

## FORM 2

# REQUEST FOR ACCESS TO RECORD

[Regulation 7]

**NOTE:**

1. Proof of identity must be attached by the requester.
2. If requests made on behalf of another person, proof of such authorisation, must be attached to this form.

**TO:** The Information Officer  
Judicial Service  
Commission  
188 14th Rd,  
Noordhoek, Midrand  
(Address)

E-mail address: msongca@judiciary.org.za

Fax number: \_\_\_\_\_

Mark with an "X"

Request is made in my own name

Request is made on behalf of another person.

| PERSONAL INFORMATION   |                                 |            |            |
|--|---------------------------------|------------|------------|
| Full Names   | Adv Anthony Brink               |            |            |
| Identity Number  | 5902255116081                   |            |            |
| Capacity in which request is made<br>(when made on behalf of another person) |                                 |            |            |
| Postal Address   | 36 Pearson St, Eshowe 3815, KZN |            |            |
| Street Address   | Same as above                   |            |            |
| E-mail Address   | anthonybrink.sa@gmail.com       |            |            |
| Contact Numbers  | Tel. (B):                       |            | Facsimile: |
|  | Cellular:                       | 0837794174 |            |
| Full names of person on whose behalf request is made (if applicable):        |                                 |            |            |
| Identity Number  |                                 |            |            |
| Postal Address   |                                 |            |            |

|   |              |  |           |
|---|--------------|--|-----------|
| Street Address  |              |  |           |
| E-mail Address  |              |  |           |
| Contact Numbers   | Tel. (B)     |  | Facsimile |
|   | Cellular     |  |           |
| <b>PARTICULARS OF RECORD REQUESTED</b>  |              |  |           |
| <p><i>Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)</i></p> |              |  |           |
| Description of record or relevant part of the record:   |              |  |           |
|   | See annexure |  |           |
|   |              |  |           |
|   |              |  |           |
| Reference number, if available  |              |  |           |
| Any further particulars of record   |              |  |           |
|   |              |  |           |
|   |              |  |           |
|   |              |  |           |
| <b>TYPE OF RECORD</b><br><i>(Mark the applicable box with an "X")</i>   |              |  |           |
| Record is in written or printed form  |              |  | X         |
| Record comprises virtual images <i>(this includes photographs, slides, video recordings, computer-generated images, sketches, etc)</i>  |              |  |           |
| Record consists of recorded words or information which can be reproduced in sound   |              |  |           |
| Record is held on a computer or in an electronic, or machine-readable form  |              |  | X         |

**FORM OF ACCESS**  
(Mark the applicable box with an "X")

|  |   |
|--|---|
| Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form) PDF copies | X |
| Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc)                       |   |
| Transcription of soundtrack (written or printed document)  |   |
| Copy of record on flash drive (including virtual images and soundtracks)   |   |
| Copy of record on compact disc drive (including virtual images and soundtracks)  |   |
| Copy of record saved on cloud storage server   |   |

**MANNER OF ACCESS**  
(Mark the applicable box with an "X")

|  |   |
|--|---|
| Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form) |   |
| Postal services to postal address  |   |
| Postal services to street address  |   |
| Courier service to street address  |   |
| Facsimile of information in written or printed format (including transcriptions)   |   |
| E-mail of information (including soundtracks if possible)  | X |
| Cloud share/file transfer  |   |
| Preferred language<br>(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available)  |   |

**PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED**  
*If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.*

|  |  |
|--|--|
| Indicate which right is to be exercised or protected | N/A  |
|  | (This requirement is relevant only to requests for access to |
|  | information held by PRIVATE bodies, not by State entities.)  |

|  |                |
|--|----------------|
| Explain why the record requested is required for the exercise or protection of the aforementioned right: | N/A            |
|  | (Same reason.) |
|  |                |

| <b>FEEES</b> |  |
|--------------|--|
| a)           | <i>A request fee must be paid before the request will be considered.</i>   |
| b)           | <i>You will be notified of the amount of the access fee to be paid.</i>  |
| c)           | <i>The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.</i> |
| d)           | <i>If you qualify for exemption of the payment of any fee, please state the reason for exemption</i>   |
| Reason       |  |
|              |  |
|              |  |

