

SOUTH AFRICAN POLICE SERVICE



PART A1.....

PREAMBLE TO STATEMENT

 Station MACASSAR CAS no.10.....2026

PERSONAL PARTICULARS

 Title M R Initials L Surname NTUNGELE
 First names LWAZI
 Identity number 9 9 0 2 0 5 5 3 2 6 0 8 4 Race A Br ☒ W Other
 Passport number Country of issue
 Date of Birth 1 9 9 9 0 2 0 5 Age Gender ☒ F L G B T I Q
 Nationality SOUTH AFRICAN Citizenship SOUTH AFRICAN
I am/am not a member of the SAPS with PERSAL no*

RESIDENTIAL ADDRESS

 Street name
 Building/farm/plot/place
 Suburb/Extension/Area
 Town/City Postal Code
 Telephone number Home Code No Work Code No
 Cellphone number Fax Code No

ADDRESS - WORK/BUSINESS/INSTITUTION/ORGANISATION

 Name of Institution/Organisation CAPE OF GOOD HOPE - SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS
 Street name C/O FIRST ROAD & 1ST AVENUE
 Building/farm/plot/place SPCA BUILDING
 Suburb/Extension/Area GRASSY PARK
 Town/City CAPE TOWN Postal Code 7 9 4 1
 Telephone number Home Code No Work Code 021 No 700 4158 / 9
 Cellphone number 083 326 2377 Fax Code 021 No 705 2127
 Would you like to receive information regarding this case via sms? ☒ Yes ☐ No

SERVICES RENDERED ON INITIAL REPORTING

 Psycho-social Services ☐ Y ☐ N Medical ☐ Y ☐ N Shelter ☐ Y ☐ N
 Other:(Indicate).....

PLEASE INDICATE WHETHER THE VICTIM HAS ANY OF THE FOLLOWING DISABILITIES

 Vision impairment (blind, partially sighted) ☐ Hearing impairment (deaf or hard of hearing) ☐
 Mental impairment (Down Syndrome, Epilepsy, Autism, Psychiatric) ☐
 Physical impairment (Limping, using wheelchair or crutches, leg amputation, arm amputation) ☐
 Albinism ☐
 Multiple Disabilities ☐ Specify if multiple

CONTACT PERSON (IF APPLICABLE)*

 Title M R Initials J H J Surname PIETERSE
 Telephone number Home Code 083 No 678 8460 Fax Code 021 No 700 4158 / 9

Date

Member's Signature (Rank, Name, Surname)

 In case of theft of a vehicle the statement must be continued on form SAPS 3M(c).
 In 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.

SOUTH AFRICAN POLICE SERVICE



PART A1.....

STATEMENT

Station MACASSAR	CAS no. / 10 / 2026
-------------------------	--------------------------

The following particulars in respect of the offence/incident is supplied:

PARTICULARS OF OFFENCE/INCIDENT																																																			
Date and time of offence/incident												C		C		Y		Y		M		M		D		D		-		H		H		M		M		Or		Period between		1		3		1		0		on	
2	0	2	6	0	8	0	7	and	1	3	0	0	on	2	0	2	6	0	9	1	6	Day of week	Su	M	T	W	T	F	S																						

Description of Offence/Incident CONTRAVENTION OF THE ANIMAL PROTECTION ACT, 71 OF 1962

Method used/Entrance gained ANIMAL CRUELTY - DENIAL OF VETERINARY CARE

Type of instrument used ANIMAL - DOG

SCENE OF CRIME	
Between: Name of place	
and: Name of place	
or	
Street name	MOOI STREET
Building/farm/plot/place	NUMBER 9
Suburb/Extension/Area	MACASSAR
Town/City	CAPE TOWN
Geographical block no	
Type of premises	RESIDENTIAL
Postal Code 7 1 3 0	
PLEASE INDICATE WHETHER THE VICTIM ☐ OR ACCUSED ☐ HAS ANY OF THE FOLLOWING	
Vision impairment (blind, partially sighted)	☐
Hearing impairment (deaf or hard of hearing)	☐
Mental impairment (Down Syndrome, Epilepsy, Autism, Psychiatric)	☐
Physical impairment (Limping, using wheelchair or crutches, leg amputation, arm amputation)	☐
Albinism	☐
Multiple Disabilities	☐ Specify if multiple

Date	Signature
------	-----------

In case of theft of a vehicle the statement must be continued on form SAPS 3M(c).
 In 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.



AFFIDAVIT

I, the undersigned

**LWAZI NTUNGELE
(ID 9902055326084)**

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 or 083 326 2377 and with email address insp7@spca-ct.co.za.
2. The facts contained herein fall within my personal knowledge, unless the contrary appears from the context or is expressly indicated otherwise, and are, to the best of my knowledge and belief, both true and correct.
3. On 7 August 2026, the Cape of Good Hope SPCA received a complaint concerning dogs allegedly being chained on a property situated at 9 Mooi Street, Macassar, Cape Town (hereinafter referred to as the 'property').
4. The complaint was allocated to me for investigation and I attended at the property on the same day. Upon arrival I met with Joanne Abrahams ("Joanne" or "the owner"), to whom I explained the nature of the animal-welfare concerns received. Joanne informed me that the dogs bite. During my inspection I observed three (3) mixed-breed dogs on the property. Two of the dogs appeared to be slightly underweight, although their condition was not at that stage alarming. One dog was situated in front of the property and was restrained on a runner without a suitable collar and without adequate access to suitable shelter and water. A second dog was situated on the side of the property and was restrained by means of a running chain. This dog had access to shelter, although the shelter was broken, and had access to water. A third, medium-sized brown and black mixed-breed dog was free-roaming within the property and had access to shelter and water.
5. I issued Warning Notice number 25089, attached hereto as A5, requiring the owner within seven (7) days to untangle the runners, provide adequate shelter and repair the broken kennel, and deworm the dogs and ensure that they were provided with adequate food.
6. On 19 August 2026, I returned to the property to conduct a follow-up inspection. I met with the owner's daughter, who informed me that the runners had been repaired and that they would have money to purchase suitable collars on the Friday following my inspection. I observed that the dogs were restrained on runners and had access to shelter and water. However, the dogs still did not have suitable collars around their necks. The dogs appeared to be in fair physical condition and I was informed that deworming medication had been administered to the dogs.

