

SOUTH AFRICAN POLICE SERVICE



PART A1.....

PREAMBLE TO STATEMENT

 Station **KLEINVLEI** CAS no.2026

PERSONAL PARTICULARS

Title	M R	Initials	L	Surname	NTUNGELE	
First names	LWAZI					
Identity number	9 9 0 2 0 5 5 3 2 6 0 8 4				Race	A ☐ Br ☒ W ☐ Other ☐
Passport number					Country of issue	
Date of Birth	1 9 9 9 0 2 0 5				Age	
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	No
Cellphone number				Fax	Code	No
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 KLEINVLEI	CAS no. / / 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															
C	C	Y	Y	M	M	D	D	H	H	M	M	1	4	0	0	on													
2	0	2	6	0	1	2	6	and	1	4	0	0	on	2	0	2	6	0	1	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 Section (2)(1)(a), (c), (e), (q) and (r)
--

Method used/Entrance gained ANIMAL CRUELTY - EMACIATED (DENIAL OF FOOD AND WATER), DENIAL OF VETERINARY CARE

Type of instrument used ANIMAL - DOG

SCENE OF CRIME	
Between: Name of place	
and: Name of place	
or	
Street name	SILVERLEAF STREET
Building/farm/plot/place	43
Suburb/Extension/Area	FOREST VILLAGE
Town/City	CAPE TOWN
Geographical block no	
Type of premises	RESIDENTIAL
Postal Code	7 1 0 0

PLEASE INDICATE WHETHER THE VICTIM ☐ OR ACCUSED ☐ HAS ANY OF THE FOLLOWING	
Vision impairment (blind, partially sighted) ☐	Hearing Impairment (deaf or hard of hearing) ☐
Mental impairment (Down Syndrome, Epilepsy, Autism, Psychiatric) ☐	☐
Physical impairment (Limping, using wheelchair or crutches, leg amputation, arm amputation) ☐	☐
Albinism ☐	
Multiple Disabilities ☐	Specify if multiple

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

In case of theft of a vehicle the statement must be continued on form SAPS 3M(c).
 In case of theft of a firearm the statement must be continued on form SAPS 3M(d).
 In all other cases the statement must be continued on blank folio paper.



AFFIDAVIT

I, the undersigned

**LWAZI NTUNGELE
(ID 9902055326084)**

Do hereby make oath in English and state that:

1. I am an adult male Inspector employed as such by the Cape of Good Hope Society for the Prevention of Cruelty to Animals ("SPCA") at corner of 1st Avenue and First Road, Grassy Park with contact telephone number/s 021 700 4158/9 and with email address inspectorate@sPCA-ct.co.za.
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. The Cape of Good Hope SPCA received a complaint regarding one dog that was allegedly not receiving sufficient food, appeared extremely thin with ribs visibly protruding, was kept in poor living conditions, did not have its wellbeing properly cared for, and was owned by the son of the household who allegedly has a history of drug use. The dog was reported to be located at 43 Silverleaf Street, Forest Village (hereinafter referred to as "the property").
4. On 26 January 2026 at approximately 14h00, I conducted an inspection at the property. Upon arrival, I met with the owner, now known to me as Mr Hudson Nojoko, identity number 8404225841085 (hereinafter referred to as "the owner"). I explained the purpose of my visit and addressed the welfare concerns that had been brought to our attention. The owner allowed me entry onto the property to conduct an inspection of the animal.
5. The owner informed me that he had taken the dog in as a stray and had been caring for it, however he stated that the dog had begun losing weight around mid-December 2025.
6. I observed the dog in question, described as one unsterilised male Pit Bull, brown and white in colour. The dog was in an emaciated condition, with ribs visibly protruding, and was heavily infested with ticks and fleas. The dog did not have access to water at the time of inspection, although shelter was available.
7. I explained to the owner that when a person takes responsibility for a stray, injured, or sick animal, they are legally required to seek veterinary attention without delay. I thereafter issued Warning Notice number 24127, attached hereto as Annexure A5, instructing the owner to seek immediate veterinary treatment for the dog within 15 hours in order to prevent further unnecessary suffering.
8. On 27 January 2026 at approximately 13h45, I returned to the property for a follow-up inspection. I again met with the owner and informed him that the purpose of my visit was to confirm whether veterinary treatment had been obtained for the dog. The owner allowed me access to inspect the animal.

