

SOUTH AFRICAN POLICE SERVICE



PART A 1

PREAMBLE TO STATEMENT

 Station GRASSY PARK CAS no. / 07 / 2026

PERSONAL PARTICULARS

Title M R Initials J S Surname NOKO
 First names JONATHAN SIVIWE
 Identity number 9 0 0 2 2 0 6 1 4 4 0 8 8 Race A Br ☒ W Other
 Passport number Country of issue
 Date of Birth 1 9 9 0 0 2 2 0 Age Gender ☒ M 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 N/A
 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 GRASSY PARK	CAS no.07...../.....2026.....
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The following particulars in respect of the offence/incident is supplied:

PARTICULARS OF OFFENCE/INCIDENT																													
Date and time of offence/incident										-		Or		Period between		0		9		4		0		on					
2	0	2	6	0	5	1	9	and	1	0	3	0	on	2	0	2	6	0	6	2	7	Day of week	Su	M	T	W	T	F	S

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

Method used/Entrance gained... UNLAWFULLY TETHER / FAIL TO PROCURE VETERINARY CARE

Type of instrument used... ANIMAL - DOG
--

SCENE OF CRIME	
Between: Name of place	
and: Name of place	
or	
Street name	ORIBI AVENUE
Building/farm/plot/place	NO. 47
Suburb/Extension/Area	LOTUS RIVER
Town/City	CAPE TOWN
Geographical block no	
Type of premises	RESIDENTIAL
Postal Code	7 8 0 5

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

JONATHAN SIVIWE NOKO

(ID 9002206144088)

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. Where necessary, I have relied on my own observations and on information obtained during the course of my investigation, which I reasonably believe to be true and correct. Insofar as I rely on information provided by third parties, I shall endeavour to procure confirmatory affidavits from such persons.
4. To the extent that such confirmatory affidavits are not obtained, I respectfully request that this Honourable Court exercise its discretion in terms of section 3 of the Law of Evidence Amendment Act, 45 of 1998, to admit such evidence in the interests of justice.
5. All annexures referred to herein are incorporated into this affidavit by reference. These include photographic evidence, which has not been altered, edited, or manipulated in any manner, and which is submitted to accurately depict the conditions prevailing at the time of inspection.
6. I further state that the Society for the Prevention of Cruelty to Animals operates in terms of the Societies for the Prevention of Cruelty to Animals Act, 169 of 1993 ("the SPCAs Act"), which regulates its powers and functions. The said Act empowers the SPCA, inter alia, to take cognisance of the application of laws affecting animals and to make representations to the appropriate authorities in that regard.
7. The Cape of Good Hope Society for the Prevention of Cruelty to Animals (SPCA) received a complaint regarding the welfare of dogs being kept at 47 Oribi Road, Lotus River (hereinafter referred to as "the property").

I, **Jonathan Siviwe Noko**, do hereby make further oath in English and state that:

8. The complainant alleged that the dogs were not fed regularly, did not have suitable sleeping accommodation, and were generally not being properly cared for. The complainant further advised that she was the aunt of the owner, that they did not have a good relationship, and that the owner was rude towards her.
9. On 19 May 2026, the complaint was allocated to me for investigation. At approximately 09h40, I attended at the property to conduct an inspection.
10. Upon my arrival, I called out and was met by an adult female who identified herself as Rowena, the mother of the owner of the dogs. She informed me that her son, Rowan Philander, was attending court but granted me permission to enter the property.
11. During my inspection, I observed the following dogs:
 - a. An adult male Pit Bull kept on a running chain. The dog had access to adequate shelter but did not have access to potable drinking water. The dog appeared underweight.
 - b. A brown and white juvenile Pit Bull crossbreed tied on a very short rope that severely restricted its movement. This dog had access to drinking water and adequate shelter but also appeared underweight.
12. I further observed that both dogs were being kept in an unhygienic environment with a significant accumulation of dog faeces.
13. As a result of my observations, I issued Written Warning No. 24904 (attached hereto marked "A5") directing the owner to:
 - a. Provide both dogs with adequate food on a daily basis.
 - b. Ensure both dogs have continuous access to clean, potable drinking water.
 - c. Obtain appropriate veterinary treatment for both dogs within 48 hours and provide the SPCA with the relevant veterinary report within the prescribed timeframe.
 - d. Clean and hygienically maintain the dogs' living environment within 24 hours.
 - e. Replace the juvenile dog's short tether with an appropriate running chain within five days.
14. As the owner was not present, the written warning was left in the care of Rowena.
15. On 22 May 2026, I conducted a follow-up inspection at the property.
16. Upon my arrival, I again called out and was met by the owner's mother. I informed her that I was conducting a follow-up inspection to determine whether the owner had complied with the written warning, specifically whether the dogs had been taken for veterinary treatment.
17. She informed me that, to her knowledge, the owner had not taken either dog to a veterinarian.
18. During my inspection, I observed that the brown and white dog remained tied on the same very short rope, restricting its movement. Both dogs had access to drinking water.
19. I telephonically contacted Rowan Philander, who informed me that one of his friends, Theodore Davids, had allegedly taken the dogs to the Animal Rescue Organisation (ARO) situated in 11th Avenue.