I, Lwazi Ntungele, further state under oath and in English that:

7. On 28 August 2026, I attended at the property for a further follow-up inspection. Upon arrival I met with the owner and her son, Brian Abrahams, who also identified himself as being responsible for the dogs. I observed that the two dogs situated in front of the property were restrained on runners and appeared to be in fair physical condition. The dogs had access to shelter, however they were still not wearing suitable collars and raw chains were attached directly around their necks.
8. The dog situated at the rear of the property was restrained on a short tether which materially restricted its movement due to the manner in which it had been secured. The dog had access to shelter and water. I offered the owner the opportunity to voluntarily surrender the dogs to the Cape of Good Hope SPCA in order to prevent further welfare concerns, but the offer was refused. I thereafter issued Warning Notice number 25477, attached hereto as A6, requiring the owner within seven (7) days to provide suitable collars and appropriate running chains for the dogs.
9. On 4 September 2026, I returned to the property to conduct another follow-up inspection. I called at the gate but no person came out of the property. From outside the property I observed two dogs in front of the property restrained on runners which were entangled and thereby restricted the movement of the dogs. Although the dogs had access to shelter, no drinkable water was available to them at the time of my inspection. The dogs appeared to be in fair physical condition. Only one of the dogs had a suitable collar, while the other still had a raw chain directly around its neck, which had the potential to cause injury. I proceeded to the rear area of the property and observed the third mixed-breed dog restrained on a short tether which restricted its movement. No drinking water was available to this dog, although shelter was available.
10. A neighbour identified to me as Tamryn Blaauw approached and informed me that nobody was at home and that she could convey a message to the occupants. Due to the continued non-compliance, I issued final Warning Notice number 25575, attached hereto as A7, requiring the owner within five (5) days to ensure that drinkable water was available to the dogs at all times, provide adequate running chains and ensure that the runners were not entangled, and provide suitable collars for any dog that did not have an appropriate collar. The owner was again informed that should she be unable or unwilling to comply with the requirements, she had the option of surrendering the dogs to the Cape of Good Hope SPCA.
11. On 8 September 2026, I again attended at the property to establish whether the requirements contained in the final warning had been complied with. I called at the gate and the owner eventually appeared with her son Brian Abrahams (hereinafter also the owner). They appeared unhappy to see me and questioned why I was at the property. I explained that I was conducting a follow-up inspection in respect of the warning issued during the previous week and that the purpose of my attendance was to establish whether the identified animal-welfare concerns had been rectified.
12. The owner thereafter returned inside the property and did not come back outside to engage with me. I nevertheless observed one dog restrained on a runner without a suitable collar around its neck and a second dog remained entangled in its runner. The dogs did not have access to drinking water at the time of my inspection. I proceeded to the rear area of the property and observed the third mixed-breed dog still restrained on a short rope, with no drinking water available.
13. On 16 September 2026, I attended at the property accompanied by Law Enforcement Animal Control Unit officials. Upon approaching the property, Brian Abrahams and

I, Lwazi Ntungele, further state under oath and in English that:

members of his family became verbally hostile towards me, swearing and shouting and demanding to know why I was at the property. I explained that I was conducting a follow-up inspection concerning the living conditions of the dogs and that the previous warning notices had not been complied with.

14. I requested permission from Brian to enter the property for purposes of inspecting the animals, which he granted. Brian identified himself as the owner but refused to provide me with his identity number and provided only his name and surname. During my inspection I observed one dog in front of the property with access to shelter and restrained by means of a running chain and collar.
15. Upon closer inspection, I observed an open wound on the dog's neck in the area where the chain was attached. This was of particular concern to me as the dog had previously been restrained by means of a raw chain directly around its neck despite repeated warnings and recommendations by the Cape of Good Hope SPCA that suitable collars be provided. When I questioned the occupants concerning the injury, a female identified to me as Britney stated that the dog had allegedly been attacked by other dogs in the street approximately two days previously.
16. In my opinion, the injury was also consistent with the possibility of injury caused or contributed to by the chain that had been attached around the dog's neck. In any event, the presence of an open wound required veterinary assessment and treatment. I questioned the owner as to why veterinary treatment had not been sought for the injured dog and was informed that there was no money available for veterinary treatment. I explained to the owner that where an animal is sick or injured, the person responsible for the animal must take reasonable steps to obtain appropriate veterinary treatment and, where such treatment cannot be afforded, contact an animal-welfare organisation for assistance or surrender. I again offered the owner the opportunity to surrender the dogs to the Cape of Good Hope SPCA. The owner refused and stated that he did not want to surrender the dogs because he loved his dog.
17. I explained that the animal was injured and appeared to be experiencing pain and discomfort and that the Cape of Good Hope SPCA had, over a period of several weeks, repeatedly provided warnings, recommendations and opportunities to rectify the welfare deficiencies, but that the identified problems had persisted. I informed the owner that should he refuse to surrender the injured dog voluntarily, I would have to consider exercising the lawful powers available to me in terms of the Animals Protection Act 71 of 1962 ("the Act") in order to prevent further unnecessary suffering.
18. The owner became increasingly agitated and shouted and swore at me, stating words to the effect that we would have to kill him before anyone would take his dog. I contacted my supervisor and reported the findings and circumstances at the property. While awaiting further instructions, Britney asked me what would happen. I informed her that the Cape of Good Hope SPCA would take the necessary lawful steps to secure the welfare of the animals and that should the owner resist the lawful exercise of my duties, the appropriate authorities could be called upon to deal with any obstruction or resistance.
19. Britney thereafter went into the house and returned with the owner. The owner stated that if the dog was taken, it had to be returned to him. I explained that if he voluntarily surrendered the dog, it would be relinquished to the Cape of Good Hope SPCA and its future disposition would be dealt with in accordance with the applicable legal and animal-welfare procedures. The owner subsequently brought the injured dog out of the

I, Lwazi Ntungele, further state under oath and in English that:

property and loaded the dog into the SPCA vehicle, whereafter the necessary surrender documentation was completed.

20. The animal was thereafter transported to the Cape of Good Hope SPCA Animal Hospital, where it was examined and treated by the attending veterinarian. The attending veterinarian compiled a veterinary report in respect of the animal and its condition, which forms part of the evidentiary material in this matter.
21. During the course of my inspections, I used my cellular telephone, namely a Samsung Galaxy S24FE, to photograph the conditions and observations referred to in this affidavit. The photographs taken by me have been preserved and are contained in Photographic Albums A to E. The photographs are a true and accurate representation of the conditions and findings observed by me at the time they were taken and have not been edited, altered, enhanced or otherwise manipulated in any manner that would change or distort what was depicted.
22. Based on my observations, the repeated warnings issued, the conduct and omissions of the persons responsible for the dogs and the circumstances under which the animals were kept, I request that Joanne Abrahams and Brian Abrahams, where the evidence establishes their respective ownership, possession, custody, charge or control of the animals, be charged with the applicable contraventions of the Animals Protection Act 71 of 1962, specifically
 - a. section 2(1)(a) for ill-treating and neglecting the dogs by failing to provide adequate care and attention and by permitting conditions which resulted in unnecessary suffering;
 - b. section 2(1)(b) for confining, chaining or tethering the dogs unnecessarily or under conditions and in a manner or position which caused or was capable of causing unnecessary suffering or afforded inadequate space or protection, including the use of short tethers and entangled runners;
 - c. section 2(1)(c) for unnecessarily denying the dogs water by failing to ensure that drinkable water was continuously available;
 - d. section 2(1)(e) for failing to render or procure veterinary or other medical treatment or attention reasonably able to be rendered or procured for the injured dog which was in need of such treatment;
 - e. section 2(1)(f) for using or attaching equipment or an appliance, namely chains, to the dogs in a manner which caused or was capable of causing injury or unnecessary suffering;
 - f. section 2(1)(q) for causing, procuring or assisting in the commission or omission of the aforesaid acts, alternatively permitting such acts or omissions through failing to take reasonable steps to prevent the continued ill-treatment or neglect of the animals; and
 - g. section 2(1)(r) for wantonly, unreasonably or negligently doing or omitting to do acts, or causing or procuring the commission or omission of acts, which caused unnecessary suffering to the dogs, including the continued use of unsuitable neck restraints, failure to provide continuous access to drinking water, failure to rectify the identified welfare deficiencies despite repeated warnings and failure to procure veterinary attention for an injured dog.