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

9. The owner stated that he had not taken the dog to a veterinarian due to financial constraints and that he wanted to spend some last time with the dog. I explained to him that by retaining the dog while knowing that he would not seek veterinary treatment, he was prolonging the animal's suffering.
10. At the time of the follow-up inspection, the dog was free-roaming on the property and had access to shelter and water; however, the dog remained emaciated and was still heavily infested with ticks and fleas. The living environment contained various obstructions and debris that posed a potential risk of injury to the dog.
11. The owner thereafter elected to surrender the dog to the Cape of Good Hope SPCA, stating that he was unable to provide the necessary veterinary care. The dog was surrendered under Admission Number A73836, with the signed admission form attached hereto as Annexure A6.
12. The dog was transported to the Cape of Good Hope SPCA facility for veterinary assessment and treatment. A full veterinary examination was conducted, and the veterinary report is attached hereto as Annexure A2.
13. I submit that the Cape of Good Hope SPCA has attended this property on previous occasions, during which animals were found to be underweight and were surrendered by the owner. On those occasions, the owner was warned to ensure that any sick or injured animal in his custody receives prompt veterinary treatment.
14. Using my personal cellular phone, a Samsung Galaxy A25, I took photographs documenting the condition of the animal and the cruelty observed. The photographs contained in Photo Album A were taken on 26 January 2026, and those contained in Photo Album B were taken on 27 January 2026. These photographs are a true reflection of my observations and were not edited, altered, or enhanced in any way.
15. I respectfully request that criminal charges be instituted against the owner, Mr Hudson Nojoko, identity number 8404225841085, for contravention of the Animals Protection Act, 71 of 1962, specifically

Section 2(1)(a) of the Animals Protection Act 71 of 1962 for neglecting the dog

(a) overloads, overdrives, overrides, ill-treats, neglects, infuriates, tortures or maims or cruelly beats, kicks, goads or terrifies any animal, or causes or procures or, being the owner, permits any of these things to be done;

Section 2(1)(c) of the Animals Protection Act 71 of 1962 for unnecessarily starving and neglecting the dog

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

Section 2(1)(e) of the Animals Protection Act 71 of 1962 for failing to render veterinary or medical treatment for the dog found severely emaciated and covered in parasites.

(e) being the owner of any animal, deliberately or negligently keeps such animal in a dirty or parasitic condition or allows it to become infested 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, 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

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

that to prolong its life would be cruel and would cause such animal unnecessary suffering;

Section 2(1)(q) and (r):

(q) causes, procures or assists in the commission or omission of any act of cruelty, or any act or omission which causes unnecessary suffering to any animal;

and

(r) by wantonly or unreasonably 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;

16. 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____, the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

COMMISSIONER OF OATHS

Full names: _____

Designation: _____

Business address: _____



Affidavit – Veterinary Report

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

1.

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

2.

The facts contained in this affidavit fall within my personal knowledge unless indicated otherwise or unless it appears so from the context. The facts are also, to the best of my knowledge and belief, both true and correct.

3.

On 27 January 2026, a canine was admitted into the care of the Cape of Good Hope SPCA after reportedly being seized from a property situated at 43 Silverleaf Street, Forest Village, Cape Town. The animal in question was seized by Inspector Lwazi Ntungele under SPCA case number INSP227091.

3.1. ANIMAL INFORMATION:

The details of the animal are as follows:

- **Admission Number:** A73836
- **Species:** Canine
- **Breed:** Pitbull-type
- **Sex and Reproductive Status:** Male (intact)
- **Estimated Age:** Adult
- **Colour and Markings:** Brown 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:** 2/9 (very underweight)
- **Weight:** 18.55 kg
- **Behaviour:** Fair

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:

- The animal presented with a significant external parasite burden, with ticks graded at 4+.
- The overall condition of the skin and coat was considered poor and consistent with the animal's markedly compromised general condition.