I, **Jonathan Siviwe Noko**, do hereby make further oath in English and state that:

20. I thereafter contacted ARO directly and was advised that they had no record of either dog having been presented for veterinary treatment during that week.
21. I returned to the property where I met the owner's younger brother, who identified himself as Junior.
22. I issued Final Written Warning No. 24910 (attached hereto marked "A6"), directing the owner to:
 - a. Provide both dogs with adequate food on a daily basis.
 - b. Clean and hygienically maintain the dogs' living environment within 24 hours.
 - c. Obtain appropriate veterinary treatment for both dogs within 24 hours and provide the SPCA with the relevant veterinary report within the prescribed timeframe.
23. I thereafter telephonically contacted Rowan Philander again and explained the contents of the final written warning to him.
24. He denied failing to obtain veterinary treatment and alleged that he had proof thereof. I instructed him to photograph the veterinary report and email it to the SPCA immediately. I further informed him that, should the report not be received, the SPCA would have no alternative but to remove the dogs. I advised him that the final written warning had been left with his younger brother.
25. On 25 May 2026, I conducted a further follow-up inspection at the property. Upon arrival, I called out and was met by the owner's mother and younger brother. I requested to speak with Rowan Philander, but they informed me that he was at work. They further advised that he had left instructions that the brown dog could be removed.
26. I telephonically contacted Rowan Philander, who informed me that he had not had time to take the dogs to a veterinarian because he had been resting over the weekend. He stated that he would only be able to attend to the dogs the following weekend.
27. I requested that he voluntarily surrender both dogs to the SPCA, which he refused.
28. During my inspection, I observed that both dogs continued to be kept in an unhygienic environment containing accumulated faeces and plastic debris. The brown and white dog, identified as Bella, remained tied on a short rope that severely restricted her movement and she continued to appear in poor body condition. Both dogs had access to drinking water.
29. As the owner had failed to comply with both the written warning and final written warning, I formed the reasonable belief that the animals were suffering unnecessarily and that it was necessary to apply for a warrant in terms of the Animals Protection Act 71 of 1962 to seize the dogs.
30. I thereafter approached the Wynberg Magistrates' Court and made application for a warrant in terms of the Animals Protection Act 71 of 1962 authorising the seizure of the dogs.
31. The application was granted, and the warrant was duly issued. A copy of the warrant is attached hereto marked "A7".

I, Jonathan Siviwe Noko, do hereby make further oath in English and state that:

32. On 27 May 2026, I returned to the property to execute the warrant. I was assisted by members of the City of Cape Town Law Enforcement Department.
33. Upon arrival, I called out and was met by a minor male child. I requested to speak with an adult, whereupon he called his mother.
34. The owner's mother came outside and questioned why I always attended when her son was not present. I explained that the SPCA does not ordinarily conduct inspections after 17h00 and reminded her that, during my previous telephone conversation with Rowan Philander, he had admitted that he had not taken the dogs for veterinary treatment because he had chosen to rest over the weekend.
35. I further explained that, due to his continued failure to comply with the written warnings, the SPCA had no alternative but to execute the warrant and seize the dogs.
36. I handed her a copy of the warrant and explained the purpose thereof.
37. I observed that the brown and white dog remained tied on the same very short rope, severely restricting its movement. The area contained dog faeces and remained unhygienic. Although both dogs had access to drinking water, they continued to appear underweight.
38. I removed the rope securing the brown and white dog and safely loaded the animal into the SPCA vehicle.
39. The adult male Pit Bull displayed aggressive behaviour and was safely secured using a control pole with the assistance of the attending Law Enforcement officers before being loaded into the vehicle.
40. I left copies of the seizure notice, the warrant, and the warrant application with the owner's mother. She refused to acknowledge receipt by signing the seizure notice.
41. The seizure notice is attached hereto marked "A8".
42. I thereafter attended at Grassy Park SAPS where I officially reported the seizure and obtained Occurrence Book reference number 2467/05/2026.
43. Using my Samsung Galaxy S24 FE cellular telephone, I photographed my observations throughout the investigation.
 - a. The photographs taken on 19 May 2026 are contained in Album "A"; those taken on 22 May 2026 are contained in Album "B"; those taken on 25 May 2026 are contained in Album "C"; and those taken on 27 May 2026 are contained in Album "D".
44. These photographs are a true and accurate representation of my observations and have not been edited, altered, manipulated or enhanced in any manner.
45. Based on my investigation, observations, and the owner's repeated failure to comply with written directives intended to alleviate the suffering of the dogs, I respectfully request that criminal charges be investigated against Mr Rowan Philander for contraventions of section 2(1) of the Animals Protection Act 71 of 1962, specifically:
 - a. Section 2(1)(a): By neglecting and ill-treating the dogs, thereby causing them unnecessary suffering.

