Questions and Answers on How to report cases: prosecuting veterinary transgressions.

Q Clive Marwick: Thank you, Jan that is very informative.

In jest: My question was going to be exactly that, what happened to all that meat from all those bones that were lying around there?

I think for the private practitioners that are here today, that is the standard diet for a rural animal practitioner, lunchtime is a pie and a coke, so perhaps they are going to reconsider their meal in the future.

Q Unknown: Thank you. Jan, you know me, we are in the same unit, but I am in Gauteng. We are struggling to prosecute. We have very few cases that go beyond the police station level. I think the reason is as you have alluded to in your presentation, when we go to the police station the police officers have no knowledge of veterinary legislation, firstly, and that makes it very difficult for our cases to go to court.

I am hoping that you will share with us how to break that barrier, because we have tried to talk to the police, to try and explain to them what we do so that when we go and register our cases that a working relationship has been established between us and the police, but it did not work.

During the past twenty-four months we have not registered a case before court, and that is disheartening, and resulted in us having repeat offenders. I am sure you are aware of a syndicate of horse- and donkey illegal slaughter. Some coming from as far as the Northern Cape, but most of this meat land up in Gauteng and we end up not knowing what to do, because these guys are so clever. They know that we report the cases for investigation by yhte police and but nothing happens.

A Jan Nel: Alright, I get you. I understand 100% from where you are coming. The first thing is, and remember what I said, you must be persistent, you must be on their cases. If they do not want to register your case, you phone me. I have got a direct line to Brigadeur Kopitato, he is now the provincial head for stock theft belated cases.

We have an inter-provincial coordinating forum which he personally chairs once a month whereby Gauteng, North West, Limpopo, Northern Cape and Free State sitting down at the table and we are discussing all these illegal operations. So if your case does not get any or not the attention that you think it deserves, you phone me, I will phone Brigadeur Kopitato and I will explain to him and I promise you within fifteen minutes you will have a result. I can promise you that.

Q Unknown: Okay, my second point, second and last point. I wanted to link that with your last point where you said that where the confiscated goods are stored, we have a challenge with that, because we are
currently using Cullinan. If I were to present to a court that, I am not physically in Cullinan and the confiscated goods are stored in Cullinan how will it be dealt with?

A Jan Nel: I understand what you are getting at. So you are talking about the lack of holding facilities for confiscated goods. Okay, that is very simple. Remember one thing that the Criminal Procedure Act is very clear. The person may not have that in his possession, because remember you are handing it over to the SAPS.

If you do not have storage facilities, the officer commanding that station can make a decision on the confiscated goods. If he does not have any storage or cannot store it, he can decide to destroy it. The question is, is that person allowed to have that in his possession? Illegal slaughtered no, he is not allowed to have it in his possession, because he slaughtered it illegally.

What is the big issue? They make a decision and they destroy it, the police, and you know what is the nice part about it, if there is any comebacks it goes to the police and not to the department. Any more questions?

Q Unknown: Yes, I just wanted clarity about testing of a sample. When I test a sample at the laboratory, and there is a court case about it, maybe the farmer does not believe the results or he compared it with results of another laboratory, because most of the time farmers send the samples to other laboratories as well, to just see how the various results present.

In most cases it would be positive cases and the farmers do not want to believe that their animals are actually sick. If there is a court case, who is going to be in the stand? Is it me as the veterinary technologist or is it the Director in my department or will it be the veterinarian responsible for that laboratory?

A Jan Nel: Firstly, you must just ensure that your Standard Operating Procedures SOPs are intact. I presume, I do not know anything about laboratories. All that I can tell you is that my logic says that your SOP must be intact. So you receive samples and you take a photo of it. Cut it open and do all the normal procedures.

And then there is the SAAVA's expert, but if your SOP and your procedures are intact and you are accredited nobody can attack your results, because you are deemed to be the expert. Your tests have been validated and everything is correct, am I correct in saying that?

Thank you. So then everything is well and then you are seen as an expert witness, so they cannot question your test results if you followed the correct SOP.

Q Unknown: Thank you Jan for that very informative talk. I may call you,
but if you can clarify this aspect please. You used to work for the Department of Agriculture down in Cape Town in the Western Cape. There is a place called Nyanga. The Safety Act is clear that you do not slaughter to sell. There you can slaughter for your own consumption.

Now what do you do when the local police officers are eating the meat that are illegally slaughtered; and secondly, the Cape Town City Health Department provides them with boots and aprons and stainless steel tables to carry on working?

Thank you.

A Jan Nel: Wow, we are taking up a bit of time is it fine? Remember it is a criminal offence according to the Act. So if you do not get any joy from the police station and they are eating the illegal meat themselves, then there are ways of dealing with that. For example to report that case higher up in the chain. If you still do not get any results then you go to the Independent Police Investigation Directorate [IPAD] and say listen we have this problem, it is a criminal offence according to our Act.

If the police are not doing anything, they are participating in it then IPAD will take it further. But like I said you have my number, it is easy we phone the national stock theft coordinator and say listen investigate, this is what is happening. So we can take it from there. But it is not only contained to the Western Cape, North West exactly the same.

There are certain areas where the police is eating the meat just as hard and even transport the animals for slaughtering.