23. 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, Lwazi Ntungele, further state under oath and in English that:

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 _____ on this the _____ day of _____ 20____, 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:



AFFIDAVIT – VETERINARY REPORT

I, **Dr. Natara Moodley**, hereby make oath and declare in English as follows:

1.

I am an adult female veterinarian registered with the South African Veterinary Council (SAVC) under registration number CS26/17195. I hold a Bachelor of Veterinary Science degree (BVSc). I am currently employed by the Cape of Good Hope SPCA. I am competent to provide veterinary services and experienced in identifying clinical signs of neglect and cruelty in animals.

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 16 September 2026, a canine was admitted into the care of the Cape of Good Hope SPCA after reportedly being surrendered from a property situated at 9 Mooi Street, Macassar, Cape Town. The animal in question was surrendered to Inspector Lwazi Ntungele under SPCA case number INSP235907.

3.1. ANIMAL INFORMATION:

The details of the animal are as follows:

- **Admission Number:** A104903
- **Species:** Canine
- **Breed:** Mixed breed
- **Sex and Reproductive Status:** Male (intact)
- **Estimated Age:** Adult
- **Colour and Markings:** Black, tan and white
- **Microchip:** Unknown
- **Name:** Unknown

3.2. CLINICAL EXAMINATION FINDINGS:

I conducted a full clinical examination of the animal in question. The following findings were recorded:

General Condition:

- **Body Condition Score:** 5/9 (acceptable)
- **Weight:** 12.14 kg
- **Behaviour:** Bright, Alert and Responsive (BAR)
- **Nails:** No abnormalities detected.
- **Dentition:** No abnormalities detected.
- **Parasite Burden:** No abnormalities detected.

I, **Dr. Natara Moodley**, hereby further make oath and declare in English as follows:

Most Significant Clinical Findings

- An infected linear laceration wound was present on the dorsolateral aspect of the neck.
- The wound was consistent with an injury caused by prolonged friction or pressure from a rope or chain around the neck.
- The nature and appearance of the wound were consistent with chronic injury and associated suffering.
- The wound was infected and required veterinary treatment and ongoing monitoring.

4.

VETERINARY OPINION:

Based on my clinical examination and the clinical findings recorded, it is my professional veterinary opinion that the animal presented with an infected linear laceration wound on the dorsolateral aspect of the neck.

The nature and location of the injury are consistent with friction and pressure caused by a rope or chain being placed around the animal's neck for a prolonged period.

In my professional opinion, the injury is chronic in nature and would have caused the animal pain, discomfort and unnecessary suffering.

5.

PROGNOSIS AND RECOMMENDATIONS:

Prognosis

The prognosis for the animal is assessed as good to fair, subject to appropriate veterinary treatment, wound management and monitoring.

Recommendations

The animal is a good candidate for adoption once the wound has been appropriately treated and has healed sufficiently.

6.

CONCLUSION

In conclusion, the animal presented with an infected, chronic linear laceration wound on the dorsolateral aspect of the neck. The location and nature of the injury are consistent with prolonged friction and pressure from a rope or chain around the neck. The condition would have caused pain and discomfort and resulted in unnecessary suffering. Appropriate veterinary treatment and wound management are required. Subject to successful treatment and recovery, the animal has a good prospect of being placed for adoption.

7.

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

Dr. Natara Moodley (BVSc)

I, **Dr. Natara Moodley**, hereby further make oath and declare in English as follows:

The deponent has acknowledged that she knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at Graaff Park on this the 25 day of September 2026, 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.

 J De Vos
40004230
Senior Inspector
COMMISSIONER OF OATHS

CITY OF CAPE TOWN
25 SEP 2026
LAW ENFORCEMENT

Full names:  JUSTIN DE VOS

Designation:  COMMISSIONER OF OATHS
Peace Officer - Law Enforcement

Business address: City of Cape Town Staff No. 40004230
101 Old Strandfontein Rd, Ottery, Cape Town. 7808

Cape of Good Hope SPCA



Photo Album A

SAPS CAS Number: ____ / 09 / 2026

SAPS Station: Macassar SAPS

Date Taken: 2026-08-19

Taken By: Inspector Lwazi Ntungele

Address: 09 Mooi Street, Macassar



Taken at: 09 Mooi Street, Macassar

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-08-19

Taken with: Samsung S24FE



Photo 1 - One of the dogs



Taken at: 09 Mooi Street, Macassar

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-08-19

Taken with: Samsung S24FE



Photo 2 - The dog



Taken at: 09 Mooi Street, Macassar

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-08-19

Taken with: Samsung S24FE



Photo 3 - One of the dogs



Taken at: 09 Mooi Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-08-19
Taken with: Samsung S24FE



Photo 4 - The dog in question

Cape of Good Hope SPCA



Photo Album B

SAPS CAS Number: ____ / 10 / 2026

SAPS Station: Macassar SAPS

Date Taken: 2026-08-28

Taken By: Inspector Lwazi Ntugnele

Address: 09 Mooi Street, Macassar



Taken at: 09 Mooi Street, Macassar

Photo taken by: Inspector Lwazi Ntugnele

Taken on: 2026-08-28

Taken with: Samsung S24FE



Photo 1 - Dog without a collar



Taken at: 09 Mooi Street, Macassar

Photo taken by: Inspector Lwazi Ntugnele

Taken on: 2026-08-28

Taken with: Samsung S24FE



Photo 2 - Dog on a chain without a collar



Taken at: 09 Mooi Street, Macassar
Photo taken by: Inspector Lwazi Ntugnele
Taken on: 2026-08-28
Taken with: Samsung S24FE



Photo 3 - Dog on a short chain without a collar

Cape of Good Hope SPCA



Photo Album C

SAPS CAS Number: ____ / 10 / 2026

SAPS Station: Macassar SAPS

Date Taken: 2026-09-04

Taken By: Inspector Lwazi Ntungele

Address: 9 Moor Street, Macassar



Taken at: 9 Moor Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-09-04
Taken with: Samsung S24FE



Photo 1 - The dog on a chain



Taken at: 9 Moor Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-09-04
Taken with: Samsung S24FE



