

SOUTH AFRICAN POLICE SERVICE



PART A 1

PREAMBLE TO STATEMENT

Station ATLANTIS CAS no. / 09 / 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 ☒ **F** **L** **G** **B** **T** **I** **Q**
 Nationality **SOUTH AFRICAN** Citizenship **SOUTH AFRICAN**

I am/am not a member of the SAPS with PERSAL no*

RESIDENTIAL ADDRESS

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

N/A

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 ATLANTIS CAS no. / 09 / 2026

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

PARTICULARS OF OFFENCE/INCIDENT	
Date and time of offence/incident	2 0 2 6 0 8 0 4 - 1 4 3 0 Or Period between on
and on	Day of week Su M T W T F S

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

Method used/Entrance gained ANIMAL NEGLECT, DENIAL OF VETERINARY TREATMENT

Type of instrument used ANIMAL - DOG

SCENE OF CRIME	
Between: Name of place	
and: Name of place	
or	
Street name	METEREN CRESCENT
Building/farm/plot/place	62
Suburb/Extension/Area	AVONDALE, ATLANTIS
Town/City	CAPE TOWN
Geographical block no	Postal Code 7 5 8 0
Type of premises	
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. On 4 August 2026, the Cape of Good Hope Society for the Prevention of Cruelty to Animals (SPCA) received a complaint concerning a dog that was reported to have a collar embedded in its neck. The animal was reportedly located at 62 Meteren Crescent, Avondale, Atlantis, hereinafter referred to as "the property".
4. On the same day, the complaint was allocated to me for investigation. Upon my arrival at the property, I met with an adult male who identified himself as Eugene Martin Witteb, identity number 8902205139081, telephone number 078 272 3998.
5. I observed two dogs on the property. The first was a male black, brown and white crossbreed dog, which had a large and open wound encircling its neck. This was the animal in question. The dog was roaming freely on the property.
6. The second dog was a female black and white crossbreed, which was restrained on a long chain.
7. I interviewed Eugene Martin Witten regarding the injured dog. He explained that his sister, Georgina Basson, telephone number 062 670 5455, residing at 21 Rotterdam Road, Atlantis, had contacted him and requested that he collect the dog, as the dog could no longer be kept on a chain.
8. Mr Witten stated that he collected the dog from his sister's property on Saturday, 1 August 2026. He stated that there were several other dogs at his sister's property which could not be allowed to roam freely.

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

9. Mr Witten further stated that, when he arrived at his sister's property, the dog had already been released from the restraint. He then observed the wound around the dog's neck.
10. Mr Witten thereafter transported the dog to his property. Despite being aware that the dog had a significant wound around its neck, he did not take the dog to a veterinarian and did not provide or procure any veterinary treatment for the injury.
11. I explained to Mr Witten the seriousness of the injury and the necessity of obtaining veterinary treatment for the dog. I subsequently persuaded him to surrender the dog to the Cape of Good Hope SPCA, which he agreed to do.
12. I issued Mr Witten with a written warning informing him that failing to provide or procure veterinary treatment for an injured animal may constitute a contravention of the Animals Protection Act 71 of 1962.
13. On 15 August 2026, I attended at the original address from which the dog had been collected, being 21 Rotterdam Road, Atlantis, in order to further investigate the circumstances surrounding the injury.
14. Upon my arrival, I met with the original owner of the dog, who identified herself as Georgina Basson, identity number 8402140223082.
15. I established that Ms Basson was the owner of the dog, which was subsequently surrendered to the Cape of Good Hope SPCA with a large and open wound around its neck.
16. Ms Basson currently has a crossbreed dog on the property. I further observed two other dogs on the property which, according to Ms Basson, belonged to another person.
17. I informed Ms Basson that the dog, named Harlow, had been surrendered to the SPCA with an open wound around its neck. I explained that the nature and location of the injury were consistent with an injury caused by a restraint, such as a chain or wire, becoming embedded in or cutting into the dog's neck.
18. Ms Basson stated that two Pitbull-type dogs belonging to Christo Basson had been attacking her dog and that her dog had also bitten a child.
19. Ms Basson stated that, as a result, she had kept Harlow restrained on a chain. She further stated that she had not realised that the chain was digging into the dog's neck and causing the injury.
20. Ms Basson stated that, after she became aware of the injury, she gave the dog to her brother, Eugene Martin Witten.
21. I submit that, notwithstanding the explanation provided by Ms Basson, she was the owner and person responsible for the care and control of the dog prior to its transfer to Mr Witten. The dog sustained a significant injury to its neck while in her care and custody, and the injury was not treated by a veterinarian prior to the dog being transferred to her brother.

