

SOUTH AFRICAN POLICE SERVICE



PART A 1

PREAMBLE TO STATEMENT

 Station MUIZENBERG CAS no. / 06 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 Postal Code
 Telephone number Home Code No Work Code No
 Cellphone number Fax Code No

ADDRESS - WORK/BUSINESS/INSTITUTION/ORGANISATION

 Name of Institution/Organisation CAPE OF GOOD HOPE - SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS
 Street name C/O FIRST ROAD & 1ST AVENUE
 Building/farm/plot/place SPCA BUILDING
 Suburb/Extension/Area GRASSY PARK
 Town/City CAPE TOWN Postal Code 7 9 4 1
 Telephone number Home Code No Work Code 021 No 700 4158 / 9
 Cellphone number 083 326 2377 Fax Code 021 No 705 2127
 Would you like to receive information regarding this case via sms? ☒ Yes ☐ No

SERVICES RENDERED ON INITIAL REPORTING

 Psycho-social Services ☐ Y ☐ N Medical ☐ Y ☐ N Shelter ☐ Y ☐ N
 Other:(Indicate).....

PLEASE INDICATE WHETHER THE VICTIM HAS ANY OF THE FOLLOWING DISABILITIES

 Vision impairment (blind, partially sighted) ☐ Hearing impairment (deaf or hard of hearing) ☐
 Mental impairment (Down Syndrome, Epilepsy, Autism, Psychiatric) ☐
 Physical impairment (Limping, using wheelchair or crutches, leg amputation, arm amputation) ☐
 Albinism ☐
 Multiple Disabilities ☐ Specify if multiple

CONTACT PERSON (IF APPLICABLE)*

 Title M R Initials J H J Surname PIETERSE
 Telephone number Home Code 083 No 678 8460 Fax Code 021 No 700 4158 / 9

Date

Member's Signature (Rank, Name, Surname)

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

SOUTH AFRICAN POLICE SERVICE



PART A 1

STATEMENT

Station MUIZENBURG CAS no. / 06 / 2026

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

PARTICULARS OF OFFENCE/INCIDENT																																			
Date and time of offence/incident												-		Or		Period between										1		5		1		0		on	
2	0	2	5	0	9	2	2	and	1	0	3	0	on	2	0	2	6	0	4	1	4	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), (b), (e), (q) and (r)

Method used/Entrance gained ANIMAL CRUELTY - UNNECESSARILY CONFINED AND FAILURE TO PROVIDE SHELTER AND VETERINARY TREATMENT

Type of instrument used ANIMAL - DOG

SCENE OF CRIME																													
Between: Name of place																													
and: Name of place																													
or																													
Street name		MILITARY ROAD																											
Building/farm/plot/place		MH35 MILITARY HEIGHTS (GPS COORDINATES: 34°04'30.8"S 18°29'21.6"E)																											
Suburb/Extension/Area		HILLVIEW																											
Town/City		CAPE TOWN																		Postal Code		7		9		4		5	
Geographical block no												Type of premises		INFORMAL SETTLEMENT															
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 Cadet Inspector employed as such by the Cape of Good Hope Society for the Prevention of Cruelty to Animals ("SPCA") at corner of 1st Avenue and First Road, Grassy Park with contact telephone number/s 021 700 4158/9 or 083 326 2377 and with email address insp7@spca-ct.co.za.
2. The facts contained herein fall within my personal knowledge, unless the contrary appears from the context or is expressly indicated otherwise, and are, to the best of my knowledge and belief, both true and correct.
3. Where necessary, I have relied on my own observations and on information obtained during the course of my investigation, which I reasonably believe to be true and correct. Insofar as I rely on information provided by third parties, I shall endeavour to procure confirmatory affidavits from such persons.
4. To the extent that such confirmatory affidavits are not obtained, I respectfully request that this Honourable Court exercise its discretion in terms of section 3 of the Law of Evidence Amendment Act, 45 of 1998, to admit such evidence in the interests of justice.
5. All annexures referred to herein are incorporated into this affidavit by reference. These include photographic evidence, which has not been altered, edited, or manipulated in any manner, and which is submitted to accurately depict the conditions prevailing at the time of inspection.
6. I further state that the Society for the Prevention of Cruelty to Animals operates in terms of the Societies for the Prevention of Cruelty to Animals Act, 169 of 1993 ("the SPCAs Act"), which regulates its powers and functions. The said Act empowers the SPCA, inter alia, to take cognisance of the application of laws affecting animals and to make representations to the appropriate authorities in that regard.
7. The Cape of Good Hope SPCA received a complaint regarding a pit bull-type dog allegedly being kept on a short static chain, being underweight, and living in poor conditions at an informal dwelling situated at MH35, Military Heights, Military Road, Hillview, Cape Town, with GPS coordinates 34°04'30.8"S 18°29'21.6"E (hereinafter referred to as "the property").