I, **Jonathan Siviwe Noko**, do hereby make further oath in English and state that:

- b. Section 2(1)(b): By confining and tethering one of the dogs on an excessively short rope that unnecessarily restricted its movement and caused unnecessary suffering.
- c. Section 2(1)(c): By failing to provide the dogs with sufficient and suitable food, resulting in both dogs being underweight and in poor body condition.
- d. Section 2(1)(e): By failing to provide or procure necessary veterinary treatment despite repeated written instructions to do so.
- e. Section 2(1)(q): By failing to exercise proper care and supervision over the dogs and by allowing them to remain in conditions detrimental to their health and welfare.
- f. Section 2(1)(r): By omitting to take reasonable steps to prevent unnecessary suffering after being repeatedly informed of the dogs' condition and being afforded sufficient opportunity to remedy the situation.

46. 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 _____ on this the ____ day of _____ 20____, in compliance with 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.

COMMISSIONER OF OATHS:

Full Name:

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 08 June 2026, a canine was admitted into the care of the Cape of Good Hope SPCA. The animal was reportedly seized from a property situated at 47 Oribi Avenue, Lotus River, Cape Town. The seizure was conducted by Inspector Siviwe Noko under SPCA case number INSP231648.

3.1. ANIMAL INFORMATION:

The details of the animal are as follows:

- **Admission Number:** A98540
- **Species:** Canine
- **Breed:** Pitbull-type
- **Sex and Reproductive Status:** Male, intact
- **Estimated Age:** Approximately 2 years
- **Colour and Markings:** White and black
- **Microchip:** Unknown
- **Name:** Bully

3.2. CLINICAL EXAMINATION FINDINGS:

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

- **Body Condition Score:** 1/9 (severely emaciated)
- **Weight:** 16 kg
- **Behaviour:** Anxious and aggressive whilst confined in a cage; calmer when removed from the cage environment
- **External Parasites:** None detected on examination
- **Dentition and Nails:** Within normal limits
- **Eyes:** No abnormalities detected
- **Scarring:** Multiple old scars present on the head and forelimbs

CITY OF CAPE TOWN

15 JUL 2026

LAW ENFORCEMENT

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

4.

VETERINARY OPINION:

Based on my clinical examination, the primary concerns identified were severe emaciation and the presence of multiple old scars on the head and forelimbs, consistent with previous injuries.

The animal's body condition score of 1/9 indicates a state of extreme malnutrition and prolonged inadequate nutritional intake. The presence of old scarring further suggests that the animal sustained injuries in the past and that these injuries were chronic in nature.

In my professional opinion, the suffering associated with the animal's emaciated condition would have developed over an extended period and is therefore chronic in nature. Such a condition would have resulted in prolonged discomfort, weakness, hunger, and a significant compromise of the animal's overall welfare.

6.

PROGNOSIS AND RECOMMENDATIONS:

The prognosis for this animal is considered fair, provided that appropriate nutritional management and veterinary care are maintained.

Clinically, the animal's primary concern is the severe emaciation. However, due to the animal's unpredictable behaviour and documented aggression, I do not consider rehoming to be an ethical or appropriate option at this time, as it may pose a risk to public safety and animal welfare.

7.

CONCLUSION

In conclusion, the animal was presented in a severely emaciated condition, with a body condition score of 1/9, indicative of prolonged malnutrition and inadequate care. The degree of weight loss observed could not have occurred over a short period and is consistent with chronic neglect of the animal's nutritional needs.