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

22. I further submit that Mr Witten assumed possession, custody and control of the dog on or about 1 August 2026 and remained in possession of the injured animal until its surrender to the SPCA on 4 August 2026.
23. During this period, Mr Witten was aware that the dog had a significant wound around its neck. Despite this knowledge, he failed to procure veterinary treatment for the dog and did not render any appropriate treatment to the injury.
24. The conduct and omissions described above resulted in the dog remaining in an injured condition without the necessary veterinary attention, thereby causing or contributing to unnecessary suffering.
25. Using my cellular telephone, a Samsung Galaxy S24 FE, I took photographs of my observations during my attendance at the property on 4 August 2026. The photographs are contained in Album A.
26. I confirm that the photographs contained in Album A are a true and accurate representation of my observations and the condition of the animal at the time the photographs were taken. The photographs have not been edited, altered or enhanced in any manner.
27. Dr. Natara Moodley examined the animal and provided me with a vet report affidavit which I attach as per A2.
28. I respectfully submit that the facts established during my investigation provide grounds for Ms Georgina Basson and Mr Eugene Martin Witten to be charged in terms of the Animals Protection Act 71 of 1962.
29. In respect of Ms Georgina Basson, I respectfully request that she be charged with contraventions of the following sections of the Animals Protection Act 71 of 1962:
 - a. Section 2(1)(a), in that she ill-treated and/or neglected the dog by keeping the dog restrained in circumstances which resulted in the dog sustaining a significant and open wound around its neck, and thereafter failing to ensure that the animal received the necessary care.
 - b. Section 2(1)(e), in that, being the owner of the dog, she failed to render or procure veterinary or other medical treatment or attention for the dog after it sustained an injury requiring such treatment.
 - c. Section 2(1)(q), in that, being the owner of the dog, she permitted the commission or omission of acts contemplated in section 2(1) of the Act, including the restraint of the dog in circumstances causing injury and the failure to procure the necessary veterinary treatment.
 - d. Section 2(1)(r), in that, by negligently doing or omitting to do acts, including restraining the dog in a manner which caused injury and failing to obtain appropriate veterinary treatment after becoming aware of the injury, she caused or contributed to unnecessary suffering to the dog.
30. In respect of Mr Eugene Martin Witten, I respectfully request that he be charged with contraventions of the following sections of the Animals Protection Act 71 of 1962:
 - a. Section 2(1)(a), in that he neglected the dog by failing to provide the necessary care and attention after taking possession of the dog while it had a significant open wound around its neck.

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

- b. Section 2(1)(e), in that, having possession, custody and control of the dog and being aware of its injury, he failed to render or procure veterinary or other medical treatment or attention for the dog.
- c. Section 2(1)(q), in that, having possession, custody and control of the dog, he permitted the omission of an act contemplated in section 2(1) of the Act, namely the failure to procure necessary veterinary treatment for an injured animal in his custody.
- d. Section 2(1)(r), in that, by negligently omitting to procure veterinary treatment for the injured dog despite being aware of the significant wound around its neck, he caused or contributed to unnecessary suffering to the dog.