Photo 2 - A different angle of the dog on a chain



Taken at: 9 Moor Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-09-04
Taken with: Samsung S24FE

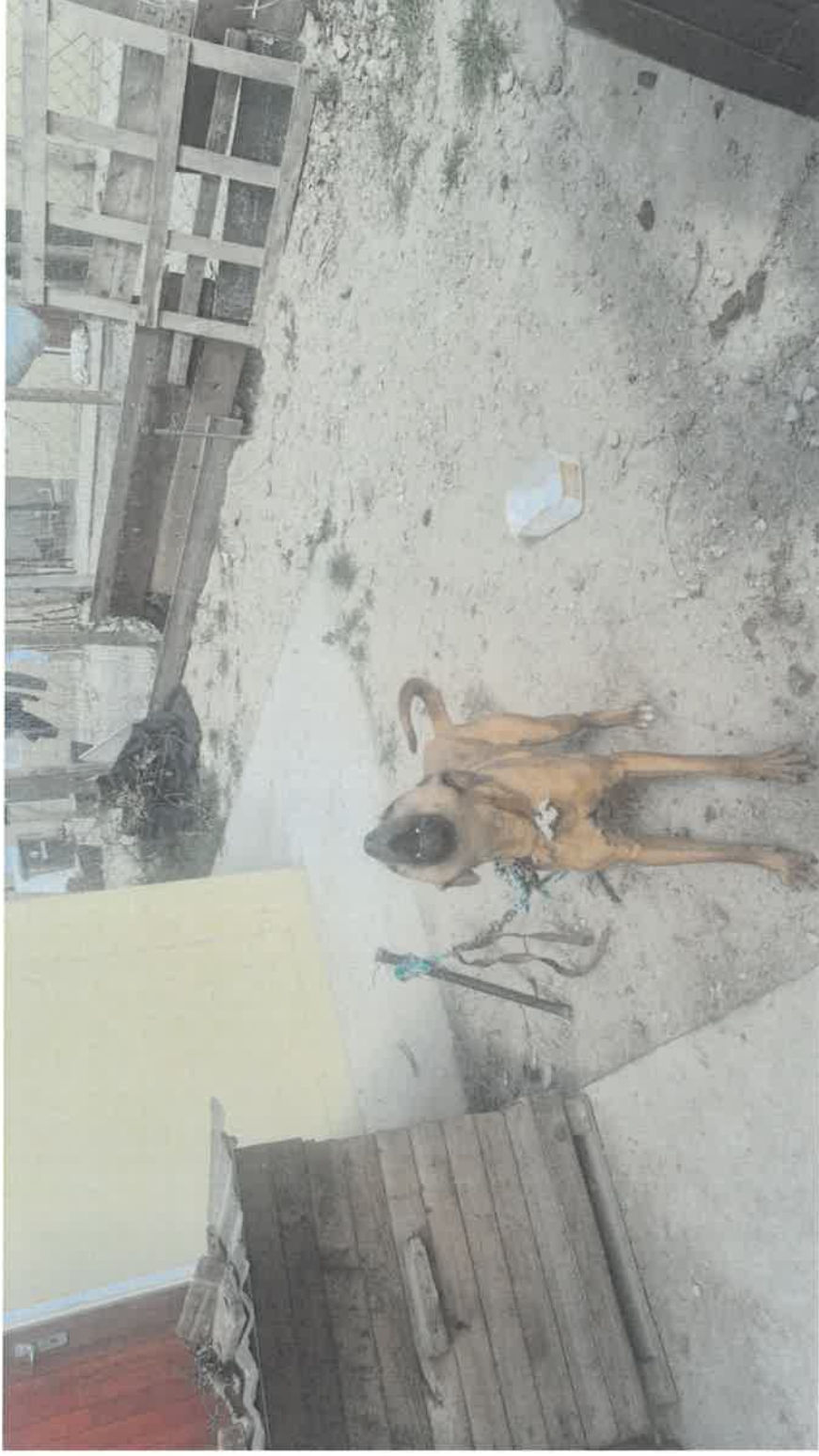


Photo 3 - The dog on a short chain with no collar



Taken at: 9 Moor Street, Macassar

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-09-04

Taken with: Samsung S24FE



Photo 4 - A dog on a chain without a collar

Cape of Good Hope SPCA



Photo Album D

SAPS CAS Number: ____ / 10 / 2026

SAPS Station: Macassar SAPS

Date Taken: 2026-09-08

Taken By: Inspector Lwazi Ntungele

Address: 9 Mooi Street, Macassar



Taken at: 9 Mooi Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-09-08
Taken with: Samsung S24FE



Photo 1 - The dog on a running chain



Taken at: 9 Mooi Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-09-08
Taken with: Samsung S24FE



Photo 2 - The dog on a running chain without a collar



Taken at: 9 Mooi Street, Macassar

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-09-08

Taken with: Samsung S24FE



Photo 3 - Another dog on a chain



Taken at: 9 Mooi Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-09-08
Taken with: Samsung S24FE



Photo 4 - The dog on a chain without a collar or water



Taken at: 9 Mooi Street, Macassar

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-09-08

Taken with: Samsung S24FE



Photo 5 - A different angle of the dog on a chain with no collar or water

Cape of Good Hope SPCA



Photo Album E

SAPS CAS Number: ____ / 10 / 2026

SAPS Station: Macassar SAPS

Date Taken: 2026-09-16

Taken By: Inspector Lwazi Ntungele

Address: 9 Mooi Street, Macassar



Taken at: 9 Mooi Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-09-16
Taken with: Samsung S24FE



Photo 1 - Wound on the dogs neck



Taken at: 9 Mooi Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-09-16
Taken with: Samsung S24FE



Photo 2 - Close up of the wound on the dogs neck



Taken at: 9 Mooi Street, Macassar
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-09-16
Taken with: Samsung S24FE



Photo 3 - The wound



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

LWAZI NTUNGELE

ID No. 9902055326084

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 **SOMERSET WEST (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 _____ day of _____ 20____

Name _____

Signed _____

Official Stamp to go here 21

Holder's Photograph

SPCA NATIONAL COUNCIL
Authorisation No. **14360**



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
PO Box 3, Plumstead, 7801
Tel: 021 700 4140
Fax: 021 705 2127

inspectorate@spca-ct.co.za
www.capespca.co.za

25575

Final

WARNING

To: Mr / Mrs / Ms <i>Do anne Abrahams</i>	Date: <i>04/01/2026</i>
Address: <i>9 Mooi Street, Macassar</i>	
	ID No
Tel No	Cell No
Veh Reg No	Trailer Reg No

You are hereby warned: (Please pay attention to all the points on this warning, even those not ticked)