Furthermore, the presence of multiple old scars on the head and forelimbs indicates that the animal had sustained injuries in the past. The chronic nature of these findings demonstrates that the animal endured unnecessary suffering over a prolonged period.

In my professional opinion, the animal experienced significant and ongoing suffering as a result of its emaciated state. This suffering would have included persistent hunger, weakness, reduced physical condition, and a substantial compromise of its welfare. The condition observed was preventable and would have been apparent to any reasonable person responsible for the care of the animal.

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
Dr. Natara Moodley (BVSc)

CITY OF CAPE TOWN
15 JUL 2026
LAW ENFORCEMENT

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 GRASSY PARK on this the 15 day of JULY 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
COMMISSIONER OF OATHS

Full names: _____

Designation: _____

Business address: _____



JUSTIN DE VOS

COMMISSIONER OF OATHS
Peace Officer - Law Enforcement
City of Cape Town Staff No. 46904230
101 Old Strandfontein Rd, Ottery, Cape Town, 7808

CITY OF CAPE TOWN

15 JUL 2026

LAW ENFORCEMENT

Cape of Good Hope



Case: INSP231648

ALBUM A

19 May 202

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-19
Taken with: Samsung S24 FE



Photo 1 - Underweight dog

Taken at: 47 Oriibi Avenue, Lotus River

Photo taken by: Inspector Siviwe Noko

Taken on: 2026-05-19

Taken with: Samsung S24 FE



Photo 2 - White and Black Pitbull underweight

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-19
Taken with: Samsung S24 FE



Photo 3 - Underweight dog

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-19
Taken with: Samsung S24 FE



Photo 4 - Brown pitbull type dog on a short rope

Cape of Good Hope



Case: INSP231648

ALBUM B

22 May 2026

Taken at: 47 Oribi Avenue, Lotus River

Photo taken by: Inspector Siviwe Noko

Taken on: 2026-05-19

Taken with: Samsung S24 FE



Photo 1 - Dog remains on a short rope

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-19
Taken with: Samsung S24 FE



Photo 2 - Underweight white/black pitbull type dog

Cape of Good Hope



Case: INSP231648

ALBUM C

25 May 2026

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-25
Taken with: Samsung S24 FE



Photo 1 - Both dogs remain underweight

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-25
Taken with: Samsung S24 FE