31. 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 06 August 2026, a canine was admitted into the care of the Cape of Good Hope SPCA after reportedly being seized from a property situated at 62 Pearl Mansion, Meteren Crescent, Avondale, Atlantis. The animal in question was seized by Inspector Siviwe Noko under SPCA case number INSP235772.

3.1. ANIMAL INFORMATION:

The details of the animal are as follows:

- **Admission Number:** A98569
- **Species:** Canine
- **Breed:** Mixed Breed
- **Sex and Reproductive Status:** Male (neutered)
- **Estimated Age:** Adult
- **Colour and Markings:** Black, tan and white
- **Microchip:** Unknown
- **Name:** Unknown

3.2. CLINICAL EXAMINATION FINDINGS:

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

General Condition:

- **Body Condition Score:** 5/9 (acceptable)
- **Weight:** 10.2 kg
- **Behaviour:**
 - Friendly and sweet; the animal was approachable and cooperative during the examination.

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 or wounds were observed in the head or oral cavity.

Skin and Coat:

- A linear/elongated superficial wound was observed across the dorsal cervical region of the neck.
- The affected area presented with draining tracts and evidence of active inflammatory changes.
- The wound was confined predominantly to the dorsal aspect of the neck.
- The surrounding skin and coat were otherwise unremarkable.
- The clinical appearance was consistent with a traumatic injury and warranted treatment and monitoring.

Musculoskeletal System:

- No significant musculoskeletal abnormalities were detected during the clinical examination.
- The animal was ambulatory and able to stand and walk without obvious lameness or significant restriction of movement.
- No apparent pain or abnormality was noted on examination of the limbs and major joints.

Parasite Burden:

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

Most Significant Clinical Findings

- A linear/elongated superficial wound with draining tracts was present across the dorsal cervical region of the neck.
- The location and configuration of the wound were consistent with a traumatic injury.
- The lesion was confined predominantly to the dorsal aspect of the neck.
- Although the animal was in an acceptable overall body condition, the cervical wound represented a clinically significant injury requiring veterinary attention, treatment and monitoring.

4.

VETERINARY OPINION:

Based on my clinical examination and diagnostic findings, it is my professional veterinary opinion that the animal presented with a linear/elongated superficial wound with draining tracts across the dorsal cervical region.

The location, linear configuration and appearance of the wound are consistent with a traumatic injury. The nature and distribution of the lesion may be consistent with friction or abrasion caused by a rope or similar restraint mechanism, particularly given that the injury was predominantly situated on the dorsal aspect of the neck. However, the precise mechanism of injury cannot be conclusively established from the clinical findings alone.

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

The condition was considered to be acute in nature at the time of examination.

The wound would have caused discomfort and pain to the animal and, if left untreated, had the potential to worsen and become infected. Appropriate veterinary treatment and monitoring were therefore indicated.

6.

PROGNOSIS AND RECOMMENDATIONS:

Prognosis

Good, provided appropriate veterinary treatment and wound management are continued.

Recommendations

- Appropriate wound care and treatment of the cervical lesion.
- Continued monitoring of the wound for infection, discharge, swelling or deterioration.
- Veterinary reassessment as clinically indicated.
- The animal subsequently developed kennel cough while in the care of the SPCA. Appropriate veterinary assessment and treatment should be provided, with an ethical decision regarding ongoing management and welfare to be made based on the animal's clinical condition and response to treatment.

7.

CONCLUSION

In conclusion, the animal was presented in an acceptable overall body condition, with a body condition score of 5/9. However, the clinical examination identified a linear/elongated superficial wound with draining tracts across the dorsal cervical region of the neck.

The location and appearance of the lesion were consistent with a traumatic injury and may be compatible with friction or abrasion associated with a rope or similar restraint. The injury was assessed as acute and would have caused the animal pain and discomfort.

Although the prognosis for the cervical wound was considered good with appropriate treatment, the injury required veterinary attention and ongoing monitoring to prevent deterioration or secondary infection. The animal subsequently developed kennel cough while in the care of the SPCA, requiring further veterinary management and consideration of its overall welfare.