- ☐ 1. To provide the animal/s with adequate food on a daily basis.
- ☒ 2. To provide the animal/s with sufficient potable water 24 hours a day.
- ☐ 3. To provide the animal/s with adequate shelter against the elements within hours / days.
- ☐ 4. To provide the sick or injured animal/s with adequate veterinary treatment within hours and provide the SPCA with a veterinarian report within the given time frame.
- ☐ 5. To clean and hygienically maintain the animal/s living environment within hours.
- ☐ 6. To groom the animal/s within hours and keep them in a fit and healthy state at all times.
- ☒ 7. ~~To untie/unchain the animal/s immediately to roam freely inside the property or~~ as a last resort place the animal/s on a "running chain" within 5 hours / days.
- ☐ 8. Possible abandonment of animal/s on the property is suspected.
- ☐ 9. Tail / ear maiming or any other surgical mutilation is not permitted on animals.
- ☐ 10. Baiting, inciting or provoking any animal to attack another animal or to allow any animal to attack another animal is not permitted.
- ☐ 11. No animal may be trained, exhibited or used for safeguarding without being in possession of a valid licence that is issued in terms of the Performing Animals Protection Act 24 of 1935. The use of animals for training, exhibition or safeguarding must cease with immediate effect until the said licence is obtained.
- ☐ 12. To refrain from leaving your animal inside a vehicle unattended.
- ☐ 13. To contact SPCA Inspector on **021 700 4158** or **021 700 4159** within hours / days to discuss the concerns. *0833261604 (A/H)*

☒ 14. Other / remarks:

- If you are unable to comply with the above mentioned you have the option to surrender the dogs over to the SPCA.
- Provide a collar for the dog and ensure the running chains are not entangled

This warning has been issued in terms of the Society for the Prevention of Cruelty to Animals Act 169 of 1993.

Failure to comply with this warning may render you liable for prosecution under the Animals Protection Act 71 of 1962 and / or Performing Animals Protection Act 24 of 1935. *N/A*

Any person who obstructs, hinders or resists an officer authorised in terms of the Animals Protection Act 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: *Tommy Blaauw* *[Signature]*
PLACE: *Macassar* TIME: *11:01*
INSPECTOR: *Lwazi Mungile Luthi*



Ingelyfde Vereniging sonder winsoogmerk
Cnr 1st Avenue & 1st Road, Grassy Park, 7941
PO Box 3, Plumstead, 7801
Tel: 021 700 4140
Fax: 021 705 2127
inspectorate@spca-ct.co.za
www.capespca.co.za

25477

To: Mr / Mrs / Ms <i>Joanne Abrahams</i>	Date <i>28/06/2026</i>
Address <i>9 Mabi Street, Macassar</i>	
	ID No
Tel No	Cell No
Veh Reg No	Trailer Reg No

☐ 1. To provide the animal/s with adequate food on a daily basis.

☒ 2. To provide the animal/s with sufficient potable water 24 hours a day.

☐ 3. To provide the animal/s with adequate shelter against the elements within _____ hours / days.

☐ 4. To provide the sick or injured animal/s with adequate veterinary treatment within _____ hours and provide the SPCA with a veterinarian report within the given time frame.

☐ 5. To clean and hygienically maintain the animal/s living environment within _____ hours.

☐ 6. To groom the animal/s within _____ hours and keep them in a fit and healthy state at all times.

☒ 7. To untie/unchain the animal/s immediately to roam freely inside the property or as a last resort place the animal/s on a "running chain" within 7 hours / days.

☐ 8. Possible abandonment of animal/s on the property is suspected.

☐ 9. Tail / ear maiming or any other surgical mutilation is not permitted on animals.

☐ 10. Baiting, inciting or provoking any animal to attack another animal or to allow any animal to attack another animal is not permitted.

☐ 11. No animal may be trained, exhibited or used for safeguarding without being in possession of a valid licence that is issued in terms of the Performing Animals Protection Act 24 of 1935. The use of animals for training, exhibition or safeguarding must cease with immediate effect until the said licence is obtained.

☐ 12. To refrain from leaving your animal inside a vehicle unattended.

☐ 13. To contact SPCA Inspector _____ on **021 700 4158** or **021 700 4159** within _____ hours / days to discuss the concerns.

☒ 14. Other / remarks: **083 3261604 (A/H)**

- Provide the dogs with suitable collars and ensure they have suitable running chains to exhibit Movement.
- If you are unable to provide the above mentioned you have the option to surrender the dog on to the SPCA.

SIGNED & ACCEPTED BY: [Signature]
PLACE: Marassa TIME: 09:36
SPECTOR: Luz N. Neri

Affiliated to the National Council of SPCAs (NSPCA)

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
PO Box 3, Plumstead, 7801

Tel: 021 700 4140

Fax: 021 705 2127

inspectorate@spca-ct.co.za

www.capespca.co.za

25089

WARNING

To: Mr / Mrs / Ms <u>Joana Abrahams</u>	Date <u>07/08/2026</u>
Address <u>9 Mooi Street, Macassar</u>	
	ID No
Tel No	Cell No
Veh Reg No	Trailer Reg No

You are hereby warned: (Please pay attention to all the points on this warning, even those not ticked)

- ☒ 1. To provide the animal/s with adequate food on a daily basis. Delam
- ☒ 2. To provide the animal/s with sufficient potable water 24 hours a day.
- ☒ 3. To provide the animal/s with adequate shelter against the elements within 7 hours / days.
- ☐ 4. To provide the sick or injured animal/s with adequate veterinary treatment within 7 hours ~~and~~ and provide the SPCA with a veterinarian report within the given time frame.
- ☐ 5. To clean and hygienically maintain the animal/s living environment within — hours.
- ☐ 6. To groom the animal/s within — hours and keep them in a fit and healthy state at all times.
- ☒ 7. To untie/unchain the animal/s immediately to roam freely inside the property or as a last resort place the animal/s on a "running chain" within 7 hours / days.
- ☐ 8. Possible abandonment of animal/s on the property is suspected.
- ☐ 9. Tail / ear maiming or any other surgical mutilation is not permitted on animals.
- ☐ 10. Baiting, inciting or provoking any animal to attack another animal or to allow any animal to attack another animal is not permitted.
- ☐ 11. No animal may be trained, exhibited or used for safeguarding without being in possession of a valid licence that is issued in terms of the Performing Animals Protection Act 24 of 1935. The use of animals for training, exhibition or safeguarding must cease with immediate effect until the said licence is obtained.
- ☐ 12. To refrain from leaving your animal inside a vehicle unattended.
- ☒ 13. To contact SPCA Inspector Lwazi Ntshelile on **021 700 4158** or **021 700 4159** within 24 hours / days to discuss the concerns. **083 326 1604 (CA/H)**
- ☒ 14. Other / remarks:

- Make proper collars for the dogs to avoid injuries on necks
 - Delam and feed proper food to improve body score
 - Make sure that the runners are of adequate size and are not tangled

This warning has been issued in terms of the Society for the Prevention of Cruelty to Animals Act 169 of 1993.

Failure to comply with this warning may render you liable for prosecution under the Animals Protection Act 71 of 1962 and / or Performing Animals Protection Act 24 of 1935.

