

SOUTH AFRICAN POLICE SERVICE



PART A 1

PREAMBLE TO STATEMENT

Station MILNERTON		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	
Nationality	SOUTH AFRICAN	Gender	☒ M ☐ F ☐ L ☐ G ☐ B ☐ T ☐ I ☐ Q
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
Cellphone number	Fax Code		

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
Cellphone number	No 700 4158 / 9		
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 A 1

STATEMENT

Station MILNERTON CAS no. / 07 / 2026

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

PARTICULARS OF OFFENCE/INCIDENT																													
Date and time of offence/incident														-		Or				Period between								on	
2	0	2	6	0	7	0	7	and	1	0	1	5	on	2	0	2	6	0	7	1	5	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 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	IMPALA ROAD									
Building/farm/plot/place	NO. 12									
Suburb/Extension/Area	RUGBY									
Town/City	CAPE TOWN							Postal Code	7 4 0 5	
Geographical block no								Type of premises	RESIDENTIAL	
PLEASE INDICATE WHETHER THE <u>VICTIM</u> ☐ OR <u>ACCUSED</u> ☐ 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. On 6 July 2026, the Cape of Good Hope SPCA received a complaint regarding the welfare of dogs kept at a property situated at 12 Impala Road, Rugby (hereinafter referred to as "the property"). The complainant alleged that a Pit Bull-type dog had sustained an injury and appeared to have a broken paw, rendering the animal unable to walk. It was further alleged that three other dogs were being kept on the property, one of which was suffering from a skin condition. The complainant stated that the dogs

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

were being kept in poor conditions, were not regularly provided with food or water, and that the injured dog had not received any veterinary treatment. The complainant further stated that although the dogs barked at unfamiliar persons, they were not aggressive and appeared to be neglected.

8. On 7 July 2026, the complaint was allocated to me for investigation. At approximately 15h15 on the same day, I attended the property accompanied by members of the City of Cape Town Law Enforcement.
9. Upon my arrival, I met with an adult male and requested to speak with the owner of the dogs. He informed me that the dogs belonged to his daughter, Edith Ross (hereinafter referred to as "the owner"), who was not present at the property. He further confirmed that the injured dog, named Tyson, was a medium-sized, intact male Pit Bull-type dog, black and white in colour, and that the animal had sustained an injury to one of its legs. He advised that Tyson was currently with the owner.
10. I observed two dogs on the property. The dogs did not have access to a kennel or any other form of suitable shelter. I was informed that the owner normally allowed the dogs to sleep inside the house; however, at the time of my inspection, the dogs were outside while the house was locked.
11. I issued a written warning, numbered 120732 (attached hereto as Annexure "A5"), directing the owner to:
 - a. Provide the dogs with sufficient potable water at all times.
 - b. Provide the dogs with adequate shelter within seven (7) days.
 - c. Ensure that the dog named Luna received appropriate veterinary treatment for its skin condition.
 - d. Ensure that the injured dog, Tyson, received appropriate veterinary treatment within twenty-four (24) hours and submit a veterinary report to the Cape of Good Hope SPCA within the prescribed time period.
12. As the owner was absent, the warning was left with her father, Mr Shane Ross.
13. On 9 July 2026, I conducted a follow-up inspection at the property. Upon my arrival, I called out and was approached by an adult male. After identifying myself, I requested to speak with the owner. He went to fetch her from another dwelling on the property.
14. During this inspection, I observed four dogs on the property. Tyson was present and displayed an obvious injury to his right forelimb. I also observed that one crossbreed dog was suffering from a skin condition.
15. The owner voluntarily surrendered the crossbreed dog suffering from the skin condition, together with another crossbreed dog, into the care of the Cape of Good Hope SPCA. She retained Tyson and one additional crossbreed dog.
16. As Tyson had still not received veterinary treatment, I issued a final written warning, numbered 120736 (attached hereto as Annexure "A6"), instructing the owner to
 - a. provide Tyson with adequate veterinary treatment within twenty-one (21) hours and
 - b. to submit proof thereof, together with a veterinary report, to the Cape of Good Hope SPCA within the stipulated time period.
17. The owner accepted and signed the warning.