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

8. On 22 September 2025, at approximately 15h05, I attended the property to conduct an investigation. Upon arrival, I met an adult female who informed me that she had contacted the SPCA to remove the dog as residents were concerned for the safety of children in the area.
9. Shortly thereafter, an adult male approached and informed me that I would not be permitted to remove the dog as he intended taking the animal home. He identified himself as Mr Donovan Ohlson and provided contact number 061 105 4453.
10. The dog was identified as an unsterilised male pit bull-type dog, brown and white in colour, and in fair bodily condition.
11. I observed the dog confined on a short static chain. The animal had access to shelter and drinking water; however, the dog was underweight and the area in which it was kept was dirty and poorly maintained.
12. Mr Ohlson informed me that he intended taking the dog to the SPCA for treatment. As a result of my observations, I issued Notice to Comply No. 14803, attached hereto as Annexure "A5", requiring that:
 - a. The dog be placed on a properly functioning running chain within seven (7) days;
 - b. The dog's living environment be cleaned within twenty-four (24) hours; and
 - c. Adequate veterinary treatment be obtained for the dog within seventy-two (72) hours.
13. On 29 September 2025, I returned to the property accompanied by Law Enforcement officials. Upon arrival, I met the owner of the property, Ms Gaironeesa Adams, who informed me that Mr Ohlson had been arrested shortly after my previous visit and was appearing in the Simon's Town Magistrate's Court that day.
14. Ms Adams advised that Mr Ohlson had been cleaning the dog's living area and had taken the dog to the SPCA, where medication, dog food and a leash had allegedly been provided.
15. I observed that the chain had been extended slightly and that the environment was cleaner than during my previous inspection. However, the dog had no drinking water available at the time of inspection.
16. I consequently issued Notice to Comply No. 14812, attached hereto as Annexure "A6", requiring that:
 - a. The dog be provided with sufficient potable drinking water at all times;
 - b. The dog be placed on a properly functioning running chain within three (3) days; and
 - c. A veterinary report be submitted to the SPCA within three (3) days.
17. On 2 October 2025, I again attended the property accompanied by members of Law Enforcement. I met the property owner, who informed me that Mr Ohlson had recently left the premises.
18. I observed that significant improvements had been made. A new kennel had been provided and the dog's living environment had been cleaned.

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

19. Notwithstanding these improvements, the dog remained confined on a static chain and no veterinary report had been submitted to the SPCA.
20. I issued Notice to Comply No. 14823, attached hereto as Annexure "A7", requiring that:
 - a. The dog be placed on a proper running chain within forty-eight (48) hours; and
 - b. A veterinary report be submitted to the SPCA within twenty-four (24) hours.
21. On 6 October 2025, I conducted a further inspection. No responsible adult was present. Children at the property informed us that Mr Ohlson had recently left.
22. I observed that a running chain had been installed; however, it was not functioning properly. The dog remained noticeably underweight and appeared malnourished.
23. On 28 October 2025 and again on 28 November 2025, my colleague, Inspector Jeffrey Mfini, conducted follow-up inspections.
24. During both inspections, the dog was observed to be confined on a short chain that did not allow adequate freedom of movement.
25. On 19 January 2026, accompanied by Law Enforcement officials, I attended the property once more.
26. Upon arrival, we encountered several young adult females seated in a vehicle. They informed us that Mr Ohlson had been arrested the preceding Friday. Upon inspection, I noted that the dog's body condition had improved significantly when compared to previous visits.
27. However, the dog remained tethered on a short chain. The shelter was positioned beyond the dog's reach, and litter, plastic and paper debris were present around the animal.
28. I instructed Ms Kiara Erasmus to clean the area and replenish the dog's water supply, which she immediately did. Given the numerous previous notices issued to Mr Ohlson, I issued a final Notice to Comply, No. 15292, attached hereto as Annexure "A8", requiring that the dog be placed on a proper running chain within twenty-four (24) hours.
29. As Mr Ohlson was not present, the notice was left with Ms Erasmus, who confirmed that she was eighteen years of age.
30. On 23 January 2026, accompanied by Law Enforcement officials, I conducted a further inspection. We met Mr Omar, a family member of Mr Ohlson.
31. I observed that the running chain had been repaired and that the dog had access to sufficient potable water. Mr Omar informed me that Mr Ohlson remained incarcerated.
32. On 9 April 2026, I attempted a final follow-up inspection accompanied by Law Enforcement officials. Upon arrival, the gate was open but no occupants responded to my calls.

