

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										1		5		3		0		on	
2	0	2	6	0	1	2	8	and	1	2	3	0	on	2	0	2	6	0	2	0	2	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 / UNNECESSARILY FAIL TO GIVE WATER / FAIL TO PROCURE VETERINARY CARE
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Type of instrument used	ANIMAL - DOG
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SCENE OF CRIME	
Between: Name of place	
and: Name of place	
or	
Street name	26 ARVON CRESCENT
Building/farm/plot/place	39023
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 <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.

SOUTH AFRICAN POLICE SERVICE



PART A 1

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 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 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 021 No 700 4158 / 9
 Cellphone number 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.



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. On 28 January 2026, the Cape of Good Hope SPCA received a complaint regarding animals situated at 39023, 26 Arvon Crescent, Forest Village, Cape Town (hereinafter referred to as "the property").
4. The complainant alleged that a dog at the property had a serious leg injury and was unable to walk properly, was extremely thin indicating long-term lack of food, had no access to clean drinking water, and was often seen drinking dirty water from the streets and drains.
5. The complainant further alleged that there were several cats at the same property who were very thin, appeared malnourished, were not being properly fed or cared for, and did not appear to have access to clean water.
6. The complainant expressed serious concern for the welfare of the animals and believed that the matter constituted animal cruelty and neglect requiring urgent intervention.
7. On 29 January 2026, I attended the property to investigate the complaint. Upon arrival, I shouted from the street but received no response. There was no gate, and the yard was not fenced off. I proceeded to knock on the door of the residence; however, no one responded.
8. I observed the dog in question, described as one unsterilised male cross-breed dog of unknown breed, tan and white in colour, named "Chico". The dog was free roaming on the property and had an injury to the left hind leg which appeared broken. The dog was visibly in pain and discomfort.
9. A male passer-by stopped and informed me that the dog had been suffering on the property for several weeks, if not a month, and that the owner had not taken the dog to a veterinarian for treatment.
10. I observed that the dog had no access to water at the time of inspection. Some form of shelter appeared to be available.

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

11. I left a warning notice, reference number 24130, attached hereto as Annexure "A6", instructing the owner to comply within eighteen (18) hours by:
 - a. Seeking immediate veterinary attention for the dog without delay to prevent unnecessary suffering;
 - b. Ensuring that animals have access to clean water at all times; and
 - c. Contacting the Cape of Good Hope SPCA Inspectorate Department regarding the dog.
12. On 30 January 2026, I returned to the property to conduct a follow-up inspection. Upon arrival, I observed that the warning notice had been removed; however, no contact had been made with the SPCA.
13. I knocked on the door but received no response. I observed the dog still limping and unable to walk properly due to the leg injury. No water was observed, although shelter was present.
14. I contacted my supervisor and requested that the matter be followed up after hours. I was advised that the matter could be followed up the following day. I left an additional warning notice instructing the owner to seek veterinary attention for the dog within twelve (12) hours without delay to prevent unnecessary suffering.
15. On 02 February 2026, I conducted a further follow-up inspection at the property. Upon arrival, I met with the owner's husband, now known to me as Mr Rayno Hartzenberg.
16. I informed Mr Hartzenberg of the purpose of my visit. He stated that his wife, Ms Fatima Hartzenberg, had instructed him to allow me to take the dog.
17. Mr Hartzenberg provided me with Ms Fatima Hartzenberg's details, being identity number 7502160142087 and contact number 078 370 2521. I contacted Ms Hartzenberg telephonically. She immediately stated that I must take the dog.
18. I informed her that she had been instructed to seek veterinary treatment for the dog, which she failed to do, thereby prolonging the dog's suffering.
19. Ms Hartzenberg stated that she did not have time to seek veterinary treatment for the dog due to being busy at work and consented to her husband surrendering the dog to the Cape of Good Hope SPCA.
20. At the time of surrender, the dog was still injured, the wound emitted a foul odour, and no water was available for the dog. Some form of shelter was present.
21. The dog was formally surrendered to the Cape of Good Hope SPCA by Mr Rayno Hartzenberg.
22. A full veterinary examination was conducted by the Cape of Good Hope Animal Hospital. The veterinary report is attached hereto as Annexure "A3".
23. Using my personal cellular phone, a Samsung Galaxy A25, I took photographs of my observations.
 - a. Photographs contained in Album "A" were taken on 29 January 2026;
 - b. Photographs contained in Album "B" were taken on 30 January 2026; and
 - c. Photographs contained in Album "D" were taken on 02 February 2026.
24. I respectfully request that both Fatima Hartzenberg and Rayno Hartzenberg be charged with contravention of the Animal Protection Act 71 of 1962. Specifically

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

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 failing to ensure the dog had access to potable water

(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 with a severe leg injury.

