

EXCEPTIONALLY IMPORTANT; FOR PRIORITY ATTENTION:

REQUEST TO THE PRESIDENT OF THE SUPREME COURT OF APPEAL FOR CONSENT UNDER S. 47
OF THE SUPERIOR COURTS ACT TO SUE THE CHIEF JUSTICE UNDER S. 78 OF THE
PROMOTION OF ACCESS TO INFORMATION ACT

36 Pearson Street
Eshowe 3815, KZN
9 February 2026

Justice Betty Molemela, President of the Supreme Court of Appeal

By email to Simone Basson, Chief Registrar: sibasson@sca.judiciary.org.za
and Minkateko Maluleke, Office Manager, Office of the President of the Supreme
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Cc:

Chief Justice Mandisa Maya, Chairperson and Information Officer of the
Judicial Service Commission

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Dear Justice Molemela

REQUEST FOR YOUR CONSENT UNDER SECTION 47(1) OF THE
SUPERIOR COURTS ACT TO SUE CHIEF JUSTICE MANDISA MAYA –
CHAIRPERSON AND INFORMATION OFFICER OF THE JUDICIAL
SERVICE COMMISSION – UNDER SECTION 78 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT FOR DECLARATORY, MANDATORY, AND
COSTS ORDERS UNDER SECTION 82

1. On 22 September 2025, I delivered a request to the Judicial Service Commission ('JSC') under section 18 of the Promotion of Access to Information Act ('PAIA' or 'the Act') for access to a variety of specified records.
2. My request, its acknowledgement by JSC Secretary Mbali Songca, and all further documents in the matter are accessible online at corrupt-judges.co.za/JSC_PAIA_4.
3. For quick and easy reference, I annex the Form 2 request Annexure, listing the records I requested.
4. In view of past problems I'd encountered repeatedly over the past decade in trying to access JSC records under PAIA, I prefaced the Annexure with an exposition of the law applicable to the proper handling of my request ('Note').
5. As indicated in the Note, Chief Justice Mandisa Maya is the JSC's information officer *ex officio*, having regard to the definition of that office in section 1 of PAIA.
6. The Note quotes Ms Songca stating on oath that the JSC doesn't have any deputy information officers.
7. I very much doubt that my request was passed to information officer Maya CJ for her response to it; and I expect she'll be appalled to learn how it was mishandled – resulting in the violation of my constitutionally

entrenched, fundamental civil right to public body information, and her exposure to court orders being granted against her under section 82 of the Act, including a *declarator* of constitutional delinquency (mandated by section 172(1)(a) of the Constitution) and a *mandamus* directing her compliance with my request.

8. On 11 October 2025, Ms Songca asked me to resubmit my request to two lawyers employed by the Office of the Chief Justice ('OCJ'), whom she claimed were deputy information officers.
9. It's clear from this that Ms Songca either didn't read my Note on the law governing the handling of my request or didn't comprehend it, even though it was written in simple, easy-to-understand English.
10. One of the alleged deputy information officers she mentioned, Adv Nelson Phakola – who, from my past experience over the years, is the JSC's go-to guy in PAIA matters – appears not to hold a written delegation by the OCJ's information officer (its Director-General), and therefore isn't actually a deputy information officer of the OCJ (let alone of the JSC), contrary to Ms Songca's incorrect claim about this. The same is likely true of the other person mentioned by Ms Songca, namely Adv Wilna Lambley.
11. I established this by addressing a PAIA request to the OCJ in September 2025, in which I sought copies of Mr Phakola's written delegation as OCJ deputy information officer and the OCJ's PAIA manual published under section 14 of the Act. See my request at corrupt-judges.co.za/OCJ.
12. When my request for these two documents was illegally ignored, I asked the Information Regulator ('IR') to conduct a general PAIA compliance investigation of the OCJ under section 77H of the Act. Instead of doing this, the IR obtained the OCJ's PAIA manual and passed it on to me – but not the delegation I'd requested, which appears never to have been issued by the OCJ's information officer; in other words, doesn't exist. See Part 4 at corrupt-judges.co.za/IR/.