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

18. On 10 July 2026, I conducted a further follow-up inspection at the property. Upon my arrival, I encountered three adult females doing laundry near the entrance gate. I requested to speak with Edith Ross and was directed to a Wendy house on the property.
19. I knocked on the door but received no response. I could hear a dog barking inside the Wendy house and it appeared that someone inside was attempting to quieten the dog. I attempted to contact the owner telephonically using the number she had previously provided; however, the person who answered advised that he did not know anyone by the name of Edith Ross. It therefore became apparent that the owner had provided the Cape of Good Hope SPCA with an incorrect contact number.
20. At that stage, no veterinary report or any proof that Tyson had received veterinary treatment had been submitted to the Cape of Good Hope SPCA, despite the owner having been afforded sufficient opportunity to comply with the written warnings.
21. As a result of the owner's continued failure to obtain veterinary treatment for Tyson, I recommended that an application be made for a warrant authorising the seizure of the dog.
22. On 14 July 2026, I attended the Cape Town Magistrate's Court and applied for a warrant in terms of the Animals Protection Act, 71 of 1962. After considering the evidence placed before the Court, the presiding Magistrate authorised the warrant. A copy of the warrant is attached hereto as Annexure "A7".
23. On 15 July 2026, I returned to the property accompanied by members of the City of Cape Town Law Enforcement in order to execute the warrant.
24. Upon arrival, I observed that the entrance gate was open. The Wendy house was locked from the inside. I knocked repeatedly and called out but received no response other than dogs barking from inside. Members of Law Enforcement announced their presence by shouting "Law Enforcement" while knocking, whereafter the owner responded and was requested to come outside.
25. Once outside, I informed the owner that we were in possession of a warrant authorising the seizure of Tyson due to her failure to obtain the necessary veterinary treatment. The owner alleged that Tyson had been examined by African Tails Veterinary Clinic. I requested that she produce the veterinary report. She returned inside the Wendy house to retrieve the documentation but remained inside for an extended period.
26. After waiting for a reasonable period, I proceeded with the execution of the warrant. The owner then exited the Wendy house and advised that she was unable to locate the veterinary report.
27. I seized Tyson in terms of the warrant. I provided the owner with copies of the warrant, the founding affidavit, and a Seizure Notice numbered 01821 (attached hereto as Annexure "A8"). The owner acknowledged receipt by signing the Seizure Notice.
28. Thereafter, I attended Milnerton SAPS and officially reported the seizure, where Occurrence Book reference number 767/07/2026 was issued.

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

29. Following the seizure, I transported Tyson to the Cape of Good Hope SPCA, where the animal was examined by the veterinarian on duty. The veterinary report compiled following that examination is attached hereto as Annexure "A2".
30. Using my Samsung Galaxy S24 FE cellular telephone, I photographed my observations during the investigation. The photographs taken on 9 July 2026 are contained in Album "A". The photographs are a true and accurate representation of my observations and have not been edited, altered, or enhanced in any manner.
31. Based on the facts set out above, I respectfully request that criminal charges be investigated against Edith Ross for contraventions of the Animals Protection Act, 71 of 1962, including but not limited to:
 - a. Section 2(1)(a), in that she neglected the dog, Tyson, by failing to provide the care necessary to prevent unnecessary suffering.
 - b. Section 2(1)(e), in that she failed to procure appropriate veterinary treatment for Tyson despite being aware of the animal's injury and despite receiving written warnings directing her to do so.
 - c. Section 2(1)(q), in that she caused, procured or permitted unnecessary pain, suffering or distress to be inflicted upon the dog by failing to obtain timely veterinary treatment.
 - d. Section 2(1)(r), in that she, by her omission and failure to act, permitted the dog to continue suffering unnecessarily while in her care and custody.

32. 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.

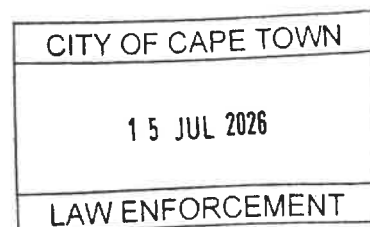
3.

On 15 July 2026, a canine was admitted into the care of the Cape of Good Hope SPCA after reportedly being seized from a property situated at 12 Impala Road, Milnerton, Cape Town. The animal was seized by Inspector Siviwe Noko under Cape of Good Hope SPCA case number INSP234419.