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

Section 2(1)(q) and (r) of the Animals Protection Act 71 of 1962

(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;

25. 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

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

Full names: _____

Designation: _____

Business address: _____



AFFIDAVIT

I, the undersigned

MOHGAMAD YAASEEN ABRAHAMS
(ID 9807065122086)

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 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. Inspector Lwazi Ntungele was previously investigating a complaint at 39023, 26 Arvon Crescent, Forest Village (hereinafter referred to as "the property") relating to a dog alleged to be emaciated and suffering from an untreated injury to its leg.
4. Inspector Ntungele attended the property on two separate occasions and issued warning notices to the owner in relation to the condition of the dog.
5. On 31 January 2026, I conducted a follow-up inspection based on the findings of Inspector Ntungele.
6. Upon my arrival at the property, I met with the owner, Fatima Hartzenberg, who granted me access to the premises. I observed the dog in question, described as a tan and white cross-breed named "Chico". The dog was free roaming on the property and was visibly suffering from an injured leg.
7. I further observed that the dog had no adequate shelter and that no water was available to the dog at the time of inspection. I then entered the residence and observed a mother cat with three kittens. All were in fair condition; however, no water was available to them either.
8. The owner informed me that she had not yet put water out for the animals. I instructed her to do so, which she then complied with. The owner further informed me that the dog, Chico, had allegedly been attacked by another dog in November 2025 and that she had been self-treating the injury since that time.
9. I informed the owner that the dog required immediate veterinary treatment and advised her that she could either take the dog to a veterinarian or surrender the dog to the Cape of Good Hope SPCA. The owner declined to surrender the dog to the SPCA.
10. As a result of my observations, I issued a final notice to comply, reference number 15238, attached hereto as Annexure "A8".
11. The final notice instructed the owner to:

I, Mohgamad Yaaseen Abrahams, further state under oath and in English that:

- a. Provide adequate veterinary treatment for the dog within 24 hours;
- b. Provide adequate shelter for the dog within five (5) days; and
- c. Ensure that all animals on the property have access to clean water at all times.

12. Using my cell phone, a Samsung Galaxy A25, I took photographs of what I observed. The photos taken, was placed in Photo Album C and was taken on the 31 January 2026. The photos are a true reflection of my findings and have not been edited, altered or enhanced in anyway

13. I know and understand the content of this declaration.

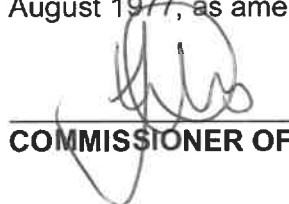
I have no objection to taking the prescribed oath.

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 GRASSY PARK on this the 18 day of FEB 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.



COMMISSIONER OF OATHS

Full names: _____



JUSTIN DE VOS

Designation: _____

COMMISSIONER OF OATHS
Peace Officer - Law Enforcement

City of Cape Town Sta ID No. 40004230
101 Old Strandfontein Rd, Ottery, Cape Town, 7803

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 2 February 2026, a canine was admitted into the care of the Cape of Good Hope SPCA after reportedly being surrendered from a property situated at 39023, 26 Avron Crescent, Forest Village, Cape Town. The animal in question was surrendered to Inspector Lwazi Ntungele under SPCA case number INSP227318.

3.1. ANIMAL INFORMATION:

The details of the animal are as follows:

- **Admission Number:** A91801
- **Species:** Canine
- **Breed:** Mixed Breed
- **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:** 5/9 (acceptable)
- **Weight:** 16.7 kg
- **Behaviour:** Fair
- **Nails:** No abnormalities detected.
- **Dentition:** No abnormalities detected.

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

- **Parasite Burden:** No external or internal parasites noted during the clinical examination.

Most Significant Clinical Findings

- The animal was found to have a fracture involving the left hindlimb.
- The affected limb was associated with impaired function and would have resulted in pain and discomfort.
- The clinical presentation was consistent with a traumatic orthopaedic injury.
- The nature and severity of the injury significantly compromised the normal use and function of the affected limb.

4.

VETERINARY OPINION:

Based on my clinical examination and diagnostic findings, it is my professional veterinary opinion that the animal presented with a fracture of the left hindlimb.

The nature of the injury is consistent with a traumatic injury. Such an injury would be expected to cause pain, discomfort, impaired mobility and an inability to use the affected limb normally.

The duration of suffering is assessed as sub-acute, indicating that the animal had likely been experiencing pain and impaired mobility for a period extending beyond the immediate onset of the injury but not of prolonged chronic duration.