You will be notified in writing whether your request has been approved or denied and if approved the costs relating to your request, if any. Please indicate your preferred manner of correspondence:

| Postal address | Facsimile | Electronic communication<br><i>(Please specify)</i> |
|----------------|-----------|---|
|                |           | By email to above-stated email address              |

Signed at Eshowe this 22nd day of September 20 25



\_\_\_\_\_  
**Signature of Requester / person on whose behalf request is made**

-----  
**FOR OFFICIAL USE**

|  |  |
|--|--|
| Reference number:  |  |
| Request received by:<br><i>(State Rank, Name And Surname of Information Officer)</i> |  |
| Date received:   |  |
| Access fees:   |  |
| Deposit (if any):  |  |

\_\_\_\_\_  
**Signature of Information Officer**

## PAIA REQUEST ANNEXURE

### NOTE WELL:

Only the '*information officer*' of the Judicial Service Commission ('JSC') as defined in section 1 of the Promotion of Access to Information Act ('PAIA'), or the JSC's deputy information officer holding a written delegation issued by the JSC's information officer under section 17, is authorised to respond to this records request made under section 18.

Under section 1, an information officer holds such office *ex officio*, and cannot lawfully be appointed to that office by any person, nor can an information officer be empowered by registration by the Information Regulator ('IR'); and a certificate issued by the latter to any unqualified person purporting to record or reflect who the JSC's information officer is will be legally irrelevant and of no force and effect.

In section 1, '*information officer*' as defined by paragraph (c) '*in the case of any other public body, means the chief executive officer, or equivalent officer, of that public body or the person who is acting as such*'.

As regards the JSC, the '*chief executive officer, or equivalent officer, of that public body*' is JSC chairperson Chief Justice Mandisa Maya.

It follows that Maya CJ is the JSC's information officer *ex officio* under section 1.

According to JSC secretary Mbali Songca on oath, '*There is no person delegated as the JSC deputy information officer*'.

See her affidavit claiming this online at [bit.ly/4gAvRmH](http://bit.ly/4gAvRmH) or at [corrupt-judges.co.za/JSC\\_PAIA\\_2/Response\\_JSC\\_PAIA\\_2/PAIA\\_Affidavit.pdf](http://corrupt-judges.co.za/JSC_PAIA_2/Response_JSC_PAIA_2/PAIA_Affidavit.pdf).

The reason Mrs Songca gives as to why no one at the JSC has been delegated as a deputy information officer, namely that '*the JSC is within the ambit of the OCJ*' (the Office of the Chief Justice), is both wrong in fact and irrelevant in law.

The JSC and OCJ are entirely separate and independent public bodies and charged with performing completely different functions.

The JSC is an organ of state established by Section 178 of the Constitution of South Africa, 1996, essentially to pick and discipline judges.

The OCJ, on the other hand, is a department of state created many years later by Presidential proclamation on 23 August 2010, principally to support the Chief Justice carry out her responsibilities as head of the judiciary.

See [bit.ly/4m4AWVE](http://bit.ly/4m4AWVE) or [judiciary.org.za/index.php/ocj/the-establishment-of-the-ocj](http://judiciary.org.za/index.php/ocj/the-establishment-of-the-ocj).



Unless the JSC's information officer, chairperson Maya CJ, delegates someone in writing as deputy information officer to respond to this request, she will be bound by PAIA to respond to it herself.

Without a written delegation as deputy information officer by JSC information officer Maya CJ, any other person responding to this request, whatever his or her job description or internal rank, will be acting *ultra vires*, legally incompetently, and unlawfully; and his or her purported response will be a legal nullity.

This includes Mrs Songca (per her above-cited affidavit), '*employed by the Office of the Chief Justice (OCJ) as Senior State Law Advisor, (Judicial Service Commission Secretariat)*'.