Musculoskeletal System:

- The animal was markedly underweight, with significant loss of body condition and muscle mass.
- The prominent skeletal structures were consistent with the recorded Body Condition Score of 2/9.

Parasite Burden:

- Severe tick infestation, graded at 4+.

Most Significant Clinical Findings

- Severe underconditioning with a Body Condition Score of 2/9.
- Body weight of 18.55 kg.
- Marked loss of body condition and muscle mass.
- Severe parasite burden
- The overall clinical presentation was indicative of significant neglect and compromised welfare.

4.

VETERINARY OPINION:

Based on my clinical examination and diagnostic findings, it is my professional veterinary opinion that the animal presented in a severely neglected and emaciated condition.

The Body Condition Score of 2/9 indicates that the animal was severely underweight and had an inadequate body condition. The marked loss of body condition and muscle mass, together with the severe tick infestation graded at 4+, indicates that the animal had not received adequate care to maintain an appropriate state of health and welfare.

The combination of severe emaciation and a significant external parasite burden resulted in the animal presenting in a markedly compromised physical condition. In my professional opinion, these findings are consistent with prolonged inadequate care and significant neglect.

5.

PROGNOSIS AND RECOMMENDATIONS:

Prognosis

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

The prognosis was considered fair to guarded, taking into consideration the animal's severely compromised body condition, marked loss of body mass and severe parasite burden.

Recommendations

- Humane euthanasia was recommended in order to prevent further suffering and deterioration in the animal's welfare.

6.

CONCLUSION

In conclusion, the canine presented in a severely compromised physical condition, characterised by severe underconditioning, a Body Condition Score of 2/9, a body weight of 18.55 kg, marked loss of body condition and muscle mass, and a severe tick infestation graded at 4+.

The combination of severe emaciation and a significant parasite burden would have adversely affected the animal's health, physical wellbeing and quality of life. The animal was therefore experiencing significant physical compromise and suffering as a result of its condition.

The clinical findings were consistent with significant neglect and prolonged inadequate care, resulting in the animal being maintained in a state in which its basic welfare needs were not adequately met.

Having regard to the severity of the animal's condition, the extent of its physical compromise and the suffering associated therewith, humane euthanasia was recommended as the most appropriate course of action to prevent further suffering and deterioration in the animal's welfare.

7.

I know and understand the content of this declaration.

I have no objection to taking the prescribed oath.

I consider the prescribed oath to be binding on my conscience.



DEPONENT

Dr. Natara Moodley (BVSc)

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 25 day of September 2026 the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

 J De Vos
40004230
Senior Inspector
COMMISSIONER OF OATHS

CITY OF CAPE TOWN
25 SEP 2026
LAW ENFORCEMENT

Full names: _____

Designation: _____

Business address: _____



JUSTIN DE VOS

COMMISSIONER OF OATHS
Peace Officer - Law Enforcement

City of Cape Town Staff No. 40004230

191 Old Strandfontein Rd, Ottery, Cape Town, 7808

Cape of Good Hope



Case: INSP227091

Album A

Inspection on the 26 January 2026

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-01-26
Taken with: Samsung Galaxy A25



Photo 1 - Emaciated dog laying in hazardous area

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-26

Taken with: Samsung Galaxy A25



Photo 2 - Rib bones clearly visible

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-26

Taken with: Samsung Galaxy A25



Photo 3 - Prominent rib and pelvic bones indicating the emaciated state

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-26

Taken with: Samsung Galaxy A25



Photo 4 - Skin condition on the face

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-26

Taken with: Samsung Galaxy A25



Photo 5 - Skin condition on the face

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-26

Taken with: Samsung Galaxy A25



Photo 6 - Presence of parasites

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-26

Taken with: Samsung Galaxy A25



Photo 7 - Dog laying

Cape of Good Hope



Case: INSP227091

Album B

Inspection 27 January 2026

Taken at: CAPE OF GOOD HOPE SPCA
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-01-27
Taken with: Samsung Galaxy A25