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

33. A neighbour, Mr Rafiek Du Plessis, contact number 071 628 1050, granted us access and advised that he occasionally assisted with caring for the dog and exercised the dog daily.
34. Mr Du Plessis further stated that Mr Ohlson did not reside at the property and that he did not know his whereabouts. I observed the dog confined on a static chain without access to shelter or drinking water. I further observed an open wound on the dog's left hip.
35. I requested that water be provided immediately and that the shelter be moved closer to the dog. Mr Du Plessis complied without hesitation.
36. I issued Final Notice to Comply No. 15647, attached hereto as Annexure "A9", requiring that by 10h00 on 10 April 2026:
 - a. Adequate veterinary treatment be obtained and a veterinary report submitted to the SPCA;
 - b. The dog be placed on a proper and functioning running chain;
 - c. The dog have access to sufficient potable water at all times; and
 - d. The dog have access to adequate shelter at all times.
37. I further strongly recommended that the dog be surrendered to the SPCA due to the ongoing failure to provide for its basic welfare requirements. The notice was left with Mr Du Plessis.
38. On 10 April 2026, accompanied by Law Enforcement officials, I returned to the property. I met the property owner and Mr Du Plessis, who informed me that Mr Ohlson had not returned to the property since our previous visit.
39. I observed that the dog remained in substantially the same condition. No evidence existed that veterinary treatment had been obtained for the open wound. The dog remained confined on a short chain and debris remained present within the dog's living area.
40. Although drinking water was available, the shelter remained positioned beyond the dog's reach until I requested that it be moved closer. Throughout the investigation, repeated periods of temporary compliance were followed by a return to inadequate conditions.
41. I therefore recommended that a warrant be obtained to seize the dog in order to prevent further suffering and neglect.
42. On 14 April 2026, I applied for and obtained a warrant issued in terms of the Animals Protection Act 71 of 1962, read with Regulation 468. Accompanied by Law Enforcement officials, I executed the warrant at the property.
43. No occupants responded to my calls or knocks despite the gate and dwelling being open. I observed that the dog remained confined on a short chain. The shelter had fallen onto its side and was inaccessible to the dog. No drinking water was available. The wound on the dog's left hip appeared to be healing naturally without any evidence of veterinary intervention or treatment.