5.

PROGNOSIS AND RECOMMENDATIONS:

Prognosis

The prognosis is assessed as guarded to poor, taking into consideration the nature and severity of the left hindlimb fracture, the resultant impairment of mobility and the anticipated welfare implications associated with the injury.

Recommendations

Humane euthanasia was recommended as the most appropriate course of action in the interests of the animal's welfare. This recommendation was made on the basis of the significant orthopaedic injury, associated pain and discomfort, compromised mobility, and the guarded to poor prognosis for an acceptable quality of life.

6.

CONCLUSION

In conclusion, the animal presented with a traumatic fracture of the left hindlimb, resulting in significant impairment of the normal function and mobility of the affected limb. The injury would have caused pain and discomfort and would have adversely affected the animal's ability to move and perform normal activities.

The animal's general body condition was acceptable; however, this did not negate the significant welfare implications associated with the orthopaedic injury. The condition was assessed as sub-acute, indicating that the animal had likely experienced pain and suffering for a period of time prior to examination.

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

Having regard to the nature of the injury, the associated pain and suffering, the impairment of mobility and the guarded to poor prognosis, humane euthanasia was considered to be the most appropriate option to prevent further suffering and to protect 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. Natará 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 Girassy 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: _____



JUSTIN DE VOS

Designation: _____

COMMISSIONER OF OATHS
Peace Officer - Law Enforcement

City of Cape Town Staff No. 40004230

101 Old Strandfontein Rd, Ottery, Cape Town, 7808