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
28 AUG 2026
LAW ENFORCEMENT

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 28 day of AUGUST 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.

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


J De Vos
40004230
COMMISSIONER OF OATHS

CITY OF CAPE TOWN
28 AUG 2026
LAW ENFORCEMENT

Full names:  **JUSTIN DE VOS**

Designation: **COMMISSIONER OF OATHS**
Peace Officer - Law Enforcement

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



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 **ATLANTIS (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 _____ day of _____ 20____

Official Stamp to go here

Name mti MCHODIYE

Holder's Photograph

Signed [Signature]



SPCA NATIONAL COUNCIL
Certificate of Competency
No. **12554**

Cape of Good Hope SPCA



Photo Album A

SAPS CAS Number: ____ / 09 / 2026

SAPS Station: Atlantis SAPS

Date Taken: 2026-08-04

Taken By: Inspector Siviwe Noko

Address: Cape of Good Hope SPCA



Taken at: Cape of Good Hope SPCA

Photo taken by: Inspector Siviwe Noko

Taken on: 2026-08-04

Taken with: Samsung S24FE



Photo 1 - The dog in question with the severe wound to the neck



Taken at: Cape of Good Hope SPCA

Photo taken by: Inspector Siviwe Noko

Taken on: 2026-08-04

Taken with: Samsung S24FE



Photo 2 - Side profile of the dog in question



Taken at: Cape of Good Hope SPCA
Photo taken by: Inspector Siviwe Noko
Taken on: 2026-08-04
Taken with: Samsung S24FE



Photo 3 - The wound on the dogs neck (untreated)



Taken at: Cape of Good Hope SPCA

Photo taken by: Inspector Siviwe Noko

Taken on: 2026-08-04

Taken with: Samsung S24FE



Photo 4 - Another angle of the wound



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:

- [Georgina Basson, Identity Number 8402140223082.](#) (ACC 1).
- [Eugene Martin Witten, identity number 8902205139081.](#) (ACC 2)

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

SECTION 2

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

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

- *ACC 1 neglected the dog while it was in her ownership and care by keeping the animal restrained in a manner which resulted in a serious open wound developing around its neck, and thereafter failing to ensure that the animal received the necessary veterinary care and treatment for the injury. ACC 2 further neglected the dog after taking possession and control of the injured animal by failing to provide or procure the necessary veterinary care and treatment despite being aware of the serious open wound around its neck.*

(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;

- *ACC 1, being the owner of the dog, failed to render or procure veterinary or other medical treatment or attention for the animal after it sustained a serious and open wound around its neck. ACC 2, having assumed possession, custody and control of the injured dog, was aware of the serious wound but likewise failed to procure veterinary or other medical treatment or attention for the animal prior to its surrender to the SPCA.*

(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;

- *ACC 1, being the owner of the dog, permitted the commission or omission of the aforesaid acts by failing to exercise reasonable care and supervision over the animal, resulting in the dog sustaining a serious injury to its neck and thereafter remaining without the necessary veterinary treatment. ACC 2, having possession, custody and control of the injured dog, permitted the continued omission to procure the necessary veterinary treatment despite being aware of the animal's condition.*

(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;

- *ACC 1, by negligently restraining the dog in a manner which caused or contributed to the development of a serious open wound around its neck, and thereafter failing to procure veterinary treatment for the injury, caused or contributed to unnecessary suffering to the animal. ACC 2, by negligently failing to procure veterinary treatment for the serious open wound despite being aware of the injury and having possession, custody and control of the dog, caused or contributed to the animal's unnecessary suffering.*

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 ATLANTIS, HELD AT ATLANTIS

Case No/Saak Nr: _____

Count: 1

THE STATE

V

GEORGINA BASSON (ID: 8402140223082)

ACCUSED 1

EUGENE MARTIN WITTEN (ID: 8902205139081)