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

44. While removing the dog, an adult female arrived at the property. I explained that the dog was being seized due to the owner's repeated failure to comply with notices issued and to adequately provide for the animal's welfare needs.
45. The dog was seized and removed to the care of the Cape of Good Hope SPCA. The seizure notice, No. 01808, attached hereto as Annexure "A11", together with copies of the warrant application and warrant attached as Annexure "A10", were left with Ms Bielqees Adams.
46. Thereafter I attended at Muizenberg SAPS where Occurrence Book reference 927/04/2026 was obtained.
47. Throughout the course of my investigation, I used my Samsung A25 cellular telephone to photograph the conditions under which the dog was kept. The photographs are contained in the following photographic albums:
 - a. Album A – 23 September 2025;
 - b. Album B – 29 September 2025;
 - c. Album C – 2 October 2025;
 - d. Album D – 28 October 2025;
 - e. Album E – 28 November 2025;
 - f. Album F – 19 January 2026;
 - g. Album G – 23 January 2026;
 - h. Album H – 9 April 2026;
 - i. Album I – 10 April 2026; and
 - j. Album J – 14 April 2026.
48. From my observations over a period of approximately seven months, it is evident that Mr Donovan Ohlson repeatedly failed to provide the dog with proper accommodation, adequate freedom of movement, consistent access to shelter and potable water, and necessary veterinary treatment for an open wound. Despite numerous inspections, repeated notices to comply, and opportunities to rectify the deficiencies, the dog was repeatedly found in conditions detrimental to its welfare.
49. The dog's prolonged confinement on a short chain, repeated lack of shelter and water, failure to obtain veterinary treatment for an open wound, and exposure to unsanitary conditions caused the animal unnecessary suffering and constituted neglect and ill-treatment.
50. I respectfully request that Mr Donovan Ohlson be charged with contraventions of the Animals Protection Act 71 of 1962, including but not limited to:
 - a. Section 2(1)(a) – Ill-treatment, neglect and failure to provide the animal with proper care;
 - b. Section 2(1)(b) – Confining, chaining or tethering the animal in a manner causing unnecessary suffering;
 - c. Section 2(1)(e) – Failure to render or procure necessary veterinary treatment for an injured animal;
 - d. Section 2(1)(q) – Keeping the animal under conditions likely to cause unnecessary suffering; and
 - e. Section 2(1)(r) – Failing to comply with the duty to prevent unnecessary suffering to the animal.

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

51. 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. Leon Hector**, hereby make oath and declare in English as follows:

1.

I am an adult male veterinarian registered with the South African Veterinary Council (SAVC) under registration number CS25/19195. 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 28 April 2026, I conducted a clinical examination on a canine admitted into the care of the Cape of Good Hope SPCA. The animal had been seized from a property situated at MH35 Military Heights, Military Road, Seawinds, Cape Town, by Inspector Siviwe Noko under SPCA case number INSP221192.

3.1. ANIMAL INFORMATION:

The details of the animal are as follows:

- **Admission Number:** A98524
- **Species:** Canine
- **Breed:** Pitbull-type
- **Sex and Reproductive Status:** Male, intact
- **Colour and Markings:** Brown and White
- **Microchip:** Unknown
- **Name:** Unknown

3.2. CLINICAL EXAMINATION FINDINGS:

Upon clinical examination, the following findings were recorded:

- **Body Condition Score:** 4/9 (acceptable, but trending towards underweight)
- **Weight:** 16 kg
- **Behaviour:** Bright, alert and responsive.
- **External Parasites:** None observed at the time of examination
- **Dentition and Nails:** Good condition
- **Eyes:** Within normal limits
- **Additional clinically significant findings:**
 - Healed wound noted on the left hip, consistent with a previous injury

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

4.

VETERINARY OPINION:

Based on the clinical findings, the animal presented in a generally fair condition at the time of examination, with no active clinically significant abnormalities noted apart from evidence of a previously sustained wound on the left hip, which had healed.

The body condition score of 4/9 indicates that the animal was slightly underweight, suggesting a period of suboptimal nutrition or care. The presence of a healed wound indicates that the animal had previously sustained an injury which, while no longer active, would likely have caused pain and discomfort prior to healing.

It is my professional opinion that the duration of suffering associated with the wound and suboptimal body condition would likely have extended over a period of weeks prior to intervention.

5.

PROGNOSIS AND RECOMMENDATIONS:

☐ Prognosis: Good, provided appropriate care is maintained

☐ Recommendations:

- The animal may be considered for return to the owner, subject to compliance with welfare standards
- The owner should receive appropriate education regarding proper animal care, including adequate nutrition, timely veterinary treatment, and general welfare responsibilities
- A follow-up inspection is recommended to ensure that acceptable standards of care are being maintained

6.

CONCLUSION

At the time of examination, the animal was clinically stable with no active disease processes requiring immediate intervention. However, the slightly underweight condition and evidence of a previously untreated injury indicate that the animal had, for a period of time, not received adequate care.

It is my professional opinion that the animal would have experienced a degree of unnecessary suffering, particularly prior to the healing of the wound, during which time pain and discomfort would have been present. While the condition had improved by the time of examination, the findings support that appropriate and timely care had not been consistently provided.