To put it bluntly, without holding a written delegation as deputy information officer issued by JSC information officer Maya CJ under section 17, Senior State Law Advisor Songca is no more legally empowered to respond to this records request than her office tea lady.

A certificate from the IR recording the registration of some person as the JSC's deputy information officer under section 56 of the Protection of Personal Information Act does not legally substitute for a written delegation by the JSC's information officer under section 17 of PAIA; and in the absence of a written delegation, such registration by the IR and certificate will be irrelevant and of no legal force and effect.

Likewise legally irrelevant, incompetent and unlawful will be the response to this request by any person employed by the Office of the Chief Justice ('OCJ') – a state department and completely different public entity, quite separate from the JSC – even if this person is the OCJ's information officer per section 1 or deputy information officer duly delegated under section 17. Only a deputy information officer delegated in writing by the JSC's information officer Maya CJ may legally respond to this request, if information officer Maya CJ doesn't do so herself.

In the event that any legally unauthorised and incompetent person unlawfully refuses this request or any part of it in breach of the JSC's constitutional information transparency obligations imposed by section 32(1)(a) in the Bill of Rights in Chapter 2 of the Constitution, and it becomes necessary to sue for access to any illegally and unconstitutionally refused record(s), the requester ('Brink') will seek a punitive cost order against this delinquent public officer *de bonis propriis*, which is to say an order that he or she pay these costs personally.

It will then be the second time Brink has had to sue the JSC for access to illegally and unconstitutionally refused records. See [bit.ly/3JEXE96](http://bit.ly/3JEXE96) or [illegal-aid.co.za/JSC/PAIA/Application](http://illegal-aid.co.za/JSC/PAIA/Application).

And the third time the JSC has illegally violated his constitutional right to information. See item 10 at [bit.ly/4lkHRKm](http://bit.ly/4lkHRKm) or at [illegal-aid.co.za/JSC/Waglay\\_JP](http://illegal-aid.co.za/JSC/Waglay_JP).



In which event, the IR will be required to report the JSC's aggravated, wilful, persistent non-compliance with its information transparency obligations under section 32(1)(a) of the Constitution, given effect by PAIA, to the National Assembly under section 84.

The only grounds on which access to a public body record may or must be refused are those set out in sections 34 to 45 in Part 4 of Chapter 2; and quite obviously no record specified below is hit by any of them.

If any record specified herein does not exist, section 23 requires that the JSC's information officer or duly delegated deputy information officer to certify this under oath or affirmation, on pain of the criminal penalty for perjury under section 9 of the Justice of the Peace and Commissioners of Oath Act: *'Penalties for false statements in affidavits and certain other declarations.—Any person who, in an affidavit, affirmation or solemn or attested declaration made before a person competent to administer an oath or affirmation or take the declaration in question, has made a false statement knowing it to be false, shall be guilty of an offence and liable upon conviction to the penalties prescribed by law for the offence of perjury.'*

If the JSC's information officer or deputy information officer doubts the correctness of any of the above statements of law, he or she would be well advised to consult the IR under section 83(3) of PAIA to confirm them all, before responding to this records request potentially incorrectly, unlawfully and unconstitutionally.

If the response to this request is fouled again, like the last time (item 10, [bit.ly/4lkHRKm](https://bit.ly/4lkHRKm)), the IR will report such further instance of persistent non-compliance with PAIA by the JSC, which is to say with its constitutional information transparency obligations, to the National Assembly under section 84.

## RECORDS REQUIRED

1. If a deputy information officer responds to this records request, his or her written delegation as such by the JSC's information officer under section 17 of PAIA.

NOTE: A certificate by the IR does substitute for a written delegation under section 17, and the production of such a certificate will not be validly responsive to this request.



2. The PAIA manual published by the JSC under section 14(1) of PAIA or the Justice Minister's exemption from publishing it issued under section 14(5).