Business address: _____

Cape of Good Hope



Case: INSP227318

Album A

Inspection 29 January 2026

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-29

Taken with: Samsung Galaxy A25

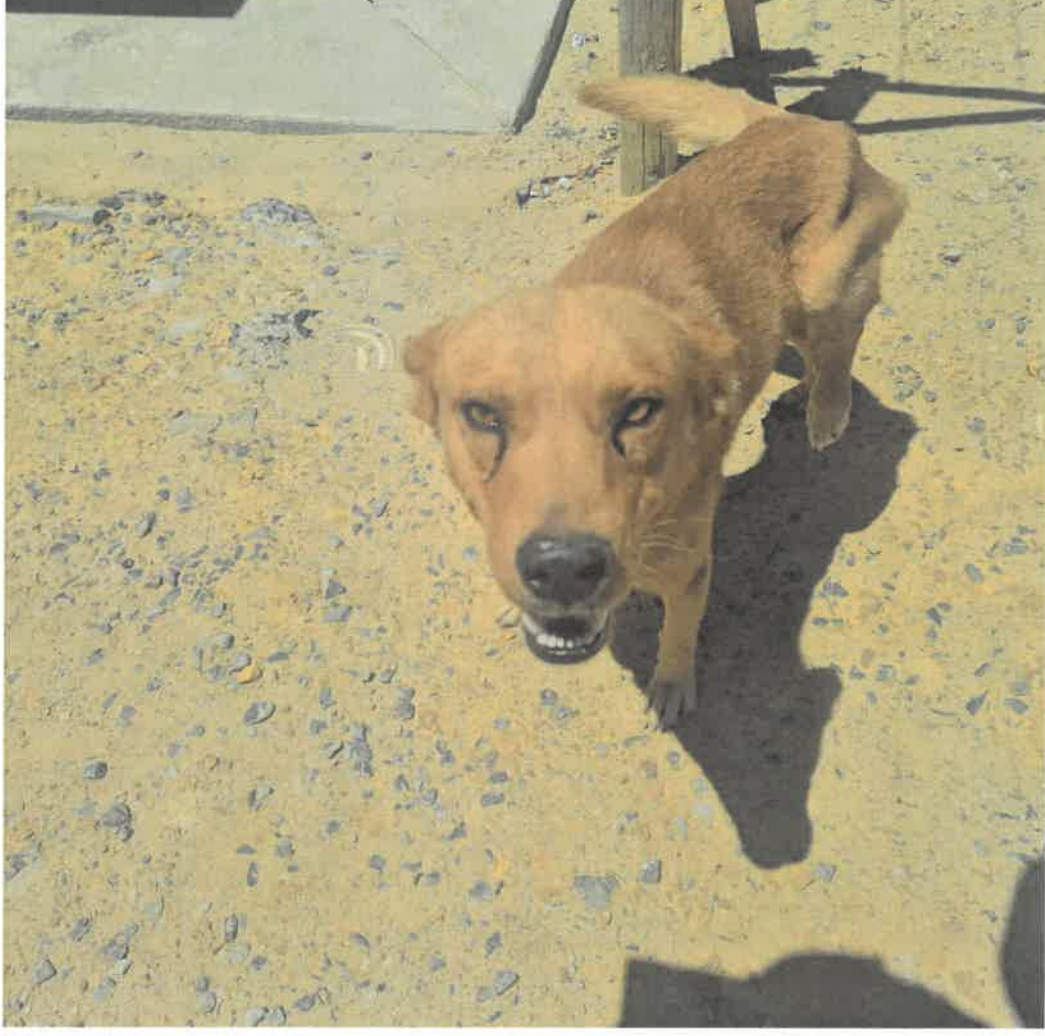


Photo 1 - The dog named Chico

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-29

Taken with: Samsung Galaxy A25

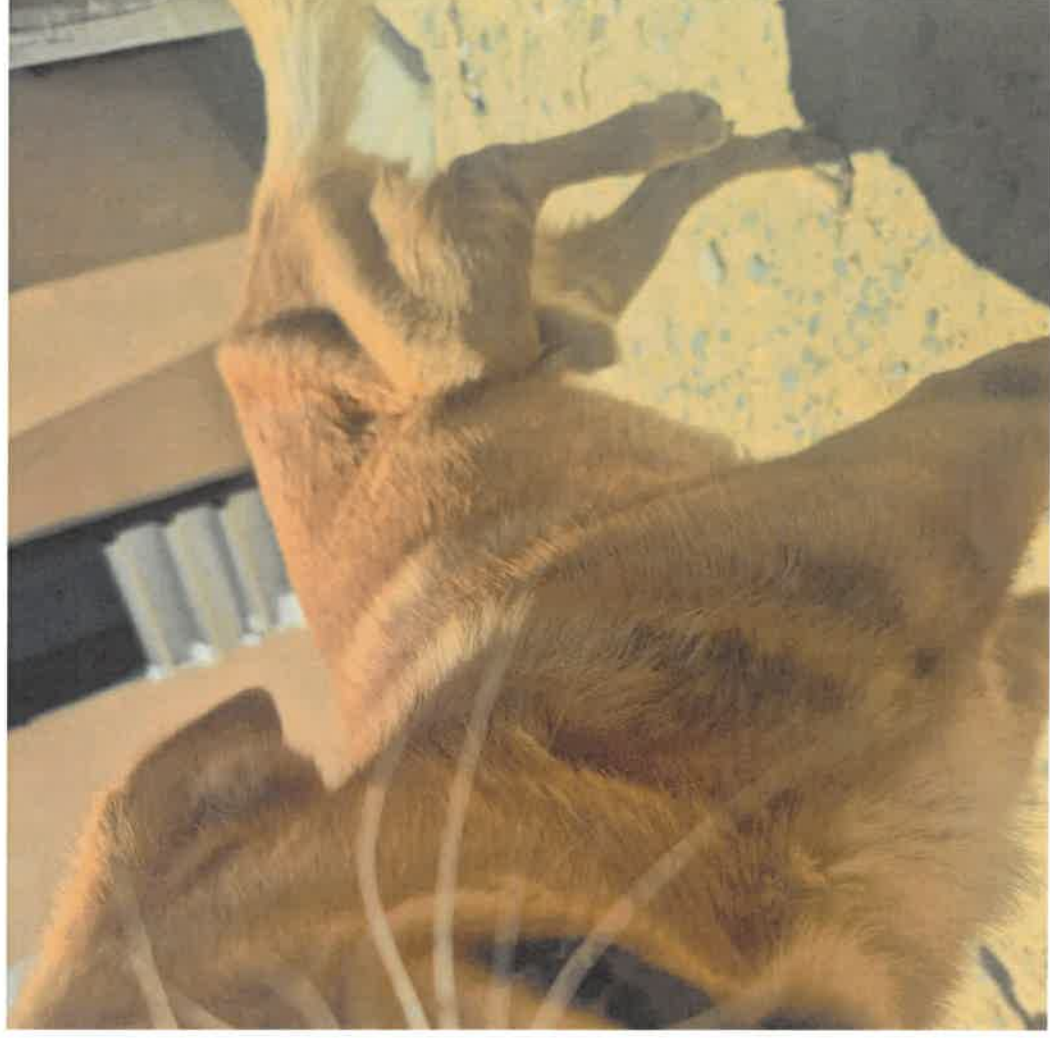


Photo 2 - Injured leg with obvious deformity

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-29

Taken with: Samsung Galaxy A25



Photo 3 - The injured leg

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-29

Taken with: Samsung Galaxy A25



Photo 4 - The injured leg non weight bearing

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-29

Taken with: Samsung Galaxy A25



Photo 5 - Warning notice attached to the door

Cape of Good Hope



Case: INSP227318

Album B

Inspection 30 January 2026

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-30

Taken with: Samsung Galaxy A25



Photo 1 - Warning Notice attached to the door

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-30

Taken with: Samsung Galaxy A25



Photo 2 - The dog in question

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-30

Taken with: Samsung Galaxy A25



Photo 3 - The injured leg

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-01-30

Taken with: Samsung Galaxy A25



Photo 4 - Side profile of the dog

Cape of Good Hope



Case: INSP227318

Album C

Inspection 31 January 2026

Taken at: 39023, 43 ARVON CRESCENT, FOREST VILLAGE

Photo taken by: Inspector Yaaseen Abrahams

Taken on: 2026-01-31

Taken with: Samsung Galaxy A25



Photo 1 - The dog in question

Cape of Good Hope



Case: INSP227318

Album D

Final Inspection 2 February 2026

Taken at: Cape of Good Hope SPCA Animal Hospital
Photo taken by: Inspector Lwazi Ntungele
Taken on: 2026-02-02
Taken with: Samsung Galaxy A25