13. The OCJ's PAIA manual indeed identifies Advocates Phakola and Lambley as OCJ deputy information officers, but absent written delegations as such, signed and issued to them by the OCJ's information officer (its Director-General) under section 17(6) of PAIA, the mere fact that their names appear in this official information brochure doesn't invest them with this special authority to respond to PAIA requests for OCJ records.
14. Equally irrelevant is their registration by the IR as OCJ deputy information officers, if indeed the IR has issued them with such certificates. I mention this because I've discovered that the IR has been handing out deputy information officer registration certificates to Legal Practice Council employees who don't hold written delegations under section 17, and who therefore aren't deputy information officers, contrary to their false billing as such in the IR's false registration certificates.
15. Anyway, as pointed out in my Note, the OCJ and the JSC are quite different public bodies, established at different times, in different ways, for different purposes; and even if the said two advocates did hold written delegations as OCJ deputy information officers, that wouldn't have authorised them to respond to my PAIA request for JSC records addressed to the information officer of the JSC, a distinct organ of state.
16. Having legally effectively delivered my PAIA request for JSC records to JSC information officer Maya CJ, I declined to resubmit it to those two OCJ lawyers – especially because under PAIA only JSC information officer Maya CJ, or a deputy information officer she's designated in writing under section 17 of the Act, was legally competent to respond to my request.
17. But also because Adv Phakola had illegally and unconstitutionally refused a previous duly made PAIA request I'd made for a certain JSC record – aside from lacking authority under PAIA to respond to it – and his pitiful justification given for doing so, not permitted under any of sections 34 to 45 of the Act, revealed that he's clueless as to how PAIA works and about the

importance of our constitutionally entrenched right to information, to which the Act gives practical effect. See [corrupt-judges.co.za/JSC PAIA 3](http://corrupt-judges.co.za/JSC_PAIA_3).

18. And further because in responding to that previous PAIA request delivered to JSC information officer Maya CJ via JSC Secretary Songca, neither the latter nor Adv Phakola had come along with Ms Songca's new story that I should resubmit my request to him and/or Adv Lambley.
19. It's quite within JSC information officer Maya CJ's power under section 17(1) of the Act to designate OCJ employees Phakola and Lambley as deputy information officers of the JSC, since the JSC doesn't have its own staff and is administered by OCJ employees seconded to it; and indeed, the peculiar language of that subsection contemplates this. Given Adv Phakola's demonstrated professional ineptitude regarding PAIA, however, Adv Lambley looks a safer bet for such a critical delegation pertaining to the very serious business of respecting entrenched constitutional rights.
20. Section 25 of PAIA required a response to my request by no later than 30 days from the date I delivered it.
21. The time allowed expired without a response granting or refusing it and under section 27 of PAIA my request is deemed to have been refused.
22. No internal appeal lies in the case of a *'public body'* of the category 'b' type defined by section 1 of PAIA, so my first recourse for redress prescribed by section 78(1)(b) of PAIA, before suing under section 78 (*'Applications regarding decisions of information officers ...'*), was a complaint to the IR under section 77A about the tacit illegal and unconstitutional refusal of my request; and I duly filed it. See [corrupt-judges.co.za/JSC PAIA 4](http://corrupt-judges.co.za/JSC_PAIA_4).
23. This time, however, the IR refused to assist me – on the grounds that my manifestly serious complaint (not my PAIA request itself) was *'frivolous or vexatious or not made in good faith'* (pick any one you like), so *'any further action is unnecessary or inappropriate'*.

24. The IR's shambolic notice making these stupefying claims is linked in Part 3 at corrupt-judges.co.za/IR, along with my comments identifying the many contradictions and outright lies told in it.
25. Any honest reader of the notice will agree that Mr Moraka Serepa who '*prepared*' it, Ms Zanele Mofokeng who '*reviewed and recommended*' it, and Adv Makhwedi Makgopa-Madisa who approved and signed it, would be more suitably employed washing taxis and selling mielies over at the rank.
26. In view of the IR's scandalous dereliction of its statutory responsibility to facilitate information transparency in our constitutional democracy, and thereby obviate avoidable litigation and help prevent the further congestion of our court rolls, I'm now constrained to sue JSC information officer Maya CJ for access to the records I requested – embarrassing her very regrettably, and wasting my time, my energy, and my money.
27. Section 47 of the Superior Courts Act regulating the '*Issuing of summons or subpoena in civil proceedings against judge*' requires judicial consent to do so.
28. And where the Chief Justice is the intended respondent in any litigation, subsection 47(1) requires your consent as President of the Supreme Court of Appeal to institute it. So I need your consent to bring an application against Maya CJ for orders declaring that as JSC information officer she's violated my fundamental right to public body information guaranteed by section 32(1)(a) by not responding to my PAIA request; directing her to turn over the records to which I duly sought access, or certify those don't exist under section 23 of PAIA, and repay me what I spent bringing the case.
29. Subsection 47(1) provides:

Except for an application made in terms of the Domestic Violence Act, 1998 (Act 116 of 1998), no civil proceedings by way of summons or notice of motion may be instituted against any judge of a Superior Court, and no subpoena in respect of civil proceedings may be served on any judge of a Superior Court, except with the consent of the head of that court or, in the case of a head of

court or the Chief Justice, with the consent of the Chief Justice or the President of the Supreme Court of Appeal, as the case may be.

