

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18 (1) of the Promotion of Access to Information Act, 2000
(Act No. 2 of 2000)
[Regulation 2]

FOR DEPARTMENTAL USE	
	Reference number: _____
Request received by: _____ (state rank, name and surname of information officer/deputy information officer) on _____ (date) at _____ (place).	
Request fee (if any): R.....	
Deposit fee (if any): R.....	
Access fee: R.....	
_____ SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER	

A. Particulars of public body

Legal Practice Council 1st Floor 200 Hoosen Haffejee St, Pietermaritzburg
nadirah@lpc.org.za ; melissag@lpc.org.za ; info@lpc.org.za

B. Particulars of person requesting access to the record

- | |
|---|
| <p>(a) <i>The particulars of the person who requests access to the record must be recorded below.</i></p> <p>(b) <i>Furnish an address and/or fax number in the Republic to which information must be sent</i></p> <p>(c) <i>Proof of the capacity in which the request is made, if applicable, must be attached.</i></p> |
|---|

Anthony Brink | 5902255116081 | 36 Pearson Street, Eshowe 3815
083 779 4174 | anthonybrink.sa@gmail.com

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

N/A

D. Particulars of record

- (a) *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.*
- (b) *If the provided space is inadequate please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

See annexure.

E. Fees

- (a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.*
- (b) *You will be notified of the amount required to be paid as the request fee.*
- (c) *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.*
- (d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

F. Form of access to record

<p><i>If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.</i></p>					
Disability: _____ _____			Form in which record is required: _____ _____		
<p>Mark the appropriate box with an "X".</p> <p>NOTES:</p> <p>(a) Your indication as to the required form of access depends on the form in which the record is available.</p> <p>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</p> <p>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</p>					
<p>1. If the record is in printed form:</p>					
<input checked="" type="checkbox"/>	Copy of record*	<input type="checkbox"/>	Inspection of record		
<p>2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc).</p>					
<input type="checkbox"/>	view the images	<input checked="" type="checkbox"/>	copy of the images*	<input type="checkbox"/>	transcription of the images*
<p>3. If record consists of recorded words or information which can be reproduced in sound:</p>					
<input type="checkbox"/>	Listen to the soundtrack (audio cassette)	<input checked="" type="checkbox"/>	transcription of soundtrack* (written or printed document) copy in PDF		
<p>4. If record is held on computer or in an electronic or machine – readable form:</p>					
<input type="checkbox"/>	Printed copy of record*	<input type="checkbox"/>	Printed copy derived from the record*	<input checked="" type="checkbox"/>	copy in computer readable form* (PDF)
<p>* If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?</p> <p>A postal fee is payable.</p>				YES	NO <input checked="" type="checkbox"/> I want it emailed to me in PDF

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.

In which language would you prefer the record? **English**

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

By email

Signed electronically at Eshowe on 14 January 2025



ANTHONY BRINK



FORM A ANNEXURE

Your ref: NH/mg

With reference to the Legal Practice Council ('LPC') KwaZulu-Natal Provincial Office's letter to me of 8 November 2024, informing me – '*We confirm that the complaint [of professional misconduct, made by Legal Aid South Africa ('LASA') in November 2015] has been considered by an Investigating Committee and that the Committee is satisfied that there is prima facie evidence that you are guilty of misconduct which warrants misconduct proceedings to be instituted against you. The Committee has referred the matter to a Disciplinary Committee for adjudication*' – the following records are requested:

1. If this records request is responded to by a deputy information officer, a copy of his or her written delegation under section 17 of the Promotion of Access to Information Act.
2. The decision of the Investigating Committee, identifying its members and bearing their signatures.
3. The minute/transcript of the Investigating Committee's discussion of the complaint ('Complaint').
4. The record of the Investigating Committee's referral of the Complaint to the Disciplinary Committee.
5. Any and all further communications between these two committees.
6. Any record(s) identifying all the members of the Disciplinary Committee.
7. Any and all records vouching that before their discussion of the Complaint and their decision to refer it '*to the Disciplinary Committee for adjudication*' after finding '*that there is prima facie evidence that you are guilty of misconduct which warrants misconduct proceedings to be instituted against you*', each of the Investigating Committee's members were furnished with the



decision of Constitutional Court Justice Elizabeth Nkabinde and Supreme Court of Appeal Justice Ephraim Makgoka, serving on the Judicial Service Commission's Judicial Conduct Committee ('JCC') Appeal Committee, in which decision they upheld my appeal against JCC member Justice Dumisani Zondi JA's dismissal of my criminal and other impeachable misconduct complaints against then-LASA chairperson Dunstan Mlambo JP, and recommended that he be called to answer them before a Judicial Conduct Tribunal.

8. Any and all records vouching that each of the Investigating Committee's members were furnished with the subsequent decision of the small Judicial Service Commission to reject Justices Nkabinde and Makgoka's finding and recommendation, on the basis alleged that I'd provided '*no prima facie evidence*' against Mlambo JP in my eight complaints against him comprising a total of 3014 pages, including 64 supporting documents.
9. Any record vouching that each of the Investigating Committee's members were furnished with the transcript of the discussion by the Judicial Service Commission (JSC) of Justices Nkabinde and Makgoka's finding and recommendation – during which then-JSC chairperson Raymond Zondo CJ, the country's top jurist at the time, repeatedly and insistently warned his fellow commissioners that their decision of the matter would be exposed to judicial review and reversal, like several other unlawful JSC decisions in the past (he said) should they persist, against his advice, in disposing of it without affording me the right to respond to the masses of new evidence and new documents improperly put up by Mlambo JP with his submissions, i.e. what should have been only his representations/argument regarding the merits or otherwise of the JCC Appeal Committee's recommendation that he be tried by a Judicial Conduct Tribunal on my criminal and other impeachable charges.
10. Any records vouching that prior to their discussion, and in order to consider



the Complaint properly, each of the Investigating Committee's members were furnished with copies of (a) my eight complaints to the JSC against Mlambo JP copies of which I'd provided to the Society of Advocates of KwaZulu-Natal ('Society') as my original, first and complete response to the Complaint LASA made to it in November 2015; (b) Mlambo JP's two responses to my complaints; (c) my two comments on his two responses; and (d) my second response to the Complaint after the LPC inherited it from the Society unresolved, decided to investigate the matter *de novo*, and invited me to respond to it again.

11. Any and all communications to and from the LPC in the matter of my complaints against Mlambo JP and/or LASA's Complaint against me, after the JSC rejected the JCC Appeal Committee's recommendation that the President convene a Judicial Conduct Tribunal to try my comprehensively documented and substantiated criminal and other capital charges against Mlambo JP, which Constitutional Court Justice Nkabinde and Supreme Court of Appeal Justice Makgoka thoroughly and conscientiously canvassed and evaluated in their meticulous and exhaustive 42-page decision, on the basis alleged very contrariwise by the JSC majority that I'd presented '*no prima facie evidence*' against him at all. None.

NOTE:

Only the LPC's information officer or deputy information officer holding a written delegation issued under section 17 of PAIA may lawfully and competently respond to this request.

Under section 25 of PAIA this request must be responded to as soon as reasonably possible, and in any event not later than 30 days after receipt of this request.

If any requested record doesn't exist or can't be found, this must be certified on affidavit under section 23.

The only grounds on which a request for a record may be lawfully refused are set out in PAIA sections 34 to 45.