Return of the animal to the owner may be considered appropriate, provided that corrective measures are implemented and compliance is verified through follow-up inspection.

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.

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


DEPONENT

Dr. Leon Hector (BVSc)

The deponent has acknowledged that he knows and understands the contents of this affidavit/declaration, which was signed and sworn to before me at SPCA COGH on this the 20 day of MAY 2022, the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

 J De Vos
40004230
COMMISSIONER OF OATHS

Full names: JUSTIN DE VOS



JUSTIN DE VOS

Designation: PEACE OFFICER

COMMISSIONER OF OATHS
Peace Officer - Law Enforcement
City of Cape Town Sta No. 40004230
101 Old Strandfontein Rd, Ottery, Cape Town, 7808

Business address: 101 Old Strandfontein Rd, Ottery



Reg. No. 2013/185 NPO

Box 1320
Glenelg
1450
Republic of South Africa
☎ (011) 907 3590/1/2/3
Fax (011) 507 4013
e-mail: info@ngerspcas.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

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 **SIMON'S TOWN (WC)**, all or any of the powers conferred by the said Act, and in particular those under Section 8(1)(a), (b), (c) and (d) and supporting Regulation No R468 2.(1), for the purpose of carrying out his/her duties as an Officer of the SPCA.

This Authority will remain enforceable only whilst the Appointee is authorised by the **NATIONAL COUNCIL OF SPCAs** to act on its behalf.

Given under my hand this 15 day of OCTOBER 2019

Official Stamp to go here

Name LUTIE VAN RHODIE

Holder's Photograph

Signed [Signature]



SPCA NATIONAL COUNCIL
Certificate of Competency

No. **12560**

2019-10-15

Incorporated Association not for gain

Co No. 1939/013624/08
NPO 003-244 • PBO 930004317



Ingelyfde Vereniging sonder winsoogmerk

Cnr 1st Avenue & 1st Road, Grassy Park, 7941
PO Box 3, Plumstead, 7801
Tel: 021 700 4158/9
Fax: 021 705 2127
inspectorate@spca-ct.co.za
www.capespca.co.za

NOTICE TO COMPLY

To: Mr / Mrs / Ms <u>Donovan Ohlson</u>	Date <u>22/09/2025</u>
Address <u>79 Gladiale Street, Hillview</u>	
	ID No <u>19870408</u>
Tel No	Cell No <u>0611059453</u>
Veh Reg No	Trailer Reg No

You are hereby instructed to:

14803

- 1) Your dog is tied/ chained using a short chain, he should be placed on a running chain within 7 days or unchained to roam freely inside the property of 79 Gladiale Street where you are agreeing to keep him.
- 2) Your dog is underweight and should be taken to a veterinarian and be provided with adequate treatment within 72 hours and provide the SPCA with a report within 72 hours.
- 3) Your dog is kept in a dirty environment. You must clean and hygienically maintain your dog's environment within 24 hours.

This Notice to Comply has been issued in terms of the Society for the Prevention of Cruelty to Animals Act No 169 of 1993.

SIGNED & ACCEPTED BY: D. Ohlson. Donovan

PLACE: Clear View

TIME: 15:05

REPRESENTATIVE: Jivine Noko SPCA: COGH

Incorporated Association not for gain

Co No. 1939/013624/08
NPO 003-244 • PBO 930004317



Ingelyfde Vereniging sonder winsoogmerk

Cnr 1st Avenue & 1st Road, Grassy Park, 7941
PO Box 3, Plumstead, 7801
Tel: 021 700 4158/9
Fax: 021 705 2127
inspectorate@spca-ct.co.za
www.capespca.co.za

NOTICE TO COMPLY

To: Mr/ Mrs / Ms <i>Doreen CHESON</i>	Date <i>09/09/2025</i>
Address <i>M435 Military Road, Hillview</i>	
	ID No <i>19840908</i>
Tel No	Cell No
Veh Reg No	Trailer Reg No

You are hereby instructed to:

14812

- 1. Your dog is without drinking water.
- You must ensure that your dog have access to sufficient potable water at all times.*
- 2. Your dog is still tied on short static chain
- You must place your dog on a running chain within 3 days.*
- 3. You must provide the SPCA with 2 veterinarian reports within 3 days.*

This Notice to Comply has been issued in terms of the Society for the Prevention of Cruelty to Animals Act No 169 of 1993.