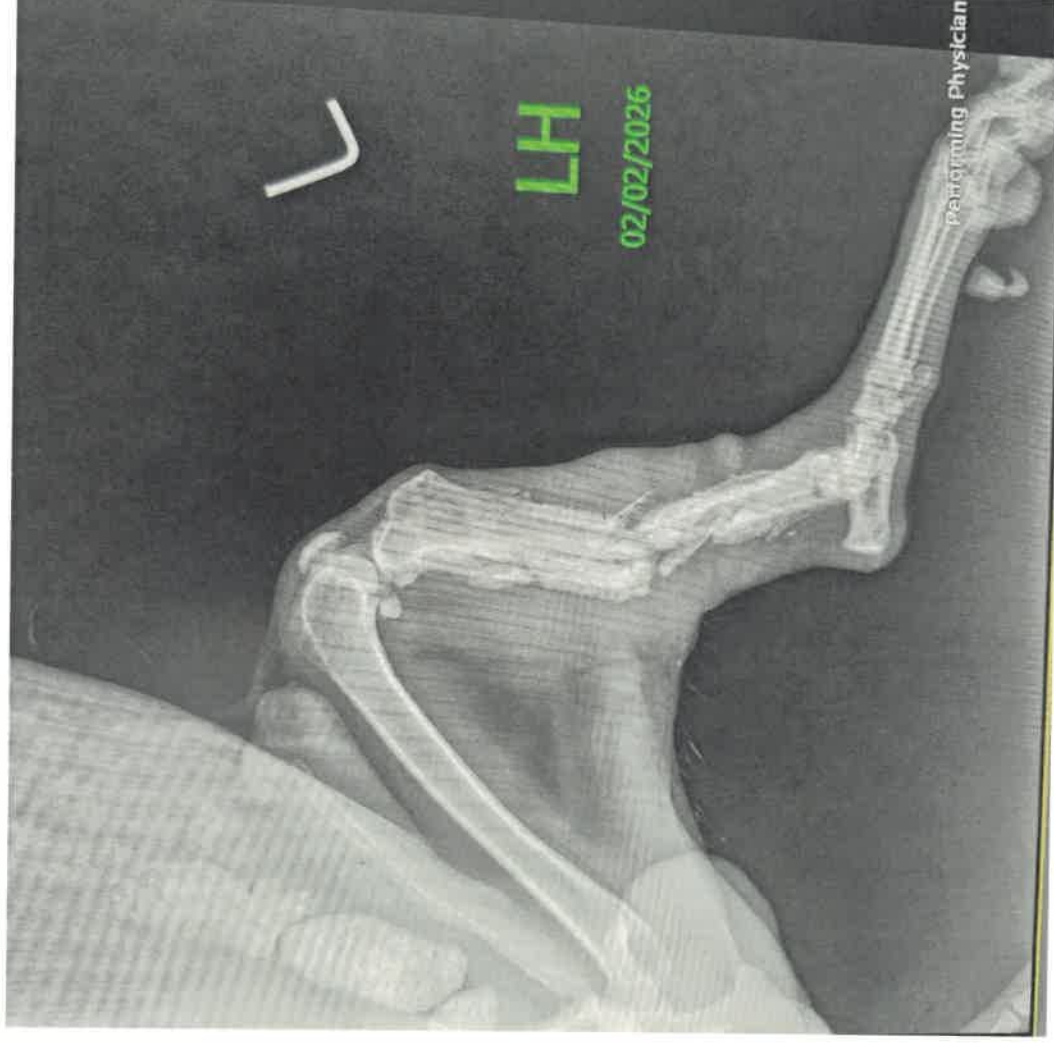


Photo 1 - Radiograph of the injured leg

Taken at: Cape of Good Hope SPCA Animal Hospital

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-02-02

Taken with: Samsung Galaxy A25



Photo 2 - Wound on the leg

Taken at: Cape of Good Hope SPCA Animal Hospital

Photo taken by: Inspector Lwazi Ntungele

Taken on: 2026-02-02

Taken with: Samsung Galaxy A25



Photo 3 - The injured limb



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

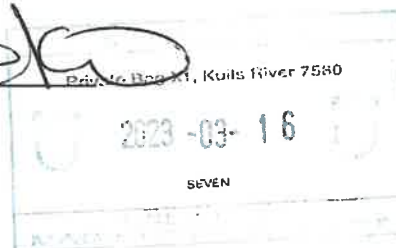
Name Ms N.G. Sibeko Official Stamp to go here

Signed [Signature] Private Road 11, Kuils River 7580

Holder's Photograph



SPCA NATIONAL COUNCIL
Authorisation No. **14357**



Incorporated Association not for gain

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



Ingelyfde Vereniging sonder winsoogmerk

Cnr 1st Avenue & 1st Road, Grassy Park, 7941
PO Box 3, Plumstead, 7801
Tel: 021 700 4140
Fax: 021 705 2127

inspectorate@spca-ct.co.za
www.capespca.co.za

WARNING

24127

To: Mr / Mrs / Ms <u>Robson Noko</u>	Date <u>26 January 2026</u>
Address <u>FOREST V. / VET LB</u>	
<u>SILVERLEAF DRIVE FOREST VILLAGE</u>	ID No <u>8404225841085</u>
Tel No	Cell No <u>073 601 6195</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 Nengele on **021 700 4158** or **021 700 4159** within 1 hours / days to discuss the concerns. 083 5261604 (A/11)
- ☐ 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 Noko Noko

PLACE: Forest Village TIME: 14.17

INSPECTOR: Lwazi Nengele Nengele

Incorporated Association not for gain

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