Any person who obstructs, hinders or resists an officer authorised in terms of the Animals Protection Act 71 of 1962 or conceals any animal shall be guilty of an offence in terms of Section 8(4) of the aforementioned Act. MS

SIGNED & ACCEPTED BY: Gave to owner (Car sign)

PLACE: Macassar TIME: 15:05

INSPECTOR: Lwazi Ntshelile

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF THE CITY OF CAPE TOWN SUB-
DISTRICT SOMERSET WEST, HELD AT SOMERSET WEST**

Case No/Saak Nr: _____

Count: 1

THE STATE

V

JOANNE ABRAHAMS

ACCUSED 1

BRIAN ABRAHAMS

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

**COUNT 1:- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(a) OF THE
ANIMALS PROTECTION ACT 71 OF 1962**

THAT the accused are guilty of the crime of contravening 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 and the Adjustment of Fines Act 101 of 1991 (where applicable).

IN THAT on and in between 7 August 2026 and 16 September 2026 and at or near 9 Mooi Street, Macassar, Cape Town in the District/Regional Division of City of Cape Town: Somerset West, the accused, JOANNE ABRAHAMS (ACCUSED 1) and BRIAN ABRAHAMS (ACCUSED 2), or one or more of them, being the owner(s) of, alternatively having in their possession, custody, charge or control of, to wit three (3) dogs, did unlawfully and intentionally, alternatively negligently: -

- neglect and/or ill-treat the said dogs by failing to provide adequate care and attention and by permitting conditions which resulted in unnecessary suffering, in that, despite Warning Notice No. 25089 (7 August 2026), Warning Notice No. 25477 (28 August 2026) and Final Warning Notice No. 25575 (4 September 2026), two (2) of the dogs continued to be kept without suitable collars, with raw chains attached directly around their necks, and the third dog remained restrained on a short tether which materially restricted its movement, culminating in the third dog being found on 16 September 2026 with an open, infected wound to its neck in the area where a chain had been attached.

Penalty provision:

An unspecified fine not exceeding R40 000 (in terms of the Adjustment of Fines Act 101 of 1991) or to imprisonment for a period not exceeding twelve (12) months, or to such imprisonment without the option of a fine (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF THE CITY OF CAPE TOWN SUB-DISTRICT SOMERSET WEST, HELD AT SOMERSET WEST

Case No/Saak Nr: _____

Count: 2

THE STATE

V

JOANNE ABRAHAMS

ACCUSED 1

BRIAN ABRAHAMS

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 2:- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(b) OF THE ANIMALS PROTECTION ACT 71 OF 1962

THAT the accused are guilty of the crime of contravening 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 and the Adjustment of Fines Act 101 of 1991 (where applicable).

IN THAT on and in between 7 August 2026 and 16 September 2026 and at or near 9 Mooi Street, Macassar, Cape Town in the District/Regional Division of City of Cape Town: Somerset West, the accused, JOANNE ABRAHAMS (ACCUSED 1) and BRIAN ABRAHAMS (ACCUSED 2), or one or more of them, being the owner(s) of, alternatively having in their possession, custody, charge or control of, to wit three (3) dogs, did unlawfully and intentionally, alternatively negligently: -

- chain and/or tether and/or secure the said dogs unnecessarily, alternatively under such conditions and/or in such a manner and/or in such a position as to cause the dogs unnecessary suffering, alternatively in a place which afforded inadequate space and/or protection, in that two (2) of the dogs were repeatedly observed restrained on runners which had become entangled, thereby restricting their movement, and the third dog was repeatedly restrained on a short tether which materially restricted its movement, these conditions persisting across inspections on 7 August, 19 August, 28 August, 4 September and 8 September 2026 notwithstanding written warnings to rectify them.

Penalty provision:

An unspecified fine not exceeding R40 000 (in terms of the Adjustment of Fines Act 101 of 1991) or to imprisonment for a period not exceeding twelve (12) months, or to such imprisonment without the option of a fine (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF THE CITY OF CAPE TOWN SUB-DISTRICT SOMERSET WEST, HELD AT SOMERSET WEST

Case No/Saak Nr: _____

Count: 3

THE STATE

V

JOANNE ABRAHAMS

ACCUSED 1

BRIAN ABRAHAMS

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 3:- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(c) OF THE ANIMALS PROTECTION ACT 71 OF 1962

THAT the accused are guilty of the crime of contravening 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 and the Adjustment of Fines Act 101 of 1991 (where applicable).

IN THAT on and in between 7 August 2026 and 16 September 2026 and at or near 9 Mooi Street, Macassar, Cape Town in the District/Regional Division of City of Cape Town: Somerset West, the accused, JOANNE ABRAHAMS (ACCUSED 1) and BRIAN ABRAHAMS (ACCUSED 2), or one or more of them, being the owner(s) of, alternatively having in their possession, custody, charge or control of, to wit three (3) dogs, did unlawfully and intentionally, alternatively negligently: -

- unnecessarily deny water to the said dogs by failing to ensure that clean, drinkable water was continuously available, in that no drinkable water was observed available to the dogs during inspections on 4 September, 8 September and 16 September 2026.

Penalty provision:

An unspecified fine not exceeding R40 000 (in terms of the Adjustment of Fines Act 101 of 1991) or to imprisonment for a period not exceeding twelve (12) months, or to such imprisonment without the option of a fine (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF THE CITY OF CAPE TOWN SUB-DISTRICT SOMERSET WEST, HELD AT SOMERSET WEST

Case No/Saak Nr: _____

Count: 4

THE STATE

V

JOANNE ABRAHAMS

ACCUSED 1

BRIAN ABRAHAMS

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 4:- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(e) OF THE ANIMALS PROTECTION ACT 71 OF 1962

THAT the accused are guilty of the crime of contravening 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 and the Adjustment of Fines Act 101 of 1991 (where applicable).

IN THAT on and in between 7 August 2026 and 16 September 2026 and at or near 9 Mooi Street, Macassar, Cape Town in the District/Regional Division of City of Cape Town: Somerset West, the accused, JOANNE ABRAHAMS (ACCUSED 1) and BRIAN ABRAHAMS (ACCUSED 2), or one or more of them, being the owner(s) of, alternatively having in their possession, custody, charge or control of, to wit three (3) dogs, did unlawfully and intentionally, alternatively negligently: -

- being the owner(s) of, alternatively having in their possession, custody, charge or control of, to wit one (1) of the said dogs, fail to render or procure veterinary treatment or attention for the said dog, which was in need of such treatment as a result of an open, infected wound to its neck observed on 16 September 2026.