Photo 1 - Dog with skin condition on the face

Taken at: CAPE OF GOOD HOPE SPCA

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-27

Taken with: Samsung Galaxy A25



Photo 2 - Prominent rib and pelvic bones indicating the emaciated state

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-27

Taken with: Samsung Galaxy A25



Photo 3 - Prominent rib and pelvic bones indicating the emaciated state

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-27

Taken with: Samsung Galaxy A25



Photo 4 - Dog seen on the property in a emaciated state

Taken at: 43 SILVERLEAF STREET, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-27

Taken with: Samsung Galaxy A25



Photo 5 - Prominent rib and pelvic bones



Reg No 003-189 NPO

1320
Alberton
1450
Republic of South Africa
(011) 907-3590/1/2/3
Fax (011) 907-4013
e-mail: nspca@nspca.co.za
website: http://www.nspca.co.za

ANIMALS PROTECTION ACT 71 of 1962

MAGISTERIAL AUTHORISATION

By virtue of the powers vested in me under section 8(1) of the Animals Protection Act 71 of 1962, I hereby authorise

LWAZI NTUNGELE

ID No. 9902055326084

A Qualified Inspector and an Officer for the **CAPE OF GOOD HOPE SPCA (Society for the Prevention of Cruelty to Animals)**, to exercise within the Magisterial District of **KUILSRIVER (WC)**, all or any of the powers conferred by the said Act, and in particular those under Section 8(1)(a), (b), (c) and (d) and supporting Regulation No R468 2.(1), for the purpose of carrying out his/her duties as an Officer of the SPCA.

This Authority will remain enforceable only whilst the Appointee is authorised by the **CAPE OF GOOD HOPE SPCA** to act on its behalf.

Given under my hand this 16th day of March 2023

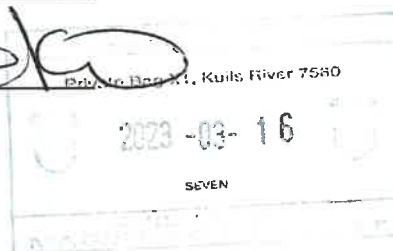
Name Ms N.G. Sibeko *Official Stamp to go here*

Signed [Signature] *Private Box 11, Kuils River 7580*

Holder's Photograph



SPCA NATIONAL COUNCIL
Authorisation No. **14357**





WARNING

24127

To: Mr/ Mrs /Ms <u>Mr. A. A. A.</u>	Date <u>26 January 2026</u>
Address <u>DBV SPCA</u>	
<u>DBV SPCA</u>	ID No <u>840 22534</u>
Tel No	Cell No <u>075 600 0000</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 15 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 Lwazi Ntshengile on **021 700 4158** or **021 700 4159** within hours / days to discuss the concerns. 083 526 1604 (A/1)
- ☐ 14. Other / remarks:

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. NB!
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. NB!

SIGNED & ACCEPTED BY: Rhombulani Ntshengile
PLACE: Forest Village TIME: 14:17
INSPECTOR: Lwazi Ntshengile

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

Case No/Saak Nr: _____

Count: 1

THE STATE

V

HUDSON NOJOKO

ACCUSED 1

ID No: 8404225841085

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 26 January 2026 and 27 January 2026 and at or near 43 Silverleaf Street, Forest Village, Cape Town in the District/Regional Division of City of Cape Town: Kuils River, the accused did unlawfully and intentionally, alternatively negligently: -

- neglect, to wit one (1) dog (a brown and white, unsterilised male Pit Bull-type dog), in his possession, custody, care or under his control, by failing to fulfil his most basic duties of care as the owner of such animal, as a result of which the dog was found to be emaciated, with its ribs visibly protruding and marked loss of muscle mass, and heavily infested with ticks and fleas.

