

**TO: G. O. VAN NIEKERK SC**  
**CHAIRMAN OF THE BAR COUNCIL, KZN**

**FROM: R. J. A. CALLUM SC**

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**REPORT OF THE COMPLAINTS COMMITTEE**

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Dear Van Niekerk SC,

I have convened a number of meetings of the Complaints Committee since it was established for the purposes of determining the veracity of complaints which have been allocated to this Committee.

I report on the eleven complaints that have been referred to this Committee as follows:

1. **BRINK**

This matter arises out of a complaint lodged by the Legal Aid Board pursuant to review proceedings that Brink (a non-member) instituted in the Labour Court. The Complainant has furnished the Society with a record of the proceedings from which it is evident that Brink gratuitously defamed the Chairman of the Board, the Honourable Mr Justice Mlambo, and specifically alleged that he was manifestly dishonest and further that he colluded with other members of the Board to avoid appointing Brink to a position that had been advertised. He persisted with this version in the review and was ultimately forced to concede that he had been

incorrect in his assessment of the Honourable Judge's conduct. He has not made any attempt to address the import of his disgraceful behaviour and this Committee is of the view that Brink's behaviour towards a respected member of the judiciary is so manifestly reprehensible that it would be appropriate to institute proceedings to have him struck off, alternatively suspended from practice due to his scurrilous attack on the dignity of the Court which he has a duty to uphold.

To that end, the Committee addressed a letter to Brink, a copy of which is annexed hereto for your ease of reference, calling upon him to make representations, if any, before the Society considers whether it would be an appropriate case for it to initiate strike-off proceedings.

Brink has failed to respond to this letter and this Committee, accordingly, is of the view that strike-off proceedings would be appropriate in the circumstances.

2. [REDACTED]

[REDACTED]  
This complaint is directed against a non-member who appears to have acted as an attorney in a matter, taking work directly from a member of the public. In addition, he agreed to act in what appears to be a contingency arrangement and yet appears to have attempted to extract fees from the Complainant in circumstances that might amount to undue pressure.

[REDACTED]  
He resides in Cape Town and is by all accounts employed as the legal advisor for the Cape Party. The Committee has been unable to trace his physical address, however we have been able to locate his e-mail address and have resolved to address a letter to him calling for him to respond to the allegation made against him.