Penalty provision:

An unspecified fine not exceeding R40 000 (in terms of the Adjustment of Fines Act 101 of 1991) or to imprisonment for a period not exceeding twelve (12) months, or to such imprisonment without the option of a fine (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF THE CITY OF CAPE TOWN SUB-
DISTRICT SOMERSET WEST, HELD AT SOMERSET WEST**

Case No/Saak Nr: _____

Count: 5

THE STATE

V

JOANNE ABRAHAMS

ACCUSED 1

BRIAN ABRAHAMS

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

**COUNT 5:- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(f) OF THE
ANIMALS PROTECTION ACT 71 OF 1962**

THAT the accused are guilty of the crime of contravening Section 2(1)(f) 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 and the Adjustment of Fines Act 101 of 1991 (where applicable).

IN THAT on and in between 7 August 2026 and 16 September 2026 and at or near 9 Mooi Street, Macassar, Cape Town in the District/Regional Division of City of Cape Town: Somerset West, the accused, JOANNE ABRAHAMS (ACCUSED 1) and BRIAN ABRAHAMS (ACCUSED 2), or one or more of them, being the owner(s) of, alternatively having in their possession, custody, charge or control of, to wit three (3) dogs, did unlawfully and intentionally, alternatively negligently: -

- use on and/or attach to, to wit one (1) of the said dogs, a raw chain placed directly around its neck, being equipment which caused, alternatively would cause, injury to the dog, alternatively which was used and/or attached in such a manner as to cause the dog to be injured and/or to suffer unnecessarily, notwithstanding repeated recommendations that a suitable collar be provided, as a result of which the dog was found on 16 September 2026 with an open, infected laceration wound on the dorsolateral aspect of its neck, in the area where the chain had been attached.

Penalty provision:

An unspecified fine not exceeding R40 000 (in terms of the Adjustment of Fines Act 101 of 1991) or to imprisonment for a period not exceeding twelve (12) months, or to such imprisonment without the option of a fine (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF THE CITY OF CAPE TOWN SUB-DISTRICT SOMERSET WEST, HELD AT SOMERSET WEST

Case No/Saak Nr: _____

Count: 6 (in the alternative to Counts 1 to 5)

THE STATE

V

JOANNE ABRAHAMS

ACCUSED 1

BRIAN ABRAHAMS

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 6 (in the alternative to Counts 1 to 5):- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(q) OF THE ANIMALS PROTECTION ACT 71 OF 1962 (IN THE ALTERNATIVE TO COUNTS 1 TO 5)

IN THE ALTERNATIVE TO COUNTS 1 TO 5 ABOVE, THAT the accused are guilty of the crime of contravening 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 and the Adjustment of Fines Act 101 of 1991 (where applicable).

IN THAT on and in between 7 August 2026 and 16 September 2026 and at or near 9 Mooi Street, Macassar, Cape Town in the District/Regional Division of City of Cape Town: Somerset West, the accused, JOANNE ABRAHAMS (ACCUSED 1) and BRIAN ABRAHAMS (ACCUSED 2), or one or more of them, being the owner(s) of, alternatively having in their possession, custody, charge or control of, to wit three (3) dogs, did unlawfully and intentionally, alternatively negligently: -

- cause, procure and/or assist in the commission of the acts referred to in Counts 1 to 5 above, in respect of the said dogs;
- alternatively, being the owner(s) of the said dogs, permitted the commission of the acts referred to in Counts 1 to 5 above by failing to take reasonable steps to prevent the continued ill-treatment and/or neglect of the animals, despite repeated warnings and opportunities to rectify the identified welfare deficiencies.

Penalty provision:

An unspecified fine not exceeding R40 000 (in terms of the Adjustment of Fines Act 101 of 1991) or to imprisonment for a period not exceeding twelve (12) months, or to such imprisonment without the option of a fine (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF THE CITY OF CAPE TOWN SUB-DISTRICT SOMERSET WEST, HELD AT SOMERSET WEST

Case No/Saak Nr: _____

Count: 7 (in the alternative to Counts 1 to 5)

THE STATE

V

JOANNE ABRAHAMS

ACCUSED 1

BRIAN ABRAHAMS

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 7 (in the alternative to Counts 1 to 5):- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(r) OF THE ANIMALS PROTECTION ACT 71 OF 1962 (IN THE ALTERNATIVE TO COUNTS 1 TO 5)

IN THE ALTERNATIVE TO COUNTS 1 TO 5 ABOVE, THAT the accused are guilty of the crime of contravening 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 and the Adjustment of Fines Act 101 of 1991 (where applicable).

IN THAT on and in between 7 August 2026 and 16 September 2026 and at or near 9 Mooi Street, Macassar, Cape Town in the District/Regional Division of City of Cape Town: Somerset West, the accused, JOANNE ABRAHAMS (ACCUSED 1) and BRIAN ABRAHAMS (ACCUSED 2), or one or more of them, being the owner(s) of, alternatively having in their possession, custody, charge or control of, to wit three (3) dogs, did unlawfully and intentionally, alternatively negligently: -

- did and/or omitted to do, wantonly, unreasonably and/or negligently, an act or acts in relation to the care of the said dogs, thereby causing the dogs unnecessary suffering, including the continued use of unsuitable neck restraints, failure to provide continuous access to drinking water, failure to rectify identified welfare deficiencies despite repeated warnings, and failure to procure veterinary attention for the injured dog;
- alternatively, caused and/or procured the commission or omission of such act or acts, which caused the said dogs unnecessary suffering.

Penalty provision:

An unspecified fine not exceeding R40 000 (in terms of the Adjustment of Fines Act 101 of 1991) or to imprisonment for a period not exceeding twelve (12) months, or to such imprisonment without the option of a fine (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).



To whom it may concern,

SPCA APPLICATION IN TERMS OF SECTION 3 OF ACT NO 71 OF 1962

The Cape of Good Hope Society for the Prevention of Cruelty to Animals hereby requests, upon conviction of the accused, that the following be awarded -

Denial of ownership in terms of **Section 3(1)(c) of Act 71 of 1962** (Animals Protection Act):

3. Powers of court - (1) Whenever a person is convicted of an offence in terms of this Act in respect of any animal, the court convicting him may in addition to any punishment imposed upon him in respect of that offence –

- (a) order such animal to be destroyed if in the opinion of the court it would be cruel to keep such animal alive;
- (b) order that the person convicted be deprived of the ownership of such an animal;
- (c) declare the person convicted to be unfit to own or be in charge of any animal, or of any animal of a specified kind, for a specified period;**
- (d) make any order with regard to such animal as it deems fit to give effect to any order or declaration made under any of the preceding paragraphs.

(2) Any person who is found in possession or in charge of any animal in contravention of a declaration made in terms of paragraph (c) of sub-section (1), shall be guilty of an offence and liable on conviction to the penalties prescribed in subsection (1) of section two.

We hope that the above would be considered in the benefit of these animals, as well as other animals, to prevent any possible future suffering being caused.

Kind regards,

**Inspector Lwazi Ntungele
Inspectorate Department
CAPE OF GOOD HOPE SPCA**



ATT: Public Prosecutor,

CHARGES IN TERMS OF THE ANIMALS PROTECTION ACT NO 71 OF 1962

In the case of the State versus:

- **JOANNE ABRAHAMS** (ACC 1).
- **BRIAN ABRAHAMS** (ACC 2).