Ingelyfde Vereniging sonder winsoogmerk

Cnr 1st Avenue & 1st Road, Grassy Park, 7941
PO Box 3, Plumstead, 7801
Tel: 021 700 4140
Fax: 021 705 2127

inspectorate@spca-ct.co.za
www.capespca.co.za

WARNING

24130

To: Mr / Mrs / Ms <u>Owner / Caregiver / Caretaker</u>	Date <u>29 January 2026</u>
Address <u>39023 (26) Arvon Crescent, Forest Village</u>	
Tel No	ID No
Veh Reg No	Cell No
	Trailer Reg No

You are hereby warned: (Please pay attention to all the points on this warning, even those not ticked)

- ☐ 1. To provide the animal/s with adequate food on a daily basis.
- ☒ 2. To provide the animal/s with sufficient potable water 24 hours a day.
- ☐ 3. To provide the animal/s with adequate shelter against the elements within hours / days.
- ☒ 4. To provide the ~~SICK~~ or injured animal/s with adequate veterinary treatment within 18 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 Nkomo on **021 700 4158** or **021 700 4159** within 18 hours / days to discuss the concerns. 083 326 1604 (A16)
- ☐ 14. Other / remarks:

[Handwritten signature]

This warning has been issued in terms of the Society for the Prevention of Cruelty to Animals Act 169 of 1993.

Failure to comply with this warning may render you liable for prosecution under the Animals Protection Act 71 of 1962 and / or Performing Animals Protection Act 24 of 1935.

Any person who:- obstructs, hinders or resists an officer authorised in terms of the Animals Protection Act 71 of 1962 or conceals any animal shall be guilty of an offence in terms of Section 8(4) of the aforementioned Act.