30. As said, the JSC has persistently failed to comply with my several PAIA requests over the years – see the dismal history at corrupt-judges.co.za/PAIA – and I’ve previously had to sue after one of my duly made requests for access to JSC records was ignored as usual. See the court papers at illegal-aid.co.za/JSC/PAIA/Application.
31. In that matter I neglected to seek consent to sue under section 47 of the Superior Courts Act; but fortunately for me, the point wasn’t taken in the answering papers and my claim to the records I’d requested was substantially conceded.
32. In those answering papers, however, the JSC’s lawyers persisted in suppressing certain seriously incriminating and compromising records I’d sued for, on the ground advanced that they were *‘privileged and therefore cannot be disclosed’* – even as PAIA doesn’t contemplate and permit such a ground for denying access to requested records; and the records in question were in no wise privileged under any rule of civil procedure. And then, contradicting this suggestion that the requested records were too important and confidential to release to me, the JSC’s lawyers also claimed my request for them was *‘vexatious ... and cannot be acceded to’* – notwithstanding the implicit concession in the bogus *‘privileged’* justification that my request was manifestly serious. But a subsequent request for related records was granted by the JSC (albeit not by then-information officer Raymond Zondo CJ himself as the Act required); and the JSC’s positive response to that request confirmed the ongoing corruption of its disciplinary processes by Mlambo JP (as he then was), which I was investigating, tipped by information I’d received about this. See my comprehensive discussion of it all at corrupt-judges.co.za/NM.
33. I was alerted to my omission in failing to have obtained the necessary consent in that first PAIA application upon seeing a news report about the

failure of Cabinet Minister Gwede Mantashe's review application against Zondo CJ (now ret.), whom he'd sued in his capacity as chairman of the State Capture Commission for an order setting aside findings against him made in the Commission's final report. The Minister hadn't sought and obtained consent under section 47(1) of the Superior Courts Act before launching his application, with the result that it was dismissed as a '*legal nullity*' on that ground alone, without any consideration of its merits.

34. This time round, in my second intended application against the JSC's information officer to compel compliance with my instant PAIA request, I won't repeat my mistake and risk my irrefragable claim to access the illegally and unconstitutionally withheld records that I've duly requested being defeated *in limine* on that procedural ground.
35. As the High Court at Pietermaritzburg held in *Khanyile v Director-General Province of KwaZulu-Natal and Others* (16707/22P) [2023] ZAKZPHC 121:
- Section 11(1) of PAIA confers an unqualified right of access to records of public bodies, subject only to the grounds of refusal set out in Chapter 4 of Part 2 of PAIA.
36. And to the extent that anyone might imagine very incorrectly that:
- (i) I'm not constitutionally entitled to sight of the latest batch of records I've requested, because high-level judicial corruption and other judicial malfeasance in the New South Africa are none of my business;
 - (ii) I should just ignore the repeated calls of former Chief Justices Mogoeng and Zondo to report such corruption, and should look away from it;
 - (iii) I shouldn't be sticking my nose in where it doesn't belong;
 - (iv) Contra *Khanyile*, I don't actually enjoy an '*unqualified right*' to access public body records unless they're hit by one of the discretionary or mandatory grounds for refusal set out in sections 34 to 45 of the Act, and I'm not entitled by section 32(1)(a) of the Constitution to use PAIA to embark on a '*fishing expedition*' and go hunting for possibly extant

incriminating records, as KwaZulu-Natal Division High Court Judge President Portia Poyo-Dlwati reckoned, unbelievably ignorantly, in tossing a straightforward PAIA case I'd brought – later conceding her abysmal, elementary error in granting me leave to appeal (see illegal-aid.co.za/PAIA/PAIA_1)

– the Constitutional Court had already confirmed exactly contrariwise in *Helen Suzman Foundation v Judicial Service Commission* (CCT289/16) [2018] ZACC 8; 2018 (4) SA 1 (CC); 2018 (7) BCLR 763 (CC) (24 April 2018) at [44]:

PAIA affords any person the right of access to any information held by the state. The person seeking the information need not give any explanation whatsoever as to why she or he requires the information. The person could be the classic busybody who wants access to information held by the state for the sake of it.