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 KUILS RIVER, HELD AT BLUE DOWNS

Case No/Saak Nr: _____

Count: 2

THE STATE

V

HUDSON NOJOKO

ACCUSED 1

ID No: 8404225841085

ANNEXURE TO THE CHARGE SHEET

COUNT 2:- 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 26 January 2026 and 27 January 2026 and at or near 43 Silverleaf Street, Forest Village, Cape Town in the District/Regional Division of City of Cape Town: Kuils River, the accused did unlawfully and intentionally, alternatively negligently: -

- starve and/or under-feed and/or deny food and/or water to, to wit one (1) dog (a brown and white, unsterilised male Pit Bull-type dog), in that the dog was found, on 26 January 2026 and again on 27 January 2026, to be severely underweight and emaciated and had no access to water at the time of the first inspection on 26 January 2026.

Penalty provision:

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

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

Case No/Saak Nr: _____

Count: 3

THE STATE

V

HUDSON NOJOKO

ACCUSED 1

ID No: 8404225841085

ANNEXURE TO THE CHARGE SHEET

COUNT 3:- 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 26 January 2026 and 27 January 2026 and at or near 43 Silverleaf Street, Forest Village, Cape Town in the District/Regional Division of City of Cape Town: Kuils River, the accused did unlawfully and intentionally, alternatively negligently: -

- being the owner of, alternatively having in his possession, custody or control, to wit one (1) dog (a brown and white, unsterilised male Pit Bull-type dog), deliberately and/or negligently keep the said dog in a parasitic condition, alternatively allow it to become infested with external parasites, and/or fail to render or procure veterinary treatment or attention for the said dog, which was in need of such treatment or attention as a result of its severe emaciation and heavy tick and flea infestation.

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 KUILS RIVER, HELD AT BLUE DOWNS

Case No/Saak Nr: _____

Count: 4 (in the alternative to Counts 1 to 3)

THE STATE

V

HUDSON NOJOKO

ACCUSED 1

ID No: 8404225841085

ANNEXURE TO THE CHARGE SHEET

COUNT 4 (in the alternative to Counts 1 to 3):- 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 3 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 26 January 2026 and 27 January 2026 and at or near 43 Silverleaf Street, Forest Village, Cape Town in the District/Regional Division of City of Cape Town: Kuils River, the accused did unlawfully and intentionally, alternatively negligently: -

- cause, procure and/or assist in the commission of the acts referred to in Counts 1 to 3 above, in respect of, to wit one (1) dog (a brown and white, unsterilised male Pit Bull-type dog);
- alternatively, being the owner of, to wit one (1) dog (a brown and white, unsterilised male Pit Bull-type dog), permitted the commission of the acts referred to in Counts 1 to 3 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 KUILS RIVER, HELD AT BLUE DOWNS

Case No/Saak Nr: _____

Count: 5 (in the alternative to Counts 1 to 3)

THE STATE

V

HUDSON NOJOKO

ACCUSED 1

ID No: 8404225841085

ANNEXURE TO THE CHARGE SHEET

COUNT 5 (in the alternative to Counts 1 to 3):- 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 3 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 26 January 2026 and 27 January 2026 and at or near 43 Silverleaf Street, Forest Village, Cape Town in the District/Regional Division of City of Cape Town: Kuils River, the accused 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 brown and white, unsterilised male Pit Bull-type dog), thereby causing the dog unnecessary suffering, in that he failed to feed the dog adequately and failed to procure veterinary treatment for it, despite a written warning 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 one (1) dog (a brown and white, unsterilised male Pit Bull-type 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).



To whom it may concern,

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

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

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

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

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

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

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

Kind regards,

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



REPUBLIC OF SOUTH AFRICA

CHARGE SHEET

* Make an X in the appropriate block

Police station KLEINVLEI	CAS/CR/MAS/MR No.	Case No. Date.....
District/Division KUILSRIVER	Place of trial KUILSRIVER	Review Case No. Date
		Investigation officer.
		Date of first appearance

Particulars of court officials must be furnished on the minutes of proceedings.