NOTE: Under '*Offences*', section 90(2) provides: '*An information officer who wilfully or in a grossly negligent manner fails to comply with the provisions of section 14 commits an offence and is liable on conviction to a fine, or to imprisonment for a period not exceeding two years.*'

3. Any record identifying the investigating judge on the JSC's Judicial Conduct Committee ('JCC') to whom Brink's complaint against Portia Poyo-Dlwati JP (then ADJP) in November 2022 ('the complaint') was referred by the JCC chairperson for decision.

NOTE: The complaint was lodged and acknowledged in the same month, and allocated reference number JSC 1054/22.

See [illegal-aid.co.za/JSC/Poyo\\_Dlwati\\_ADJP](http://illegal-aid.co.za/JSC/Poyo_Dlwati_ADJP).

4. Any record vouching that Brink's letter to JSC chairperson Mandisa Maya CJ in April 2025, protesting the JCC's undue delay in resolving the complaint years later and entreating her intervention in expediting it, was forwarded to her or to the delegated chairperson of the JCC for her or his attention.

NOTE: Brink's letter to Maya CJ and its covering email vouching delivery to the JSC secretary are accessible online at the internet address stated above. The letter was not acknowledged.

5. Any record showing that the JSC- or JCC chairperson responded to Brink's letter by directing the investigating judge handling the complaint to get a move on and resolve it at last.
6. Any record reflecting the investigating judge's response to the JSC- or JCC chairperson's direction, if any, that the resolution of the complaint be expedited.



7. Any record reflecting that the investigating judge sought Poyo Dlwati JP's response to the complaint under section 17(3)(a) of the Judicial Service Commission Act.
8. Poyo Dlwati JP's response to the complaint, if she furnished it.
9. Maya CJ's reply to the Public Protector ('PP') after Brink complained to the latter about the JCC's failure to have resolved his complaint, even after his unacknowledged letter to her (Maya CJ), and the PP decided to refer the matter back to her for resolution.

NOTE: On 26 June 2025, two months Maya CJ hadn't replied to or even acknowledged Brink's letter to her about the JCC's failure to resolve his complaint, he complained to the Public Protector about the undue delay. The PP referred his complaint back to Maya CJ for resolution under section 6(4)(c)(ii) of the Public Protector Act.

Brink's complaint to the PP, and the PP's referral of it back to Maya CJ, are accessible at [illegal-aid.co.za/JSC/Poyo\\_Dlwati\\_ADJP](http://illegal-aid.co.za/JSC/Poyo_Dlwati_ADJP).

10. After the PP referred the matter back to Maya CJ, the latter's communication with the JCC chairperson or investigating judge concerning his or her failure to resolve Brink's complaint.
11. Maya CJ's response to the PP's reproach on 16 September 2025 about the JSC's failure to act on the PP's referral of the matter, or even to acknowledge it.

NOTE: The PP's reproach is accessible at [illegal-aid.co.za/JSC/Poyo\\_Dlwati\\_ADJP/PP/Response/PP\\_reproach\\_16\\_Sep\\_25.pdf](http://illegal-aid.co.za/JSC/Poyo_Dlwati_ADJP/PP/Response/PP_reproach_16_Sep_25.pdf)

12. Any record reflecting Maya CJ's response, if any, to the PP's reproach.
13. Maya CJ's delegation of Dunstan Mlambo DCJ as chairperson of the JCC under section 8(3) of the Judicial Service Commission Act.



14. The JCC’s invitation to Basheer Waglay JP (ret.) under section 18(1)(b) of the Judicial Service Commission Act to submit representations to the JCC Appeal Committee on the merits of Brink’s appeal case ahead of the Committee’s consideration on 10 July 2025 of this appeal against JCC member Goliath DJP’s dismissal of Brink’s complaint against him.

NOTE: The JSC’s file reference number is JSC533/17.

The case documents in Brink’s possession are accessible at  
[illegal-aid.co.za/JSC/Waglay\\_JP](http://illegal-aid.co.za/JSC/Waglay_JP).