37. A 'busybody' like me, keenly interested in judicial corruption – having been seriously injured by two fantastically corrupt, criminally dishonest senior judges (see just below), and consequently determined to see them held to account, one way or another.
38. Apropos of records 14-17 listed in the Annexure concerning my appeal against the seemingly alcoholic dismissal of my squarely documented judicial corruption complaint against Basheer Waglay JP (now retired), the JSC's Judicial Conduct Committee ('JCC') Appeal Committee unanimously upheld it on 19 December 2025, and directed that it be dealt with properly, unlike before. See the decision and all case documents at corrupt-judges.co.za/BW.
39. And before that, the JCC Appeal Committee (different judges) also upheld my appeal against the dismissal of my documented criminal complaints against Dunstan Mlambo JP (as he then was; now DCJ) in its commendably comprehensive, 42-page majority decision delivered on 19 February 2024. See material excerpts at corrupt-judges.co.za/DM_AC_dec_ex.pdf. The full decision and all case documents are at corrupt-judges.co.za/DM.

40. The notes under item 12 on the last-mentioned webpage mention how then-JSC chairman Zondo CJ very properly stood up for me at the conference held by the JSC (*sans* members of Parliament) to decide what to do with the Appeal Committee's excellent decision and how he strained to prevent the unlawful disposal of the case by insisting that the JSC's obviously illegal disregard for the *audi alteram partem* rule would expose its decision to reversal on judicial review. Unfortunately, the nakedly partisan majority – virulently denigrating me on the record again and again – gunned him down in its vote of 9 to 3 against him.
41. You'll recall that as a member of the JCC at the time you were originally assigned to decide my criminal and other complaints against Mlambo JP. I don't know why you were substituted by Zondi JA, but I'm sure that had you remained on the case you'd have found, as Constitutional Court Justice Elizabeth Nkabinde (ret.) and Supreme Court of Appeal Justice Ephraim Makgoka later did, that my criminal complaints against Mlambo JP had been well made on the ample documentary and other evidence I'd adduced in support of them; that his responses to them were unsupported and contradicted by the evidence, and were unsatisfactory and unconvincing; and that he had a case to answer before a Tribunal accordingly.
42. In other words, I'm certain you'd have honestly and honourably discharged your judicial oath, just as the said two Appeal Committee judges did, and that you wouldn't have covered for the criminal accused in the manner your replacement did so despicably – like the third judge on the Appeal Committee also did in his disgraceful minority decision, picked to pieces by the majority in their scathing comments on it. And like the JCC judge did in the Waglay JA case, just as sickeningly.
43. Anyway, I'm eagerly looking forward to the imminent arrival of the next US Ambassador to South Africa, Brent Bozell – sworn in late last year after his confirmation by the Senate Foreign Relations Committee – and I'll be providing him with a detailed brief about the documented criminal corruption of our judiciary; about the repeated attempts by other crooked

judges on the JCC to cover it up; and about the JSC's demonstrated indifference to this corruption, all mentioned above. He'll doubtlessly be concerned to learn that the '*rampant corruption*' in our country, which he mentioned at his confirmation hearing, festers also in the top echelons of our judiciary and within the JSC (Maya CJ excluded; it was before her time). As will the dozens of other foreign ambassadors enumerated in my correspondence with the JSC, to whom I'll be copying my brief on this exceedingly serious and disgusting subject.

44. I look forward to your consent under section 47(1) of the Superior Courts Act to sue JSC information officer Maya CJ under section 78 of PAIA for orders under section 82 – essentially compelling her to hand over the JSC records that I duly requested, or certify those that don't exist, and other relief.
45. As said above, I'm sure she's quite innocent in the matter and has just been badly let down by her useless support staff. Who, despite their appointments as Senior Law Advisors, evidently have no idea whether they're coming or going when it comes to constitutional information law. Even when I patiently explain everything to them so nicely.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Anthony Brink', written in a cursive style.

ADV ANTHONY BRINK

Admitted 12 April 1983

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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 or at 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 or 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 or 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 or at 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), 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.

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.

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

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.

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.

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.



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.)

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.

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.

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 politicsweb.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.

The full report is at

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.

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

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), and the request for it may be disregarded and scratched from the list.