SIGNED & ACCEPTED BY:

[Signature]

GAIRONKEESA ADAMS

PLACE:

Loversley Hill

TIME: *14:10*

REPRESENTATIVE:

Prima Nolo [Signature]

SPCA:

COGH

Incorporated Association not for gain

Co No. 1939/013624/08
NPO 003-244 • PBO 930004317



Ingelyfde Vereniging sonder winsoogmerk
Cnr 1st Avenue & 1st Road, Grassy Park, 7941
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Tel: 021 700 4158/9
Fax: 021 705 2127
inspectorate@spca-ct.co.za
www.capespca.co.za

NOTICE TO COMPLY

To: Mr/ Mrs/ Ms <u>DONOVAN OLSON</u>	Date <u>02/10/2025</u>
Address <u>11435, MILITARY HEIGHTS, MILITARY ROAD, LOVENDER HILL</u>	ID No <u>1 9 8 7 0 4 0 9</u>
Tel No	Cell No <u>0611054453</u>
Veh Reg No	Trailer Reg No

You are hereby instructed to:

14823

1. You have failed to produce or provide the SPCA with the Veterinarian report.
2. Your dog is still kept on a short chain.

This is a final notice to comply for you to:

1. Provide the SPCA with a veterinarian report within 24 hours.
2. Place your dog on a running chain within 48 hours.

Failure to comply may lead us to take further action regarding your dog.

This Notice to Comply has been issued in terms of the Society for the Prevention of Cruelty to Animals Act No 169 of 1993.

SIGNED & ACCEPTED BY:

Gedrupte Gauranessa Adams

PLACE: Lovender Hill

TIME: 15:09

REPRESENTATIVE: Siviwe Noko

SPCA: COGH

Incorporated Association not for gain

Co No. 1939/013624/08
NPO 003-244 • PBO 930004317



Ingelyfde Vereniging sonder winsoogmerk

Cnr 1st Avenue & 1st Road, Grassy Park, 7941
PO Box 3, Plumstead, 7801
Tel: 021 700 4158/9
Fax: 021 705 2127
inspectorate@spca-ct.co.za
www.capespca.co.za

NOTICE TO COMPLY

To: Mr/Mrs/ Ms <i>Dorvan Chiba</i>	Date <i>19/01/2026</i>
Address <i>11435 MILITARY HEIGHTS, CNR MILITARY ROAD and St Charles Road, Cape Town</i>	ID No <i>19870409</i>
Tel No	Cell No <i>0611054453</i>
Veh Reg No	Trailer Reg No

You are hereby instructed to:

15292

Final Notice to Comply

*Place your dog on a proper running chain
within 24 hours.*

*Failure to comply with Notice, might lead us
to take legal action against you.*

This Notice to Comply has been issued in terms of the Society for the Prevention of Cruelty to Animals
Act No 169 of 1993.

SIGNED & ACCEPTED BY:

K. Erasmus

KIARA ERASMUS

PLACE:

Coverdale Hill

TIME:

10:35

REPRESENTATIVE:

Simon Nkomo

SPCA:

SPCA



Cnr 1st Avenue & 1st Road, Grassy Park, 7941
PO Box 3, Plumstead, 7801
Tel: 021 700 4158/9
Fax: 021 705 2127
inspectorate@spca-ct.co.za
www.capespca.co.za

Formexpress 021 701 5530 WT20513D

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

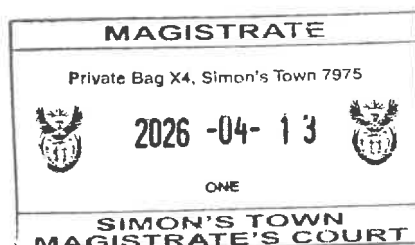
To: **INSPECTOR SIVIWE NOKO OF THE CAPE OF GOOD HOPE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA)**

WHEREAS it appears to me from information provided on oath that there are reasonable grounds to believe that within the Magisterial District of **SIMON'S TOWN** there ~~is~~ ^{are} certain animals in the possession of / under the control of / upon the premises of and / or upon the person of **DONOVAN OHLSON** and/or **RAFIEK DU PLESSIS** or any other person designated to care for the animals and / or manage the property known as **MH35 MILITARY HEIGHTS INFORMAL SETTLEMENT** in **SEAWINDS** with **GPS CO-ORDINATES 34°04'30.8"S 18°29'21.6"E** whose conditions are required to be examined for purposes of determining whether an offence in terms of section 2 of the aforesaid Act has been, is being or is likely to be committed.

