



Anthony Brink &lt;anthonybrink.sa@gmail.com&gt;

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**CI 238/25 - Brink v JSC - First Complaint re JSC's illegal refusal to comply with a PAIA request**

1 message

**Anthony Brink** <anthonybrink.sa@gmail.com>

24 November 2025 at 13:06

To: Mserepa@inforegulator.org.za, MMagagula@inforegulator.org.za

Cc: Mbali Mondlane &lt;MMondlane@judiciary.org.za&gt;, Nelson Phakola &lt;nphakola@judiciary.org.za&gt;

Dear Moraka Serepa and Mathapelo Magagula

On 29 September, nearly two months ago, I was assured by your Admin Assistant Ms Ntombi Mkhulise that my complaint on 8 September made under section 77A of PAIA about the Judicial Service Commission's illegal denial of access to one of its records would be investigated by you under section 77E.

My constitutional right of access to the record I duly requested couldn't be more straightforward:

The JSC didn't even invoke any of the only lawful grounds for refusing access permitted by sections 34 to 45 of PAIA.

Instead it basically told me that if I just stick around long enough, I'll one day find out the information I'm seeking when a decision eventually gets delivered in a certain disciplinary appeal case. (Being told this was cold comfort, because the JSC's Judicial Conduct Committee took *two-and-a half years* to deliver its decision in a similar appeal case, even as it apologised profusely for the delay; see [corrupt-judges.co.za/MIambo\\_JP](http://corrupt-judges.co.za/MIambo_JP).)

PAIA does not allow a records requester to be so casually and cluelessly fobbed off like this, and the JSC incontestably has violated my fundamental civil right to information in our open democracy, guaranteed by section 32(1)(a) of the Bill of Rights, and given effect by PAIA -- whose section 25 places a strict time limit on how long a requester can be kept waiting for the information he's seeking, namely 30 days max.

It's been four months now since I duly requested the simple piece of information I want, and I'm still in the dark about it.

If JSC information officer Maya CJ knew about this, she'd surely be furious at the pathetic incompetence of her staff; at their illegal misconduct; and at their exposure of her JSC to a declaratory order by the High Court that it has violated the Constitution.

Please advise me what steps you've taken in your pre-investigation of my complaint, and when I can expect your report.

It needs your priority attention.

Sincerely

Adv Anthony Brink

PS: For easy reference, both my complaint to the Information Regulator and Ms Mkhulise's assurance of attention are accessible at [corrupt-judges.co.za/JSC\\_PAIA\\_3](http://corrupt-judges.co.za/JSC_PAIA_3).