THE STATE VERSUS

Particulars of accused

Name HUDSON NOJOKO											
Address 43 SILVERLEAF STREET, FOREST VILLAGE, 7100											
Male	☒	Female	☐	Nationality				Age 41			
*In custody	☐	On bail	☐	Warned	☐	Date of arrest					
Name											
Address											
Male	☐	Female	☐	Nationality				Age			
*In custody	☐	On bail	☐	Warned	☐	Date of arrest					

(hereinafter called the accused) charged with the offence(s) as set out in Annexure(s) A to as attached.

Plea (Date)		
Judgement (Date)		
Sentence on		
..... Date	 Magistrate	 Date of appointment to the rank of Magistrate

Direction with regard to revision of sentence

.....

Direction with regard to filing of case record



ATT: Public Prosecutor,

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

In the case of the State versus:

- HUDSON NOJOKO ID 8404225841085 (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 dog by failing to provide the basic care reasonably required for its wellbeing. The dog was found in an emaciated condition, with its ribs visibly protruding, and was heavily infested with ticks and fleas. Despite the dog's deteriorating physical condition, the accused failed to obtain the necessary veterinary attention after being instructed to do so, thereby allowing the dog's condition and suffering to continue.*

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

- *The accused failed to provide the dog with adequate food, resulting in the dog becoming severely emaciated, with its ribs visibly protruding. During the inspection on 26 January 2026, the dog also had no access to water. The accused stated that the dog had started losing weight during approximately mid-December 2025, yet the dog's condition had deteriorated to the extent that it required veterinary intervention.*

(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, being the owner and person responsible for the dog, negligently allowed the dog to remain in a severely emaciated and heavily parasitised condition, with a significant burden of ticks and fleas. The accused was specifically instructed on 26 January 2026 to obtain veterinary treatment for the dog without delay and was issued Warning Notice 24127. On 27 January 2026, the accused admitted that he had not obtained veterinary treatment, citing*

financial constraints, and elected to surrender the dog to the SPCA as he was unable to obtain the required veterinary care. The failure to procure timely veterinary attention resulted in the dog's suffering being prolonged.

(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;

- The accused, being the owner and person responsible for the dog, permitted the aforesaid acts and omissions to occur by failing to exercise the necessary care and supervision over the animal. Despite being aware that the dog was losing weight and was in a deteriorating condition, and despite being expressly instructed to obtain veterinary treatment, the accused failed to do so and retained the dog in his custody until the animal was ultimately surrendered to the SPCA.*

(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, through his negligent acts and omissions, caused the dog unnecessary suffering by failing to provide adequate care, allowing the dog to become severely emaciated and heavily infested with external parasites, and failing to procure veterinary treatment despite being expressly instructed to do so. The accused thereafter acknowledged that he was unable to obtain the required veterinary treatment and surrendered the dog to the SPCA. The dog's condition and the delay in obtaining veterinary intervention resulted in 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,

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



INVESTIGATION DIARY * ONDERSOEKDAGBOEK

Station Stasie	KLEINVLEI	CAS no MAS no	2026
Date and Time Datum en Tyd	Particulars of investigation / Enquiry Besonderhede van ondersoek / Navraag	Reference Verwysing	
	FIC AS PER	A1	
	COMPLAINANT: SPCA INSPECTOR LWAZI NTUNGELE CAPE OF GOOD HOPE SPCA CORNER FIRST ROAD AND FIRST AVENUE, GRASSY PARK 083 326 2377		
	COMPLAINT: CONTRAVENTION OF ANIMAL PROTECTION ACT 71 of 1962 Section 2(1)(a), (c), (e), (q) and (r)		
	SCENE: 43 SILVERLEAF STREET FOREST VILLAGE		
	ACCUSED: (1) HUDSON NOJOKO ID: 8404225841085		
	Commissioned Veterinary Report	A2	
	Photographic Evidence	A3	
	Magisterial Authorisation	A4	
	Warning Notice	A5	
	Admission Form	A6	
	MODUS: AS PER A1		
	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		

