 2024
Date and Time Datum en Tyd	Particulars of investigation / Enquiry Besonderhede van ondersoek / Navraag	Reference Verwysing	
2024/07/16 16 Jul	F I C		
	Arresting statement Inspector CS Prins As per	A1	
	Witness statement Warrant officer Lambert As per	A2	
	Notice of Rights	A3	
	Court order in terms of Section 8(1) of the Animals protection Act 71 of 1962, Read together (where applicable) with Regu- lation 468 Issued in terms of section 10(1) (b) and (c) of Aforesaid Act	A4	
	As per A1's statement.		

Officer

D.O.A. 26/07/2024

T.O.A. 12H01

Suspect: Hafe Klaynham

IP: 1612240131081.

D.O.B. 1976-12-24 99047

4454145810 Lights

SAP14:180

SAP10:1274

M0723832.

SAP1055

FR PA6005442888 cell phone

S 4145810

English

NOTICE OF RIGHTS IN TERMS OF THE CONSTITUTION

(SECTION 35 OF ACT NO. 108 OF 1996)

1) You are being detained for the following reason:

L.P. Animals Protection Act 71 of 1962 in terms of
section 8(4), 2(a) and 2(c)

2) As a person who is detained you have the following rights:

- (a) you have the right to consult with a legal practitioner of your choice or, should you so prefer, to apply to the Legal Aid Board to be provided by the State with the services of a legal practitioner;
- (b) you have the right to challenge the lawfulness of your detention in person before a court of law and to be released if such detention is unlawful;
- (c) you have the right to be detained under conditions consonant with human dignity, which shall include at least the provision of adequate accommodation, nutrition, reading material and medical treatment at state expense; and
- (d) you have the right to be given the opportunity to communicate with, and be visited by, your spouse or partner, next-of-kin, religious counsellor and a medical practitioner of your choice.

3) As a person arrested for the alleged commission of an offence, you have the following rights:

- (a) You have the right to remain silent and anything you say may be recorded and may be used as evidence against you;
- (b) you are not compelled to make a confession or admission which could be used in evidence against you;
- (c) you have the right to be brought before a court as soon as reasonably possible but not later than 48 hours after your arrest or the end of the first court day after the expiry of the 48 hours, if the 48 hours expire outside ordinary court hours or on a day which is not an ordinary court day;
- (d) you have the right, at the first court appearance after your arrest, to be informed of the reason for your continued detention, or to be released; and
- (e) you have the right to be released from detention if the interests of justice permit, subject to reasonable conditions.

4) You can exercise all the abovementioned rights at any stage during your detention.

CERTIFICATE BY DETAINEE

I, Hele Kleynhans (name of detainee) hereby certify that I have been
informed in English (State language) of my rights in terms of the Constitution as set out above by
Inspector Lee Prins (name of Person who informed the detainee) and that I understand the contents
thereof.

DATE: 26 July 2024
(Informed)TIME: 12:01
(Informed)PLACE: Kuilsriver
(Informed)

SIGNATURE/THUMBPRINT OF DETAINEE:

SIGNATURE OF PERSON WHO INFORMED THE DETAINEE:

CERTIFICATE BY THIRD PERSON AS WITNESS (if required)

I, _____ (name of person) hereby certify that
_____ (name of detainee) has been informed in my presence in
_____ (State language) of his/her rights in terms of the Constitution as set out above by
_____ (name of person who informed the detainee) and that
the contents thereof has been explained to him/her but that he/she refuses to sign the above certificate.

DATE: _____
(Informed)TIME: _____
(Informed)PLACE: _____
(Informed)

SIGNATURE OF THIRD PERSON