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

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

THAT the accused 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 or before 1 August 2026, and at or near 21 Rotterdam Road, Atlantis in the District/Regional Division of City of Cape Town: Atlantis, the accused, GEORGINA BASSON (ACCUSED 1), did unlawfully and intentionally, alternatively negligently: -

- neglect and/or ill-treat, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), 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, in that she kept the dog restrained by means of a chain or rope in such a manner that the chain or rope became embedded in, alternatively caused injury to, the dog's neck, resulting in a large, open wound, and thereafter failed to ensure that the dog received the necessary veterinary care before transferring possession of the dog to her brother.

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 ATLANTIS, HELD AT ATLANTIS

Case No/Saak Nr: _____

Count: 2

THE STATE

V

GEORGINA BASSON (ID: 8402140223082)

ACCUSED 1

EUGENE MARTIN WITTEN (ID: 8902205139081)

ACCUSED 2

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 or before 1 August 2026, and at or near 21 Rotterdam Road, Atlantis in the District/Regional Division of City of Cape Town: Atlantis, the accused, GEORGINA BASSON (ACCUSED 1), did unlawfully and intentionally, alternatively negligently: -

- being the owner of, alternatively having in her possession, custody or control, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), fail to render or procure veterinary treatment or attention for the said dog, which was in need of such treatment as a result of a large, open wound around its neck, prior to transferring possession of the dog to her brother.

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 ATLANTIS, HELD AT ATLANTIS

Case No/Saak Nr: _____

Count: 3

THE STATE

V

GEORGINA BASSON (ID: 8402140223082)

ACCUSED 1

EUGENE MARTIN WITTEN (ID: 8902205139081)

ACCUSED 2

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 3)

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 or before 1 August 2026, and at or near 21 Rotterdam Road, Atlantis in the District/Regional Division of City of Cape Town: Atlantis, the accused, GEORGINA BASSON (ACCUSED 1), did unlawfully and intentionally, alternatively negligently: -

- 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 (a black, tan and white, neutered male crossbreed dog, later known as "Harlow");
- alternatively, being the owner of, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), 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 ATLANTIS, HELD AT ATLANTIS

Case No/Saak Nr: _____

Count: 4

THE STATE

V

GEORGINA BASSON (ID: 8402140223082)

ACCUSED 1

EUGENE MARTIN WITTEN (ID: 8902205139081)

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 4 (in the alternative to Counts 1 to 2):- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(r) OF THE ANIMALS PROTECTION ACT 71 OF 1962 (IN THE ALTERNATIVE TO COUNTS 1 TO 3)

IN THE ALTERNATIVE TO COUNTS 1 TO 2 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 or before 1 August 2026, and at or near 21 Rotterdam Road, Atlantis in the District/Regional Division of City of Cape Town: Atlantis, the accused, GEORGINA BASSON (ACCUSED 1), did unlawfully and intentionally, alternatively negligently: -

- did and/or omitted to do, wantonly, unreasonably and/or negligently, an act or acts in relation to the care of, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), thereby causing the dog unnecessary suffering;
- alternatively, caused and/or procured the commission or omission of such act or acts, which caused, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), 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 ATLANTIS, HELD AT ATLANTIS

Case No/Saak Nr: _____

Count: 5

THE STATE

V

GEORGINA BASSON (ID: 8402140223082)

ACCUSED 1

EUGENE MARTIN WITTEN (ID: 8902205139081)

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 5:- 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 1 August 2026 and 4 August 2026 and at or near 62 Pearl Mansion, Meteren Crescent, Avondale, Atlantis in the District/Regional Division of City of Cape Town: Atlantis, the accused, EUGENE MARTIN WITTEN (ACCUSED 2), did unlawfully and intentionally, alternatively negligently: -

- neglect, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), in his possession, custody or control, by failing to provide the necessary care and attention for the said dog after taking possession of it, notwithstanding that the dog had a significant, open wound around its neck.