15. Waglay JP’s representations to the JCC Appeal Committee in the said appeal case.
16. Apropos of the allegation by the Office of the Chief Justice (‘OCJ’) to Brink in the matter of his appeal against the dismissal of his misconduct complaint against Waglay CJ –

*‘The Judicial Conduct Committee (Committee) postponed the appeal hearing to its next meeting scheduled for 30 October 2025. The Committee considered it necessary that certain facts be investigated before the matter could be finalised.’*

– any record identifying what ‘*certain facts*’ the JCC Appeal Committee ‘*considered it necessary ... be investigated before the matter could be finalised.*’

NOTE: The quoted allegation is made in the OCJ’s notice dated 28 August 2025, refusing Brink’s request made under PAIA for any JSC record identifying the JCC Appeal Committee judges dealing with his said appeal.

See [illegal-aid.co.za/JSC/Waglay\\_JP/14.Refusal.pdf](http://illegal-aid.co.za/JSC/Waglay_JP/14.Refusal.pdf).

The refusal of Brink’s PAIA request for this information is the subject of a complaint to the Information Regulator and is currently under investigation.

See [illegal-aid.co.za/JSC/Waglay\\_JP/17.Acknowledgement.pdf](http://illegal-aid.co.za/JSC/Waglay_JP/17.Acknowledgement.pdf).

17. Concerning the OCJ's just quoted allegation, all correspondence between the JCC Appeal Committee and Waglay JP or any other party in the Committee's investigation of those '*certain facts*' to which the OCJ alluded.
18. The JSC's resolution, or the JSC chairperson's instruction, that the votes of JSC members be counted anonymously in disciplinary matters, and that no record be kept of the identities of who voted how.

NOTE: After the JCC Appeal Committee found Brink's criminal and other impeachable charges against Mlambo JP (as he then was) well-made and answerable before a Judicial Conduct Tribunal, the JSC voted 9 to 3 to reject this finding and to acquit him. (It's certain that Zondo CJ (as he then was) voted with the minority against this decision, because he dissented insistently during the debate, and repeatedly warned that the manifestly unlawful conduct of the proceedings exposed them to being set aside on judicial review.

See [corrupt-judges.co.za/JSC\\_record\\_2\\_May\\_2024.pdf](http://corrupt-judges.co.za/JSC_record_2_May_2024.pdf).)

The JSC secretary responded to Brink's request for the record of the split vote by stating that the JSC has '*a secret voting system and does not keep a record of who voted which way*'.

See [corrupt-judges.co.za/JSC\\_voting\\_anonymous.pdf](http://corrupt-judges.co.za/JSC_voting_anonymous.pdf).

19. Any record reflecting Judge Nana Makubela's official email address.

NOTE: The JSC's response to items 17-24 of Brink's second PAIA request for JSC records reveals that the Tribunal which found her guilty of misconduct was illegally and grossly irregularly constituted, and that its findings fall to be set aside on judicial review accordingly. See [corrupt-judges.co.za/JSC\\_PAIA\\_2](http://corrupt-judges.co.za/JSC_PAIA_2).

20. The JSC's enquiry, if any, addressed to the State Security Agency ('SSA') as to the identity/identities of the corrupt judge(s) suspected of having taken bribes in the implementation of the SSA's Project Justice, exposed at the State Capture Commission hearings.

NOTE: In his report on corruption at the SSA delivered to the President on 22 June 2022, State Capture Commission chairperson Raymond Zondo CJ reviewed and accepted as true the evidence of the several witnesses, including that of former Safety and Security Minister Sydney Mufamadi who'd just chaired a high-level



review of the SSA, that many millions of rands were made available and delivered in hard cash over several months during the SSA's rogue operation Project Justice to bribe judges, concerning which then-SSA Acting Director General Loyiso Jafta testified on 26 January 2021: '*We have very strong circumstantial evidence that some of the money went into the hands of some of the members or a member of the Judiciary*', and that, '*Investigations are on-going*' about this.