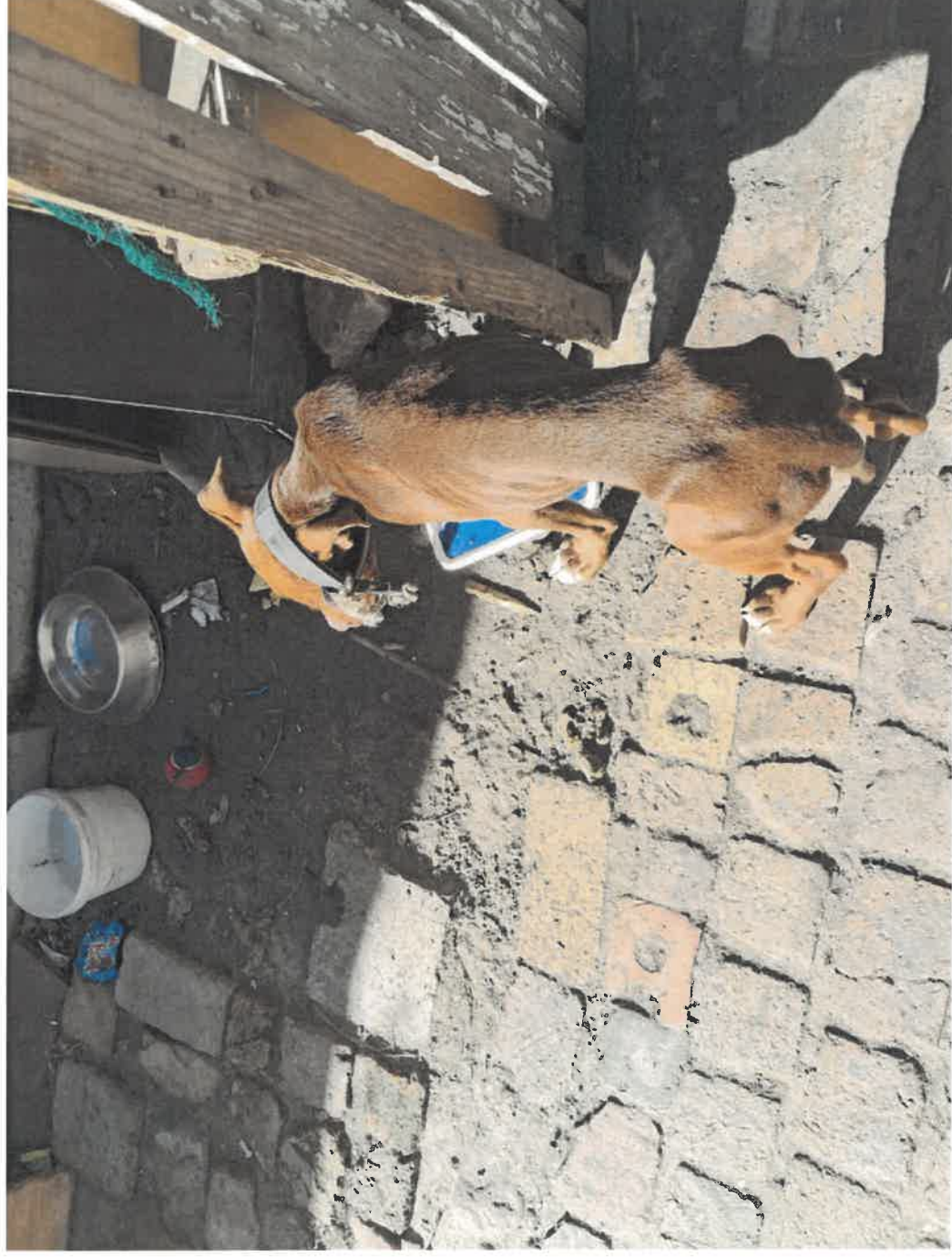


Photo 2 - Underweight dog

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-25
Taken with: Samsung S24 FE