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 ATLANTIS, HELD AT ATLANTIS

Case No/Saak Nr: _____

Count: 6

THE STATE

V

GEORGINA BASSON (ID: 8402140223082)

ACCUSED 1

EUGENE MARTIN WITTEN (ID: 8902205139081)

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 6:- 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 1 August 2026 and 4 August 2026 and at or near 62 Pearl Mansion, Meteren Crescent, Avondale, Atlantis in the District/Regional Division of City of Cape Town: Atlantis, the accused, EUGENE MARTIN WITTEN (ACCUSED 2), did unlawfully and intentionally, alternatively negligently: -

- being the owner of, alternatively having in his possession, custody or control, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), fail to render or procure veterinary treatment or attention for the said dog, which was in need of such treatment as a result of a large, open wound around its neck, notwithstanding his awareness of the 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).

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

Case No/Saak Nr: _____

Count: 7

THE STATE

V

GEORGINA BASSON (ID: 8402140223082)

ACCUSED 1

EUGENE MARTIN WITTEN (ID: 8902205139081)

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 7 (in the alternative to Counts 5 and 6):- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(q) OF THE ANIMALS PROTECTION ACT 71 OF 1962 (IN THE ALTERNATIVE TO COUNTS 6 AND 7)

IN THE ALTERNATIVE TO COUNTS 5 AND 6 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 1 August 2026 and 4 August 2026 and at or near 62 Pearl Mansion, Meteren Crescent, Avondale, Atlantis in the District/Regional Division of City of Cape Town: Atlantis, the accused, EUGENE MARTIN WITTEN (ACCUSED 2), did unlawfully and intentionally, alternatively negligently: -

- cause, procure and/or assist in the commission of the acts referred to in Counts 5 and 6 above, in respect of, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow");
- alternatively, being the owner of, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), permitted the commission of the acts referred to in Counts 5 and 6 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 ATLANTIS, HELD AT ATLANTIS

Case No/Saak Nr: _____

Count: 8

THE STATE

V

GEORGINA BASSON (ID: 8402140223082)
EUGENE MARTIN WITTEN (ID: 8902205139081)

ACCUSED 1
ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

COUNT 8 (in the alternative to Counts 5 and 6):- CRUELTY TO ANIMALS - CONTRAVENTION OF SECTION 2(1)(r) OF THE ANIMALS PROTECTION ACT 71 OF 1962 (IN THE ALTERNATIVE TO COUNTS 6 AND 7)

IN THE ALTERNATIVE TO COUNTS 5 AND 6 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 1 August 2026 and 4 August 2026 and at or near 62 Pearl Mansion, Meteren Crescent, Avondale, Atlantis in the District/Regional Division of City of Cape Town: Atlantis, the accused, EUGENE MARTIN WITTEN (ACCUSED 2), did unlawfully and intentionally, alternatively negligently: -

- did and/or omitted to do, wantonly, unreasonably and/or negligently, an act or acts in relation to the care of, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), thereby causing the dog unnecessary suffering;
- alternatively, caused and/or procured the commission or omission of such act or acts, which caused, to wit one (1) dog (a black, tan and white, neutered male crossbreed dog, later known as "Harlow"), 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	ATLANTIS	CAS no MAS no	09 / 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 INSPECTOR JONATHAN 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)(r)	
	SCENE: 62 METEREN CRESCENT, AVONDALE, ATLATNIS	
	DATE / TIME: 14h30 on 2026/08/04	
	ACCUSED: (1) GEORGINA BASSON (2) EUGENE MARTIN WITTEN	
	DOCKET CONTENTS:	
	Veterinary Report	A2
	Magisterial Authorisation	A3
	Warning Notice 25113	A4
	Warning Notice 25128	A5
	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
	CASE DOCKET OPENED AND TRANSFERRED TO CID FOR FURTHER INVESTIGATION	