3.1. ANIMAL INFORMATION:

The details of the animal are as follows:

- **Admission Number:** A98589
- **Species:** Canine
- **Breed:** Pitbull-type
- **Sex and Reproductive Status:** Male (intact)
- **Estimated Age:** Adult
- **Colour and Markings:** Black and white
- **Microchip:** Unknown
- **Name:** Tyson



3.2. CLINICAL EXAMINATION FINDINGS:

On 15 July 2026, 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:** 25 kg
- **Behaviour:** The dog displayed fearful and defensive aggressive behaviour consistent with pain and stress associated with its injuries.

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

Nails:

- Nails were of an appropriate length and within normal limits.

Head and Oral Examination:

- No significant abnormalities detected. Oral cavity, dentition and mucous membranes appeared within normal limits.

Skin and Coat:

- Coat was present and generally clean.
- No significant dermatological abnormalities, wounds or ectoparasites were observed.

Musculoskeletal System:

- Marked swelling was present over the right carpal (wrist) region.
- Clinical examination and diagnostic imaging confirmed a fracture of the phalanges of the right forelimb.
- Osteochondrosis of the right radius was also identified.
- The injuries resulted in pain, impaired weight-bearing and reduced function of the affected limb.

Parasite Burden:

- No external or internal parasites noted during the clinical examination.

The most significant clinical finding was a traumatic orthopaedic injury involving the right forelimb, characterised by carpal swelling, a phalangeal fracture and osteochondrosis of the radius, resulting in significant pain and impaired mobility.

4.

VETERINARY OPINION:

In my professional veterinary opinion, the primary medical concern affecting Tyson was the severe orthopaedic injury to the right forelimb, consisting of carpal swelling, a phalangeal fracture and osteochondrosis of the radius.

These injuries are consistent with blunt force trauma or another significant traumatic event causing damage to the bones and surrounding tissues. Such injuries would have caused considerable pain and discomfort, negatively affecting the animal's ability to bear weight and ambulate normally.

Based on the clinical presentation, the injuries were assessed as subacute, indicating that they had been present for a period of time prior to the animal's admission and were not sustained immediately before examination.

6.

PROGNOSIS AND RECOMMENDATIONS:

Prognosis

- Fair-guarded

CITY OF CAPE TOWN
15 JUL 2026
LAW ENFORCEMENT

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

Recommendations

- Due to the severity of the orthopaedic injuries, the animal requires specialist orthopaedic assessment and treatment.
- Should specialist intervention not be reasonably available, humane euthanasia is recommended to prevent ongoing pain and suffering, as prolonged housing by the SPCA without definitive treatment would not be in the animal's best welfare interests.

7.

CONCLUSION

In my professional opinion, Tyson was suffering from significant traumatic orthopaedic injuries involving the right forelimb, including carpal swelling, a phalangeal fracture and osteochondrosis of the radius. These injuries are consistent with forceful blunt trauma and would have caused severe pain, significant discomfort and impaired mobility. The animal would have experienced considerable suffering from the time the injuries were sustained until appropriate veterinary intervention was provided, particularly when standing, walking or bearing weight on the affected limb. Without prompt specialist treatment, the pain and suffering would have persisted and likely worsened over time. It is therefore my opinion that immediate definitive treatment by an orthopaedic specialist, or alternatively humane euthanasia where such treatment is not feasible, was necessary to prevent further unnecessary pain and suffering.

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)

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
40004230
COMMISSIONER OF OATHS

Full names: _____



JUSTIN DE VOS

Designation: _____

COMMISSIONER OF OATHS
Peace Officer - Law Enforcement

Business address: _____

City of Cape Town Sta ff No. 40004230
101 Old Strandfontein Rd, Ottery, Cape Town, 7908

CITY OF CAPE TOWN

15 JUL 2026

LAW ENFORCEMENT

Cape of Good Hope SPCA



Photo Album A

SAPS CAS Number: MILNERTON ____ / 07 / 2026

SAPS Station: Milnerton SAPS

Date Taken: 2026-07-09

Taken By: Inspector Siviwe Noko

Address: 12 Impala Road, Rugby



Taken at: 12 Impala Road, Rugby
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-07-09
Taken with: Samsung S24FE



Photo 1 - Black and White pitbull in question not bearing any weight on injured limb