The Cape of Good Hope Society for the Prevention of Cruelty to Animals (SPCA) request that the accused be charged for animal cruelty in terms of the following Sections of the **Animals Protection Act No 71 of 1962**:

SECTION 2

Offences in respect of animals - (1) Any person who:

(a) overloads, overdrives, overrides, ill-treats, neglects, infuriates, tortures or maims or cruelly beats, kicks, goads or terrifies **any animal**;

- *The accused, being the persons responsible for the care, custody and/or control of the dogs, ill-treated and neglected the animals by failing to provide adequate care and proper living conditions, including failing to provide suitable collars and appropriate restraint, allowing the dogs to remain restrained by raw chains around their necks, allowing the runners to become entangled and restricting the movement of the animals, failing to provide continuous access to drinking water and failing to obtain veterinary treatment for an injured dog. These conditions persisted despite repeated interventions, warnings and opportunities afforded by the Cape of Good Hope SPCA to rectify the identified welfare deficiencies.*

(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;

- *The accused unnecessarily chained and tethered the dogs and secured them by means of raw chains and unsuitable restraints directly around their necks. The dogs were repeatedly observed restrained on runners which became entangled and restricted their movement, while one dog was repeatedly restrained on a short tether which materially restricted its movement. Despite repeated warnings to rectify the manner of restraint, the conditions continued. On 16 September 2026, one of the dogs was observed with an open wound to the neck in the area where the chain had been attached, demonstrating the risk of injury and unnecessary suffering associated with the manner in which the animal was restrained.*

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

- *The accused unnecessarily denied the dogs access to drinking water by failing to ensure that clean and drinkable water was continuously available. During inspections conducted on 4 September 2026, 8 September 2026 and 16 September 2026, the dogs were observed without access to drinking water. This occurred despite the accused having been repeatedly informed by the Cape of Good Hope SPCA that adequate access to drinking water was required and*

despite a final warning specifically requiring that drinkable water be available to the dogs at all times.

(e) being the owner of any animal, deliberately or negligently keeps such animal in a dirty or parasitic condition or allows it to become infected with external parasites or fails to render or procure veterinary or other medical treatment or attention which he is able to render or procure for any such animal in need of such treatment or attention, whether through disease, injury, delivery of young or any other cause, or fails to destroy or cause to be destroyed any such animal which is so seriously injured or diseased or in such a physical condition that to prolong its life would be cruel and would cause such animal unnecessary suffering; or

- The accused failed to render or procure veterinary treatment for a dog which, on 16 September 2026, was observed with an open wound to its neck. When questioned regarding the injury, the accused stated that there was no money available for veterinary treatment. Despite the injury being visible and requiring veterinary assessment and treatment, no veterinary attention had been procured prior to the SPCA intervention. The accused had previously been repeatedly advised regarding the welfare requirements of the animals and was informed of the need to obtain appropriate veterinary attention for injured animals.*

(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;

- The accused used and/or attached raw chains directly around the necks of the dogs as a means of restraint. The chains were used despite repeated recommendations that suitable collars be provided. On 16 September 2026, one of the dogs was observed with an open wound on its neck in the area where the chain had been attached. The use of such equipment in this manner caused, or was capable of causing, injury and unnecessary suffering to the animal.*

(g) causes, procures or assists in the commission or omission of any of the aforesaid acts or, being the owner of any animal, permits the commission or omission of any such act;

- The accused, being the persons responsible for the dogs and/or having possession, custody, charge or control thereof, caused, procured, assisted in and/or permitted the aforesaid acts and omissions by failing to take reasonable steps to prevent the continued ill-treatment and neglect of the animals. The accused were repeatedly informed of the identified welfare deficiencies and were afforded several opportunities to rectify the conditions, including through Warning Notice 25089, Warning Notice 25477 and Final Warning Notice 25575. Despite these interventions, the same welfare deficiencies continued.*

(h) by wantonly or unreasonably or negligently doing or omitting to do any act or causing or procuring the commission or omission of any act, causes any unnecessary suffering to any animal;

- The accused, by their acts and/or omissions, wantonly, unreasonably and/or negligently caused unnecessary suffering to the dogs by permitting the continued use of unsuitable chains and restraints, allowing runners to become entangled and restricting the movement of the animals, failing to ensure continuous access to drinking water, failing to rectify the identified welfare deficiencies despite repeated warnings and failing to procure veterinary treatment for an injured dog. The accused had actual knowledge of the welfare concerns, having been repeatedly informed of the deficiencies by the Cape of Good Hope SPCA, but nevertheless failed to take adequate corrective measures.*

shall, subject to the provisions of this Act and any other law, be guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding twelve months or to such imprisonment without the option of a fine.

(2) For the purposes of sub-section (1) the owner of any animal shall be deemed to have permitted or procured the commission or omission of any act in relation to that animal if by the exercise of reasonable care and supervision in respect of that animal he could have prevented the commission or omission of such act.

(3) Notwithstanding anything to the contrary contained in any law, a magistrate's court shall have jurisdiction to impose any penalty provided for in this section.

Please do not hesitate to contact us for further information or clarification.

Kind regards,

**Inspector Lwazi Ntungele
Inspectorate Department
CAPE OF GOOD HOPE SPCA**



INVESTIGATION DIARY * ONDERSOEKDAGBOEK

Station Stasie	MACASSAR	CAS no	10	2026
		MAS no		

Date and Time Datum en Tyd	Particulars of investigation / Enquiry Besonderhede van ondersoek / Navraag	Reference Verwysing
	FIC AS PER	A1
	COMPLAINANT: AS PER SPCA INSPECTOR LWAZI NTUNGELE CAPE OF GOOD HOPE SPCA CORNER FIRST ROAD AND FIRST AVENUE, GRASSY PARK 083 326 2377	
	COMPLAINT: CONTRAVENTION OF ANIMAL PROTECTION ACT 71 of 1962 Section 2(1)(a)(e)(q)(r)	
	SCENE: 09 MOOI STREET, MACASSAR	
	DATE & TIME: 13H10 ON 2026/08/07 TO 13H00 2026-09-16	
	ACCUSED: (1) BRIAN ABRAHAMS	
	MODUS: AS PER A1	
	DOCKET CONTENTS:	
	Commissioned Veterinary Report	A2
	Photographic Evidence	A3
	Magisterial Authorisation	A4
	Warning Notice 25089	A5
	Warning Notice 25477	A6
	Warning Notice 25575	A7
	Animal Protection Act 71 of 1962	B1
	Regulation 468	B2
	Section 92 of Magistrates Courts Act 32 of 1944	B3
	Adjustment of Fines Act 101 of 1991	B4
	Gazette No. 37477 of 27 March 2014	B5
	Section 2(1) of Animal Protection Act 71 of 1962	B6