SIGNED & ACCEPTED BY: No one home, left on door
PLACE: Forest Village TIME: 12:49
SPECTOR: Lwazi Nkomo

Incorporated Association not for gain

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



Ingelyfde Vereniging sonder winsoogmerk

Cnr 1st Avenue & 1st Road, Grassy Park, 7941
PO Box 3, Plumstead, 7801
Tel: 021 700 4140
Fax: 021 705 2127

inspectorate@spca-ct.co.za
www.capespca.co.za

24131

WARNING

To: Mr / Mrs / Ms <u>Owner/Carer/Owner</u>	Date <u>30 January 2026</u>
Address <u>39023 (26) Arvon Crescent, Forest Village</u>	
Tel No	ID No
Veh Reg No	Cell No
	Trailer Reg No

You are hereby warned: (Please pay attention to all the points on this warning, even those not ticked)

- ☐ 1. To provide the animal/s with adequate food on a daily basis.
- ☒ 2. To provide the animal/s with sufficient potable water 24 hours a day.
- ☐ 3. To provide the animal/s with adequate shelter against the elements within _____ hours / days.
- ☒ 4. To provide the ~~sick or injured~~ animal/s with adequate veterinary treatment within 12 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 Nkungele on **021 700 4158** or **021 700 4159** within 12 hours / days to discuss the concerns. 023261604 (A/N)
- ☐ 14. Other / remarks:

[Handwritten signature]

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: No One Home, Left On Sale

PLACE: Forest Village TIME: 12:52

INSPECTOR: Lwazi Nkungele & Nkungele

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

FINAL NOTICE TO COMPLY

To: Mr / Mrs / Ms	FATIMA HARTZENBERG	Date	31/01/2026
Address	26 ARVON CRESCENT, FOREST VILLAGE	ID No	
Tel No		Cell No	078 370 2521
Veh Reg No		Trailer Reg No	

You are hereby instructed to:

- ① PROVIDE ADEQUATE VETERINARY ATTENTION FOR THE DOG 'CHICO' WITHIN 24 HOURS, AS IT APPEARS TO HAVE AN INJURED LEG. 15238
- ② PROVIDE ADEQUATE SHELTER FOR THE DOG WITHIN 5 DAYS
- ③ ENSURE THE ANIMALS HAVE ACCESS TO CLEAN WATER AT ALL TIMES.

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: F. HARTZENBERG
PLACE: FOREST VILLAGE TIME: 12H05
REPRESENTATIVE: V. ABRAHAMS SPCA: COGH

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

FATIMA HARTZENBERG

ACCUSED 1

RAYNO HARTZENBERG

ACCUSED 2

ANNEXURE TO THE CHARGE SHEET

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

THAT the accused are 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 28 January 2026 and 2 February 2026 and at or near 39023, 26 Arvon Crescent, Forest Village, Cape Town in the District/Regional Division of City of Cape Town: Kuils River, the accused, FATIMA HARTZENBERG (ACCUSED 1) and RAYNO HARTZENBERG (ACCUSED 2), or one or more of them, did unlawfully and intentionally, alternatively negligently: -

- neglect, to wit one (1) dog (a tan and white, unsterilised male cross-breed dog known as "Chico"), in their possession, custody, care or under their control, by failing to provide the care and attention required for an injured animal, in that the dog had a serious injury to its left hind leg, which appeared to be broken, and was observed limping and in apparent pain and discomfort, and the injury remained untreated notwithstanding Warning Notice No. 24130, Warning Notice No. 24131 and Final Notice to Comply No. 15238, as a result of which the injury had developed an offensive odour by 2 February 2026.

Penalty provision:

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

FATIMA HARTZENBERG

ACCUSED 1

RAYNO HARTZENBERG

ACCUSED 2

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 are 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 28 January 2026 and 2 February 2026 and at or near 39023, 26 Arvon Crescent, Forest Village, Cape Town in the District/Regional Division of City of Cape Town: Kuils River, the accused, FATIMA HARTZENBERG (ACCUSED 1) and RAYNO HARTZENBERG (ACCUSED 2), or one or more of them, did unlawfully and intentionally, alternatively negligently: -

- deny water to, to wit one (1) dog (a tan and white, unsterilised male cross-breed dog known as "Chico"), in that the dog was found to have no access to water on 29 January 2026, 30 January 2026, 31 January 2026 and 2 February 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

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: _____

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

THE STATE

V

FATIMA HARTZENBERG

ACCUSED 1

RAYNO HARTZENBERG

ACCUSED 2

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 are 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 28 January 2026 and 2 February 2026 and at or near 39023, 26 Arvon Crescent, Forest Village, Cape Town in the District/Regional Division of City of Cape Town: Kuils River, the accused, FATIMA HARTZENBERG (ACCUSED 1) and RAYNO HARTZENBERG (ACCUSED 2), or one or more of them, 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 tan and white, unsterilised male cross-breed dog known as "Chico"), thereby causing the dog unnecessary suffering, in that they failed to procure veterinary treatment for its injured leg and failed to ensure access to water, despite repeated written warnings 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 tan and white, unsterilised male cross-breed dog known as "Chico"), unnecessary suffering.



ATT: Public Prosecutor,

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

In the case of the State versus:

- FATIMA HARTZENBERG (ACC 1).
- RAYNO HARTZENBERG (ACC 2).