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

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

GIVEN UNDER my hand at **SIMON'S TOWN** on this ____ day of **APRIL 2026**




Magistrate Signature

Magistrate Name & Surname

Incorporated Association not for gain

Co No. 1939/013624/08
NPO 003-244 • PBO 930004317



Ingelyfde Vereniging sonder winsoogmerk

Cnr 1st Avenue & 1st Road, Grassy Park, 7941
PO Box 3, Plumstead, 7801
Tel: 021 700 4158/9
Fax: 021 705 2127
inspectorate@spca-ct.co.za
www.capespca.co.za

SEIZURE NOTICE

To: Mr / Mrs / Ms <u>Donovan Ohlson</u>	Date <u>14/04/2026</u>
Address <u>MH38 Military Heights Informal Settlement, Seewards</u>	ID No <u>19870408</u>
Tel No	Cell No <u>0611054453</u>
Veh Reg No	Trailer Reg No

The following animals have been seized:

01808

X1 Brown and white, Pitbull dog, male (Intact)
1 Copy of the application given
A Copy of the warrant given
Regulation 468 on reverse of the seizure notice

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

SIGNED & ACCEPTED BY: B. J. J. Bieles

PLACE: Seewards

TIME: 10:30

INSPECTOR: Steve Noko

THE STATE

Versus

DONOVAN OHLSON

ACCUSED 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 of 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 (where applicable).

IN THAT upon the 22 SEPTEMBER 2025 AND the 14 OF APRIL 2026, and at or near MH35 MILITARY HEIGHTS, MILITARY ROAD, HILLVIEW (GPS COORDINATES: 34°04'30.8" S 18°29'21.6" E), in the magisterial district of SIMONS TOWN, the accused did unlawfully and intentionally or negligently ill-treat, neglect, or cause unnecessary suffering **to wit** one (1) Brown and White Pitbull-type dog

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

THE STATE

Versus

DONOVAN OHLSON

ACCUSED 1

**CRUELTY TO ANIMALS – CONTRAVENTION OF SECTION 2(1)(b) OF THE ANIMALS
PROTECTION ACT 71 OF 1962**

THAT the accused is guilty of the crime of contravening of Section 2(1)(b) of the Animals Protection Act 71 of 1962, also read with Section 1 and 2(2) of said Act, also read with Section 90 and 250 of the Criminal Procedure Act No 51 of 1977 (where applicable).

IN THAT upon the 22 SEPTEMBER 2025 AND the 14 OF APRIL 2026, and at or near MH35 MILITARY HEIGHTS, MILITARY ROAD, HILLVIEW (GPS COORDINATES: 34°04'30.8"S 18°29'21.6"E), in the magisterial district of SIMONS TOWN, the accused did unlawfully and intentionally or negligently fail to provide necessary veterinary treatment to an animal, **to wit** one (1) Brown and White Pitbull-type dog, by keeping the said animal continuously restrained on a short static chain, failing to provide adequate shelter and protection from the elements, and thereby causing the animal unnecessary suffering and distress.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: _____
Count No/Aanklag Nr: 3

THE STATE

Versus

DONOVAN OHLSON

ACCUSED 1

**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 of 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 (where applicable).

IN THAT upon **the 22 SEPTEMBER 2025 AND the 14 OF APRIL 2026**, and at or near **MH35 MILITARY HEIGHTS, MILITARY ROAD, HILLVIEW (GPS COORDINATES: 34°04'30.8"S 18°29'21.6"E)**, in the magisterial district of **SIMONS TOWN**, the accused did unlawfully and intentionally or negligently fail to provide necessary veterinary treatment to an animal, **to wit** one (1) Brown and White Pitbull-type dog, which was suffering from an open wound and was in need of veterinary attention, thereby causing or permitting the animal to endure unnecessary pain, suffering, and discomfort.