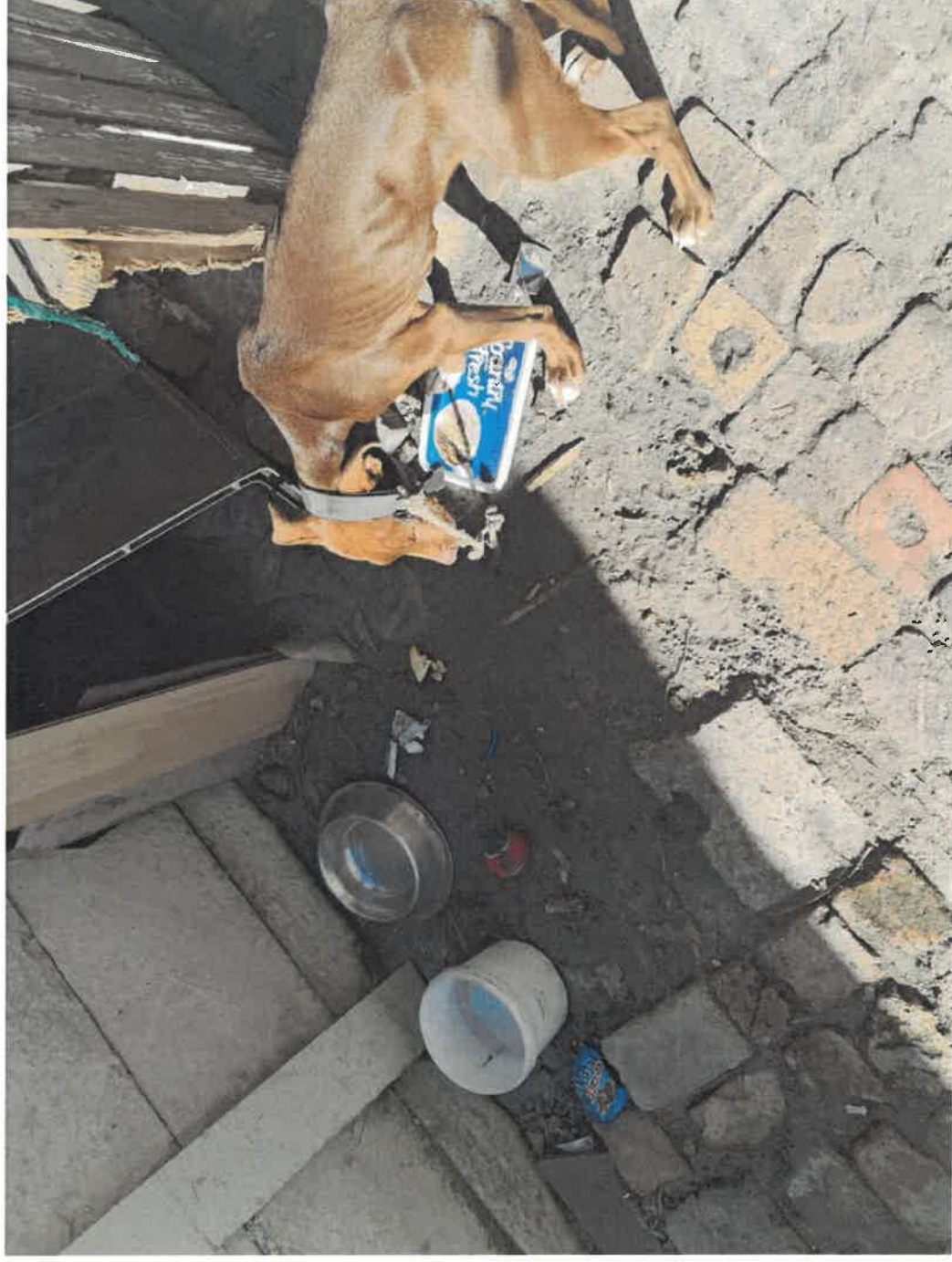


Photo 3 - Side profile of dog that is on a short rope and underweight

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-25
Taken with: Samsung S24 FE



Photo 4 - Dog on a short rope

Cape of Good Hope



Case: INSP231648

ALBUM D

Seizure: 27 May 2026

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-27
Taken with: Samsung S24 FE



Photo 1 - Dog that is still on a short rope

Taken at: 47 Oriibi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-27
Taken with: Samsung S24 FE



Photo 2 - White pitbull type dog that is underweight

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-27
Taken with: Samsung S24 FE



Photo 3 - Underweight brown pitbull

Taken at: 47 Oribi Avenue, Lotus River
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-05-27
Taken with: Samsung S24 FE



Photo 4 - Side profile of the underweight dog



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

JONATHAN SIVIWE NOKO

ID No. 900220 6144 088

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 **WYNBERG (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 **NATIONAL COUNCIL OF SPCAs** to act on its behalf.

Given under my hand this 18 day of APRIL 2019

Official Stamp to go here

Name

Hafiza Mohamed

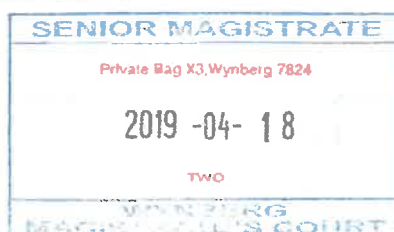
Holder's Photograph

Signed

[Signature]



SPCA NATIONAL COUNCIL
Certificate of Competency
No. **12564**



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

WARNING

24904

To: Mr / Mrs / Ms <u>Rowan Philander</u>	Date <u>19/05/2026</u>
Address <u>47 OKIBI AVENUE, LOTUS RIVER</u>	
	ID No
Tel No	Cell No <u>0731439646</u>
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 48 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 24 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 Siviso Noko on **021 700 4158** or **021 700 4159** within _____ hours / days to discuss the concerns.

☒ 14. Other / remarks:

Your 2 dogs appear to be underweight and they should be provided with adequate veterinary treatment within 48 hours.

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.

SIGNED & ACCEPTED BY: Philander - Rowan

PLACE: Lotus River

TIME: 09:41

INSPECTOR: Siviso Noko

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

WARNING

24910

To: Mr / Mrs / Ms <i>Rowen Philander</i>	Date <i>22/05/2026</i>
Address <i>47 Orbi Avenue, Lotus River</i>	
ID No	
Tel No	Cell No <i>0731439646</i>
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 *24* 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 *24* 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 _____ 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:

Final Warning !!
Failure to comply with this warning may result in further legal action being taken against you.

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.

SIGNED & ACCEPTED BY: *Signed by minor*

PLACE: *Lotus River* TIME: *12:10*

INSPECTOR: *Simone Noto*

WARRANT IN TERMS OF SECTION 8(1) OF THE ANIMALS PROTECTION ACT 71 OF 1962, READ TOGETHER (WHERE APPLICABLE) WITH REGULATION 468 ISSUED IN TERMS OF SECTION 10(1)(b) AND (c) OF THE AFORESAID ACT

To: INSPECTOR SIVIWE NOKO OF THE CAPE OF GOOD HOPE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA)

WHEREAS it appears to me from information provided on oath that there are reasonable grounds to believe that within the Magisterial District of **WYNBERG** there is / are certain animals in the possession of / under the control of / upon the premises of and / or upon the person of **ROWAN PHILANDER** or any other person designated to care for the animals and / or manage the property known as **47 ORIBI AVENUE** in **LOTUS RIVER** whose conditions are required to be examined for purposes of determining whether an offence in terms of section 2 of the aforesaid Act has been, is being or is likely to be committed.