Taken at: 12 Impala Road, Rugby
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-07-09
Taken with: Samsung S24FE



Photo 2 - The Black and white pitbull in question



Taken at: 12 Impala Road, Rugby
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-07-09
Taken with: Samsung S24FE



Photo 3 - The black and white pitbull with a non-weight bearing limb



Taken at: 12 Impala Road, Rugby
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-07-09
Taken with: Samsung S24FE



Photo 4 - The injured pitbull



Taken at: 12 Impala Road, Rugby
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-07-09
Taken with: Samsung S24FE



Photo 5 - The dog in question



Taken at: 12 Impala Road, Rugby
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-07-09
Taken with: Samsung S24FE



Photo 6 - The surrendered animal with a skin condition



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 **CAPE TOWN (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 2nd day of January 2020

Official Stamp to go here

Name **S. MAKU**
SENIOR MAGISTRATE

Signed

SPCA NATIONAL COUNCIL
Certificate of Competency
No. **12556**

Holder's Photograph



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

120735

To: Mr / Mrs / (Ms) <u>Colin Ross</u>	Date <u>09/07/2026</u>
Address <u>12 Impass Street, Rugby, Milnerton</u>	ID No
Tel No	Cell No <u>0677359247</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 21 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 _____ 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!!!

Your dog named "Tyson" appears to have an injury on the right front leg. He should be provided with adequate veterinary treatment with by 11:00 Friday the 10th of July 2026.

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: [Signature]

PLACE: Rugby

TIME: 14:20

INSPECTOR: [Signature]

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

120732

To: Mr / Mrs / Ms <i>Edith Ross</i>	Date <i>07/07/2026</i>
Address <i>12 Impelo Street, Rugby</i>	
Tel No	ID No
Veh Reg No	Cell 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 7 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 _____ 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:
Your dog named "Lung" appears to have a skin condition, we also received information that your dog named Tyson is injured, both dogs should be provided with adequate veterinary treatment within 24 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: *[Signature]* *SHARON ROSS*
PLACE: *Mbumba* TIME: *15:18*
INSPECTOR: *[Signature]*

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

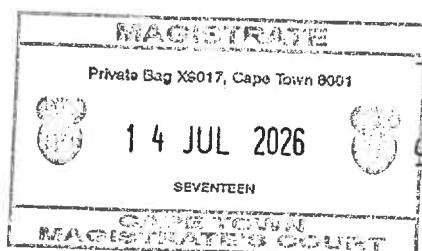
To: INSPECTOR SIVIWE NOKO OF THE CAPE OF GOOD HOPE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA)

WHEREAS it appears to me from information provided on oath that there are reasonable grounds to believe that within the Magisterial District of **CITY OF CAPE TOWN: CAPE TOWN** there is / ~~are~~ ^{are} certain animals in the possession of / under the control of / upon the premises of and / or upon the person of **EDITH ROSS** or any other person designated to care for the animals and / or manage the property known as **12 IMPALA ROAD** in **RUGBY** 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 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 **CAPE TOWN** on this 14 day of **JULY 2026**



Magistrate Signature

Magistrate Name & Surname

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 4158/9
Fax: 021 705 2127
inspectorate@spca-ct.co.za
www.capespca.co.za

SEIZURE NOTICE

To: Mr / Mrs <i>MS Edith Ross</i>	Date <i>14/07/2026</i>
Address <i>12 Impale Road, Rugby, Milnerton</i>	ID No <i>9912250178082</i>
Tel No	Cell No <i>0627359247</i>
Veh Reg No	Trailer Reg No

The following animals have been seized:

01821

X1 white and black Pitbull dog, male (intact)

Copy warrant application given

Copy warrant given

Regulation 468 on reverse page

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: *[Signature]*

PLACE: *Milnerton*

TIME: *10:41*

INSPECTOR: *Sivime Noko*



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:

- **EDITH ROSS** (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 her dog by failing to fulfil her legal duty of care as the owner and custodian of the animal.*
- *The accused failed to procure veterinary treatment for a dog suffering from an apparent fractured leg, thereby allowing the animal to endure prolonged pain, distress and unnecessary suffering.*

(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 procure veterinary treatment for a dog suffering from an apparent fractured leg.*
- *Despite numerous warnings, the injury being obvious and requiring urgent veterinary attention, the accused failed to take any reasonable steps to obtain treatment, thereby causing the animal's condition to deteriorate and prolonging its suffering.*

