



SWORN AFFIDAVIT

I, the undersigned

**CARINA BODENSTEIN
(ID 9106120284084)**

Do hereby make oath and state that:

1.

I am an adult female 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 0628004001 and 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.

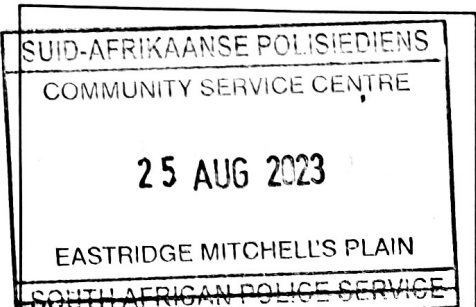
On the 24th of August 2023, at approximately 15H30, I received information from our Control room that SPCA Collection Officer, Mzi Mfini ("Mfini"), collected a dog in distress from a person identified as Ms. Lynette Jonkers ("the owner") residing at a property known as 100 Netball Street in Beacon Valley ("the property"). I was informed that the dog had a large open wound on the abdomen and that Mfini was on route to the Cape of Good Hope SPCA Hospital situated in Grassy Park. I was asked to meet him at the Hospital to assess the situation and to assist with the admission of the dog into our hospital.

3.1.

Upon my arrival, I observed a Cross-breed type dog (white, female, adult). The dog had a large open wound on the abdomen and genital area. The areas appeared to have burst open and a foul smell was protruding from the wounds. I also observed yellow liquid (puss) oozing from the wounds and the dog's hind legs were also covered in this liquid (puss). This liquid (puss) was from the wounds bursting open and fluids (puss) oozing out. I humanely euthanized the dog before continuing with my examination as the dog appeared to be in pain and discomfort.

3.2

I measured the entire affected area which measured 17 centimeters in length (*refer to Picture 8 (page 8) in the Photographic Evidence*). I further measured each open wound individually and the large open wound on the abdomen measured 6.5 centimeters in length and 7



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centimeters in width. The open wound on the genital area of the dog measured 7 centimeters in length and 6 centimeters in width (refer to Picture 9 – Picture 12 (pages 9 -12) in the Photographic Evidence).

3.2.

Upon completion of my examination, the dog was taken for veterinary assessment. Dr. Ettienne Pieterse examined the dog (refer to "Veterinary Report").

4.

I am of the opinion that the dog was left in this condition for a prolonged period of time. In my experience, the dog needed veterinary treatment but was intentionally and negligently denied based on the severity of the wounds which has caused the dog to suffer unnecessarily over a prolonged period of time.

5.

Photographs 1 to 14 were taken by myself, with my Samsung A33 5G cell phone, on 24 August 2023. I created the folder labeled "Photographic Evidence" which contains the photos. I did not edit or alter these photographs in any way. The photographs are a true and accurate reflection of my findings.

6.

I hereby respectfully request to lay charges against Ms. Lynette Jonker for the suffering caused and endured by the animal whilst under her ownership and/or care.

- Section 2(1)(a) of the Animals Protection Act 71 of 1962, for ill-treating the animal and allowing the animal to suffer unnecessarily; and / or
- Section 2(1)(a) of the Animals Protection Act 71 of 1962, for neglecting the animal and allowing the animal to suffer unnecessarily; and / or
- Section 2(1)(e) of the Animals Protection Act 71 of 1962, for denying the animal veterinary or other treatment and allowing the animal to suffer unnecessarily; and / or
- Section 2(1)(e) of the Animals Protection Act 71 of 1962, for failing to destroy, or cause to be destroyed, an animal which is so seriously injured, diseased or in such physical condition that it out to be destroyed, as to prolong its life was cruel, causing the animal unnecessary suffering; and / or
- Section 2(1)(q) of the Animals Protection Act 71 of 1962, for being the owner of the animal and permitting the commission or omission of any of the above acts; and / or
- Section 2(1)(q) of the Animals Protection Act 71 of 1962, for having knowledge of or being witness to the animal cruelty and failing to act or preventing the offences from taking place; and / or
- Section 2(r) of the Animals Protection Act 71 of 1962, by wantonly or unreasonable or negligently doing or omitting to do any act, which is to provide the animal with veterinary treatment or call for help for the animal, which causes unnecessary suffering to the animal; and / or

SUID-AFRIKAANSE POLISIEDIENS
COMMUNITY SERVICE CENTRE
25 AUG 2023
EASTRIDGE MITCHELL'S PLAIN
SOUTH AFRICAN POLICE SERVICE

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.