This is therefore to authorise you to enter by any means necessary and search the identified premises and direct you to:

1. Examine the animal/s and the conditions in which it/they is/are kept.
2. Take such photographic and/or video footage of such conditions as may be reasonably necessary.
3. Take into custody any and all evidence and/or equipment and/or documentation and/or any animal/s required for the purposes of a prosecution.
4. If necessary take with you onto the aforesaid property the following persons:
 - a. **Members of the South African Police Service (SAPS)**
 - b. **Members of the City of Cape Town Metropolitan Police**
 - c. **Members of the City of Cape Town Law Enforcement**
 - d. **Members of the Society for the Prevention of Cruelty to Animals (SPCA)**
5. Seize any animal/s and take it/them into your custody if it is reasonably necessary to prevent cruelty to or suffering of such animal/s.
6. Deal with it/them according to law.

GIVEN UNDER my hand at **WYNBERG** on this 26 day of **MAY 2026**



Magistrate Signature
Leitoni Rasco
Magistrate Name & Surname



SEIZURE NOTICE

To: Mr / Mrs / Ms <i>Raewyn Philander</i>	Date <i>07/05/2026</i>
Address <i>47 Orihi Avenue, FORT RIVER</i>	ID No
Tel No	Cell No <i>0731439646</i>
Veh Reg No	Trailer Reg No

The following animals have been seized:

01812

X 1 Pitbull breed type dog, white, male (intact)
X 1 Pitbull cross breed, brown and white, female
Copy of the warrant provided
Regulation 468 at the back of the seizure notice

The above-mentioned animals have been seized in terms of the Animals Protection Act 71 of 1962, read together with Regulation 468 issued in terms of Section 10(1)(b) and (c) of the aforementioned Act.

SIGNED & ACCEPTED BY:

PLACE:

TIME:

INSPECTOR:



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 Jonathan Siviwe Noko
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:

- ROWAN PHILANDER (ACC 1).

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 neglected the dogs by failing to provide the basic standards of care expected of an owner, including adequate nutrition, necessary veterinary treatment, and appropriate living conditions free from unnecessary suffering.*

(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 unlawfully tethered the Pit Bull cross on a short rope in a manner that unnecessarily restricted its movement and was likely to cause unnecessary suffering.*

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

- *The accused failed to provide the dogs with adequate nutrition, resulting in them being underweight and in poor body condition.*

(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 obtain necessary veterinary treatment for the dogs despite them requiring medical attention.*

(q) 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;

- *Being the owner of the dogs, the accused permitted the commission of the above acts and omissions by failing to exercise reasonable care and supervision to prevent the animals from suffering unnecessary neglect.*

(r) 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;

- *Through negligent acts and omissions, the accused caused the dogs to endure unnecessary suffering by failing to provide adequate care, nutrition, veterinary treatment, and appropriate living conditions.*

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 Jonathan Siviwe Noko
Inspectorate Department
CAPE OF GOOD HOPE SPCA**

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

Case No/Saak Nr: _____

THE STATE

V

ROWAN PHILANDER

ACCUSED 1

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 is 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 19 May 2026 and 27 May 2026 and at or near 47 Oribi Road, Lotus River in the District/Regional Division of City of Cape Town: Wynberg, the accused did unlawfully and intentionally: -

- neglect and/or ill-treat, to wit two (2) dogs, namely an adult male Pit Bull and a brown and white juvenile Pit Bull crossbreed known as "Bella", in his possession, custody, care or under his control, by neglecting the said dogs and failing to fulfil his most basic duties of care as the owner of such animals, as a result of which the dogs were kept in an unhygienic environment with accumulated faeces and, despite repeated written warnings, continued to appear underweight and in poor body condition.