(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;

- *As the owner and person responsible for the dog, the accused permitted the omission of the necessary veterinary treatment and failed to prevent the continued neglect of the animal.*
- *By failing to exercise reasonable care and supervision over the animal, the accused permitted the commission of the offences contemplated in Section 2(1) of the Act.*

(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;

- *The accused negligently omitted to obtain veterinary treatment for the injured dog, resulting in unnecessary pain and suffering.*
- *The accused's failure to act reasonably in the face of an obvious and serious injury directly contributed to the unnecessary and prolonged suffering experienced by the animal.*

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 CAPE TOWN, HELD AT CAPE TOWN

Case No/Saak Nr: _____

THE STATE

V

EDITH ROSS

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 7 July 2026 and 15 July 2026 and at or near 12 Impala Road, Rugby in the District/Regional Division of City of Cape Town: Cape Town, the accused did unlawfully and intentionally: -

- neglect, to wit one (1) dog (a medium-sized, intact male Pit Bull-type dog, black and white in colour, known as "Tyson"), in her possession, custody, care or under her control, by neglecting the said dog and failing to fulfil her most basic duties of care as the owner of such animal, as a result of which the dog was left with an untreated injury to its right forelimb, rendering it unable to walk properly, thereby causing the dog 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).

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

Case No/Saak Nr: _____

THE STATE

V

EDITH ROSS

ACCUSED 1

ANNEXURE TO THE CHARGE SHEET

COUNT 2:- 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 7 July 2026 and 15 July 2026 and at or near 12 Impala Road, Rugby in the District/Regional Division of City of Cape Town: Cape Town, the accused did unlawfully and intentionally: -

- being the owner of, alternatively having in her possession, custody or control, to wit one (1) dog ("Tyson"), fail to render or procure veterinary treatment for the said dog, which was in need of such treatment as a result of an injury to its right forelimb..

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 CAPE TOWN, HELD AT CAPE TOWN

Case No/Saak Nr: _____

THE STATE

V

EDITH ROSS

ACCUSED 1

ANNEXURE TO THE CHARGE SHEET

COUNT 3 (in the alternative to Counts 1 to 2):- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(q) OF THE ANIMALS PROTECTION ACT 71 OF 1962 (IN THE ALTERNATIVE TO COUNTS 1 TO 2)

IN THE ALTERNATIVE TO COUNTS 1 TO 2 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 7 July 2026 and 15 July 2026 and at or near 12 Impala Road, Rugby in the District/Regional Division of City of Cape Town: Cape Town, the accused did unlawfully and intentionally: -

- cause, procure and/or assist in the commission of the acts referred to in Counts 1 to 2 above, in respect of, to wit one (1) dog;
- alternatively, being the owner of, to wit one (1) dog, permitted the commission of the acts referred to in Counts 1 to 2 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 CAPE TOWN, HELD AT CAPE TOWN

Case No/Saak Nr: _____

THE STATE

V

EDITH ROSS

ACCUSED 1

ANNEXURE TO THE CHARGE SHEET

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

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 7 July 2026 and 15 July 2026 and at or near 12 Impala Road, Rugby in the District/Regional Division of City of Cape Town: Cape Town, the accused did unlawfully and intentionally: -

- wantonly, unreasonably and/or negligently omit to comply with Written Warning No. 120732 and Final Written Warning No. 120736, issued to her by an Inspector of the Cape of Good Hope SPCA directing that she obtain veterinary treatment for, to wit one (1) dog ("Tyson"), within the time periods stipulated therein, notwithstanding being afforded sufficient opportunity to comply therewith, thereby causing the dog to continue to suffer unnecessarily as a result of its untreated injury.

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	MILNERTON	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 J. 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)(e)(q) and (r)	
	SCENE: 12 IMPALA ROAD, RUGBY	
	ACCUSED: (1) EDITH ROSS	
	MODUS: AS PER A1	
	DOCKET CONTENTS:	
	Commissioned Veterinary Report	A2
	Photographic Evidence	A3
	Magisterial Authorisation	A4
	Warning Notice: 120732	A5
	Warning Notice: 120736	A6
	Warrant	A7
	Seizure Notice: 01821	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