[Signature]
 DEPONENT

The deponent has acknowledged that she knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at MITCHELLS PLAIN on this the 25th day of AUGUST 2023, 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.

[Signature] 72-49914-1
 COMMISSIONER OF OATHS

Full names: KGOTSO GBAMA

Designation: Constable

Business address: 1st Av. Eastridge
Mitchells Plain

SUID-AFRIKAANSE POLISIEDIENS
COMMUNITY SERVICE CENTRE
25 AUG 2023
EASTRIDGE MITCHELL'S PLAIN
SOUTH AFRICAN POLICE SERVICE

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SAPS 14A
SAPD

SERIAL NUMBER
S 3105752
English

NOTICE OF RIGHTS IN TERMS OF THE CONSTITUTION

(SECTION 35 OF ACT NO. 108 OF 1996)

- (1) You are being detained for the following reason:
- ANIMAL CRUELTY
ACT 41 OF 1962
- (2) As a person who is detained you have the following rights:
- (a) you have the right to consult with a legal practitioner of your choice or, should you so prefer, to apply to the Legal Aid Board to be provided by the State with the services of a legal practitioner;
 - (b) you have the right to challenge the lawfulness of your detention in person before a court of law and to be released if such detention is unlawful;
 - (c) you have the right to be detained under conditions consonant with human dignity, which shall include at least the provision of adequate accommodation, nutrition, reading material and medical treatment at state expense; and
 - (d) you have the right to be given the opportunity to communicate with, and be visited by, your spouse or partner, next-of-kin, religious counsellor and a medical practitioner of your choice.
- (3) As a person arrested for the alleged commission of an offence, you have the following rights:
- (a) you have the right to remain silent and anything you say may be recorded and may be used as evidence against you;
 - (b) you are not compelled to make a confession or admission which could be used in evidence against you;
 - (c) you have the right to be brought before a court as soon as reasonably possible but not later than 48 hours after your arrest or the end of the first court day after the expiry of the 48 hours, if the 48 hours expire outside ordinary court hours or on a day which is not an ordinary court day;
 - (d) you have the right, at the first court appearance after your arrest, to be informed of the reason for your continued detention, or to be released; and
 - (e) you have the right to be released from detention if the interests of justice permit, subject to reasonable conditions.
- (4) You can exercise all the abovementioned rights at any stage during your detention.

CERTIFICATE BY DETAINEE

I, LYNETTE ROST JONKERS (name of detainee) hereby certify that I have been informed in ENGLISH (state language) of my rights in terms of the Constitution as set out above by CARINA BODENSTEIN (name of person who informed the detainee) and that I understand the contents thereof.

DATE: 25/08/2023 TIME: 15H20 PLACE: MITCHELLS PLANN
(Informed) (Informed) (Informed)

Lynette Jonkers SIGNATURE/THUMBPRINT OF DETAINEE
C. Bodenstein SIGNATURE OF PERSON WHO INFORMED THE DETAINEE
12498-INSPECTOR

CERTIFICATE BY THIRD PERSON AS WITNESS (if required)

I, _____ (name of person) hereby certify that _____ (name of detainee) has been informed in my presence in _____ (state language) of his/her rights in terms of the Constitution as set out above by _____ (name of person who informed the detainee) and that the contents thereof has been explained to him/her but that he/she refuses to sign the above certificate.

DATE: _____ TIME: _____ PLACE: _____
(Informed) (Informed) (Informed)

SIGNATURE OF THIRD PERSON