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 WYNBERG, HELD AT WYNBERG

Case No/Saak Nr: _____

THE STATE

V

ROWAN PHILANDER

ACCUSED 1

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 is 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 19 May 2026 and 27 May 2026 and at or near 47 Oribi Road, Lotus River in the District/Regional Division of City of Cape Town: Wynberg, the accused did unlawfully and intentionally: -

- confine and/or tether, to wit one (1) dog (a brown and white juvenile Pit Bull crossbreed known as "Bella"), unnecessarily, alternatively under such conditions and/or in such a manner and/or in such a position that the dog was caused to suffer unnecessarily, in that the said dog was kept tied on a very short rope which severely restricted her movement, notwithstanding a written warning directing that the rope be replaced with a suitable running chain.

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 WYNBERG, HELD AT WYNBERG

Case No/Saak Nr: _____

THE STATE

V

ROWAN PHILANDER

ACCUSED 1

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 is 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 19 May 2026 and 27 May 2026 and at or near 47 Oribi Road, Lotus River in the District/Regional Division of City of Cape Town: Wynberg, the accused did unlawfully and intentionally: -

- starve and/or under-feed and/or deny food to, to wit two (2) dogs, namely an adult male Pit Bull and "Bella", found to be underweight and in poor body condition whilst in his care, notwithstanding repeated written warnings directing that adequate food be provided daily.

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 WYNBERG, HELD AT WYNBERG

Case No/Saak Nr: _____

THE STATE

V

ROWAN PHILANDER

ACCUSED 1

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 is 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 19 May 2026 and 27 May 2026 and at or near 47 Oribi Road, Lotus River in the District/Regional Division of City of Cape Town: Wynberg, the accused did unlawfully and intentionally: -

- being the owner of, alternatively having in his possession, custody or control, to wit two (2) dogs, fail to render or procure veterinary treatment, within a reasonable time, for the said dogs, notwithstanding a written warning and a final written warning directing that veterinary treatment be obtained, resulting in the dogs suffering unnecessarily.

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 WYNBERG, HELD AT WYNBERG

Case No/Saak Nr: _____

THE STATE

V

ROWAN PHILANDER

ACCUSED 1

ANNEXURE TO THE CHARGE SHEET

COUNT 5 (in the alternative to Counts 1 to 4):- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(q) OF THE ANIMALS PROTECTION ACT 71 OF 1962 (IN THE ALTERNATIVE TO COUNTS 1 TO 4)

IN THE ALTERNATIVE TO COUNTS 1 TO 4 ABOVE, THAT the accused is 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 19 May 2026 and 27 May 2026 and at or near 47 Oribi Road, Lotus River in the District/Regional Division of City of Cape Town: Wynberg, the accused did unlawfully and intentionally: -

- cause, procure and/or assist in the commission of the acts referred to in Counts 1 to 4 above, in respect of, to wit two (2) dogs;
- alternatively, being the owner of, to wit two (2) dogs, permitted the commission of the acts referred to in Counts 1 to 4 above.

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 WYNBERG, HELD AT WYNBERG

Case No/Saak Nr: _____

THE STATE

V

ROWAN PHILANDER

ACCUSED 1

ANNEXURE TO THE CHARGE SHEET

COUNT 6 (in the alternative to Counts 1 to 4):- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(r) OF THE ANIMALS PROTECTION ACT 71 OF 1962 (IN THE ALTERNATIVE TO COUNTS 1 TO 4)

IN THE ALTERNATIVE TO COUNTS 1 TO 4 ABOVE, THAT the accused is 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 19 May 2026 and 27 May 2026 and at or near 47 Oribi Road, Lotus River in the District/Regional Division of City of Cape Town: Wynberg, the accused did unlawfully and intentionally: -

- did and/or omitted to do, wantonly, unreasonably and/or negligently, an act or acts in relation to the care of, to wit two (2) dogs, thereby causing the dogs unnecessary suffering, despite being repeatedly informed of the dogs' condition and being afforded sufficient opportunity to remedy the situation;
- alternatively, caused and/or procured the commission or omission of such act or acts, which caused, to wit two (2) 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).



INVESTIGATION DIARY * ONDERSOEKDAGBOEK

Station Stasie	GRASSY PARK	CAS no MAS no	07 2026
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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 SIVIWE NOKO 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)(b)(c)(e)(q)(r)	
	SCENE: 47 ORIBI AVENUE, LOTUS RIVER	
	ACCUSED: (1) ROWAN PHILANDER	
	MODUS: AS PER A1	
	DOCKET CONTENTS:	
	Commissioned Veterinary Report	A2
	Photographic Evidence	A3
	Magisterial Authorisation	A4
	Warning Notice: 24904	A5
	Warning Notice: 24910	A6
	Warrant	A7
	Seizure Notice	A8
	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
	J15 ANNEXURE	B7