Material portions of the transcript of Jafta's evidence are accessible at [politicweb.co.za/documents/did-the-zuma-govt-manage-to-corrupt-the-judiciary](http://politicweb.co.za/documents/did-the-zuma-govt-manage-to-corrupt-the-judiciary). Material highlighted excerpts of Zondo CJ's report concerning Project Justice are posted at [corrupt-judges.co.za/Project\\_Justice/Project\\_Justice.pdf](http://corrupt-judges.co.za/Project_Justice/Project_Justice.pdf).

The full report is at

[justice.gov.za/commissions/STCC/STCC-Report-Part-V-Vol-01.pdf](http://justice.gov.za/commissions/STCC/STCC-Report-Part-V-Vol-01.pdf).

21. The SSA's response, if any, to the JSC's said enquiry.
22. The SSA's report to the JSC, if any, at the conclusion of its investigation to determine which corrupt judges had been bribed during Project Justice.
23. The JSC's enquiry, if any, addressed to former SSA Director General Arthur Fraser, or to his counsel Advocate Muzi Sikhakhane SC, or to his attorney as to the identities of the corrupt judges to whom Sikhakhane SC was alluding when stating to the State Capture Commission on 16 November 2020 during his appearance on Fraser's behalf that the latter had '*secrets*' about '*serious, very serious matters*', '*things ... that relates to the judges ... what's been happening there*', which he'd prefer not to disclose under his oath of confidentiality.

NOTE: Sikhakhane SC can be seen making this claim at 1 min 50 sec on in this video clip: [corrupt-judges.co.za/Sikhakane\\_at\\_Zondo\\_Commission.mp4](http://corrupt-judges.co.za/Sikhakane_at_Zondo_Commission.mp4).

24. Fraser's or his lawyers' reply, if any, to the JSC's said enquiry.
25. The JSC's demand of Lieutenant-General Nhlanhla Mkhwanazi of the South African Police Services that he substantiate his allegation made at his press

conference on 6 July 2025 that *'members of the judiciary'* were implicated in corruption.

NOTE: See [ewn.co.za/2025/07/10/judiciary-demands-evidence-in-wake-of-mkhwanazis-corruption-allegations](http://ewn.co.za/2025/07/10/judiciary-demands-evidence-in-wake-of-mkhwanazis-corruption-allegations)

26. General Mkhwanazi's response, if any, to the JSC's demand.
27. If access to any record specified herein is refused, the most recent payslip of the person refusing access, reflecting his or her salary.

NOTE: Under *'Mandatory protection of privacy of third party who is natural person'*, section 34 (2)(f)(iii) provides: *'A record may not be refused in terms of subsection (1) insofar as it consists of information ... about an individual who is or was an official of a public body and which relates to the position or functions of the individual, including, but not limited to ... the salary scale, remuneration and responsibilities of the position held or services performed by the individual.'*

If the preceding record requests 1 to 26 above are duly responded to, this final specified record, item 27, will not be required (for publication at [corrupt-judges.co.za](http://corrupt-judges.co.za)), and the request for it may be disregarded and scratched from the list.





# REPUBLIC OF SOUTH AFRICA NATIONAL IDENTITY CARD

Surname:

**BRINK**

Names:

**ANTHONY ROBIN**

Sex:

**M**

Nationality:

**RSA**

Identity Number:

**5902255116081**

Date of Birth:

**25 FEB 1959**

Country of Birth:

**RSA**

Status:

**CITIZEN**



Signature:

A handwritten signature in black ink, appearing to be 'A. Brink', located below the signature label.

The logo for the South African Identity Register, consisting of the letters 'ID' in a stylized, bold font.

Conditions:

This card has been issued by the  
Department of Home Affairs in terms of the  
Identification Act, Act 68 of 1997

If found please return to the Department of Home Affairs  
For enquiry or verification purposes contact 0800 60 11 90

Date of Issue:  
15 NOV 2017

RSA  
17347



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