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

SECTION 2

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

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

- *The accused neglected the dog, Chico, by failing to provide the necessary care and attention required for an injured animal. Chico sustained a serious injury to his left hind leg, which appeared to be broken, and was observed limping and experiencing apparent pain and discomfort over a prolonged period. Despite the condition of the dog, the accused failed to procure veterinary treatment. Inspector Ntungele attended the property on 29 January 2026 and again on 30 January 2026, and on both occasions observed the dog still suffering from the untreated injury. The accused was specifically warned to obtain veterinary treatment without delay, but failed to do so. On 02 February 2026, the injury remained untreated and had developed an offensive odour, indicating a deterioration in the condition of the injury. The failure to obtain veterinary treatment, despite repeated warnings and the obvious condition of the animal, constitutes a failure to exercise the reasonable care required to prevent the animal from suffering.*

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

- *The accused failed to ensure that the animals on the property had access to clean drinking water. On 29 January 2026, Inspector Ntungele observed that Chico had no access to water. On 30 January 2026, during a follow-up inspection, there was again no water available to the dog. On 02 February 2026, when the dog was surrendered to the SPCA, there was still no water available. The accused was specifically warned on 29 January 2026 to ensure that animals had access to clean water at all times, yet the same deficiency was observed during subsequent inspections. The repeated absence of potable drinking water demonstrates a continuing failure to provide one of the most basic requirements for the welfare and maintenance of the animals.*

(e) being the owner of any animal, deliberately or negligently keeps such animal in a dirty or parasitic condition or allows it to become infected with external parasites or fails to render or procure veterinary or other medical treatment or attention which he is able to render or procure for any such animal in need of such treatment or attention, whether through disease,

injury, delivery of young or any other cause, or fails to destroy or cause to be destroyed any such animal which is so seriously injured or diseased or in such a physical condition that to prolong its life would be cruel and would cause such animal unnecessary suffering; or

- *The accused failed to render or procure veterinary treatment for Chico despite the dog sustaining a serious injury to its left hind leg and displaying obvious signs of pain and discomfort. The injury was allegedly sustained during November 2025, meaning that the dog had remained injured and untreated for an extended period before the SPCA intervention. Inspector Ntungele observed the dog on 29 January 2026 and noted that the injury appeared to be severe, with the dog experiencing difficulty walking. The accused was thereafter issued with a warning requiring immediate veterinary attention. On 30 January 2026, the dog remained untreated and was still unable to walk properly. A further warning was issued requiring veterinary treatment within 12 hours. On 02 February 2026, the dog remained untreated and the injury emitted an offensive odour. The accused subsequently surrendered the dog to the SPCA after admitting that she had not obtained veterinary treatment, stating that she had been too busy at work to do so. The accused therefore failed to procure veterinary treatment which she was able to procure, despite being expressly informed of the need for such treatment and having been afforded an opportunity to remedy the situation.*

(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 animals at the property, permitted the continued omission to provide adequate veterinary treatment and access to clean drinking water. Despite being expressly notified by the SPCA of the condition of Chico and being instructed to obtain veterinary treatment, the required treatment was not procured. The accused further permitted the dog to remain at the property in an injured and untreated condition until it was ultimately surrendered to the SPCA on 02 February 2026.*

(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, by failing to procure veterinary treatment for Chico and by failing to ensure that the dog had access to clean drinking water, caused or permitted the dog to endure unnecessary suffering. The suffering was not an isolated incident, but continued over a prolonged period. The dog had an untreated serious injury to its left hind leg, remained visibly lame and in apparent pain, and by 02 February 2026 the injury had developed an offensive odour. The accused was repeatedly placed on notice of the animal's condition and was specifically instructed to obtain veterinary treatment, but failed to do so. The continued omission to obtain the necessary veterinary treatment, despite having knowledge of the dog's condition and being expressly warned by the SPCA, resulted in the prolongation of the dog's 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	KLEINVELI	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: 39023, 26 ARVON CRESCENT, FOREST VILLAGE CAPE TOWN		
	ACCUSED: (1) FATIMA HARTZENBERG (2) RAYNO HARTZENBERG		
	WITNESS: SPCA INSPECTOR MOGHAMAD YAASEEN ABRAHAMS	A2	
	Commissioned Veterinary Report	A3	
	Photographic Evidence	A4	
	Magisterial Authorisation	A5	
	Warning Notice 24130	A6	
	Warning Notice: 24131	A7	
	Notice to Comply: 15238	A8	
	MODUS: AS PER A1 AND A2		
	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	