Penalty provision:

An unspecified fine not exceeding R40 000 (in accordance with the Adjustment of Fines Act 101 of 1991) and/or imprisonment to a maximum of 12 months (as specified under Section 2(1) of the Animals Protection Act 71 of 1962).

Case No/Saak Nr: _____
Count No/Aanklag Nr: 4

THE STATE

Versus

DONOVAN OHLSON

ACCUSED 1

**CRUELTY TO ANIMALS – CONTRAVENTION OF SECTION 2(1)(q) OF THE ANIMALS
PROTECTION ACT 71 OF 1962**

THAT the accused is guilty of the crime of contravening of 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 (where applicable).

IN THAT upon the 22 SEPTEMBER 2025 AND the 14 OF APRIL 2026, and at or near MH35 MILITARY HEIGHTS, MILITARY ROAD, HILLVIEW (GPS COORDINATES: 34°04'30.8"S 18°29'21.6"E), in the magisterial district of **SIMONS TOWN**, the accused did unlawfully commit and/or omit to perform acts which resulted in unnecessary suffering to the said horse, which resulted in unnecessary suffering, by allowing the animal's condition to deteriorate without intervention.

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).

THE STATE

Versus

DONOVAN OHLSON

ACCUSED 1

**CRUELTY TO ANIMALS – CONTRAVENTION OF SECTION 2(1)(r) OF THE ANIMALS
PROTECTION ACT 71 OF 1962**

THAT the accused is guilty of the crime of contravening of 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 (where applicable).

IN THAT upon the 22 SEPTEMBER 2025 AND the 14 OF APRIL 2026, and at or near MH35 MILITARY HEIGHTS, MILITARY ROAD, HILLVIEW (GPS COORDINATES: 34°04'30.8"S 18°29'21.6"E), in the magisterial district of SIMONS TOWN, the accused did unlawfully commit and/or omit to perform acts which resulted in unnecessary suffering to the said horse, by allowing the condition of the animal to deteriorate and failing to take reasonable steps to prevent such 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).



ATT: Public Prosecutor,

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

In the case of the State versus:

- DONOVAN OHLSON (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 their dogs by failing to fulfil their most basic duties of care as the owners of their dogs. One of the most basic care requirements is providing the animal with adequate shelter and veterinary treatment.*

(b) confines, chains, tethers or secures any animal unnecessarily or under such conditions or in such a manner or position as to cause that animal unnecessary suffering or in any place which affords inadequate space, ventilation, light protection or shelter from heat, cold or weather;

- *The confined the animal in question on a short static chain, with inadequate access to shelter and protection from the weather elements*

(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 neglected their dog by failing to render or procure adequate veterinary treatment despite numerous warnings*

(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;

(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;

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 Siviwe Noko
Inspectorate Department
CAPE OF GOOD HOPE SPCA**



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 Siviwe Noko
Inspectorate Department
CAPE OF GOOD HOPE SPCA**



INVESTIGATION DIARY * ONDERSOEKDAGBOEK

Station Stasie	MUIZENBURG	CAS no MAS no	06 / 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: SPCA INSPECTOR JONATHAN SIVIWE NOKJO CAPE OF GOOD HOPE SPCA CORNER FIRST ROAD AND FIRST AVENUE, GRASSY PARK 083 326 2377	
	COMPLAINT: CONTRAVENTION OF ANIMAL PROTECTION ACT 71 of 1962 Section 2(1)(a), (b), (e), (q) and (r)	
	SCENE: MH35 MILITARY HEIGHTS, MILITARY ROAD (GPS COORDINATES: 34°04'30.8"S 18°29'21.6"E)	
	ACCUSED: (1) DONOVAN OHLSON	
	MODUS: AS PER A1	
	Commissioned Veterinary Report	A2
	Photographic Evidence	A3
	Magisterial Authorisation	A4
	Notice to Comply: 14803	A5
	Notice to Comply: 14812	A6
	Notice to Comply: 14823	A7
	Notice to Comply: 15292	A8
	Notice to Comply: 15647	A9
	Warrant	A10
	Seizure Notice: 01808	A11
	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

