

## **Nadira Harripersad**

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**From:** Nadira Harripersad  
**Sent:** Monday, 14 October 2019 2:31 PM  
**To:** 'Kate Peniston - Society of Advocates of KZN'  
**Cc:** Pearl Mfusi  
**Subject:** RE : STRIKE OFF APPLICATION - ADVOCATE AR BRINK.

Dear Kate,

The above matter refers.

We acknowledge receipt of the documentation recently handed to the writer, regarding the above matter. We would however like to bring to your attention that we have not received Advocate Brink's submissions and his complaint to the JSC. We would urgently require same in order for us to comprehensively report to the LPC on all the fact of this case which your Council is aware of and without same we would not be in a position to refer the matter to the LPC for their consideration.

Kindly furnish us with the relevant information at your earliest convenience.

Regards,

**Nadira Harripersad**  
**Senior Legal Officer**  
**Discipline Department**

**KWAZULU-NATAL PROVINCIAL OFFICE**  
**1<sup>ST</sup> Floor | 200 Hoosen Haffejee Street | Pietermaritzburg | 3201**  
**P O Box 1454 | Pietermaritzburg | 3200**  
**Tel: +27 (0) 33 345 1304 ext. 201 | Fax: +27 (0) 33 394 9544**  
**Docex 25 | Pietermaritzburg**  
**E-mail: [nadirah@lpc.org.za](mailto:nadirah@lpc.org.za)**



## Nadira Harripersad

---

**From:** Kate Peniston <kznbar@law.co.za>  
**Sent:** Monday, 14 October 2019 3:56 PM  
**To:** Nadira Harripersad  
**Subject:** FW: Complaint  
**Attachments:** Mossop 3.7.17.pdf; Muller 19.5.17.pdf

**From:** Anthony Brink <anthonybrink.sa@gmail.com>  
**Sent:** Wednesday, 26 July 2017 16:18  
**Subject:** Re: Complaint

Dear Mossop

I implore you to read my letter of 3 July, a copy of which I attach for easy reference.

On receiving it, you assured me on the same day by email sent from abroad: 'I and my committee shall consider all documentation forwarded to us on my return to South Africa later this month.'

I cracked my interview by the Magistrates Commission in Pretoria on 17 July (see para 36 of the letter), and after so much inordinate delay by your Complaints Committee in dealing with LASA's November 2015 complaint against me (see letter to the GCB on 19 May attached), the matter has now become *desperately urgent*.

My eight gross misconduct complaints against Mlambo JP and their supporting documents, duly affirmed under penalty of perjury, lodged with the Judicial Service Commission, and copied on to you, squarely meet and displace your earlier uninformed and very mistaken finding against me, made before hearing me, that I slandered him by impeaching his integrity without any basis.

Paragraphs 16 and 17 of my July letter, and their references, likewise squarely meet and displace your earlier uninformed and very mistaken finding against me, made before hearing me, that I dishonestly revived my complaint against him in my petition for leave to appeal.

In your email yesterday, you told me you'd forwarded to LASA my eight complaints against Mlambo JP for their reply. With respect, what's the relevance of LASA's management executives' and their in-house attorneys' opinion of and reply to my affirmed complaints against Mlambo JP made to the Judicial Service Commission? Mlambo JP is answerable for his impeachable gross misconduct, none of them. And determining my complaints is the Judicial Service Commission's prerogative after he's answered them, not your Complaints Committee's after receiving irrelevant hearsay from other persons given as and when they feel like it. And after all their corruption, mendacity and perjury detailed in my complaints to the Judicial Service Commission, were you possibly expecting them to suddenly start telling the truth?

Nothing prevents your Complaints Committee grasping the nettle and dismissing LASA's utterly spurious, malicious complaint against me on the full information now before it, without further delay. You have the complaint and you have my response to it before you.

For the reason stated in my letter, being cleared later rather than sooner will be as helpful to me as Evans's posthumous exoneration following his mistaken hanging on Christie's lying evidence.

I've already suffered enormous personal and professional prejudice from the mishandling of this matter and the long delay in its resolution, including the crushing personal tragedy mentioned in my letter (even if it's of zero interest or concern to your Complaints Committee). It's behind us and it can't be undone, but further unnecessary harm to me can be prevented by your Complaints Committee acting decisively at last.

In conclusion, please pay special heed to the final two paragraphs of my July letter.

Yours sincerely

Anthony Brink

Cc: Ngalwana SC, Chairman of the GCB  
Martin Welz: Editor and Publisher: Noseweek

On 25 July 2017 at 08:23, Rob Mossop <[rgmossop@law.co.za](mailto:rgmossop@law.co.za)> wrote:

**Dear Mr. Brink**

I am in receipt thus far of eight complaints against Mlambo JP that you have sent to me.

I am today emailing those eight complaints to Legal Aid South Africa in order to allow them to reply thereto.

Upon receipt of such reply, if any, Complaints Committee 2 will revisit its earlier decision concerning yourself.

Kind regards

**Rob Mossop SC**  
Complaints Committee 2: Convenor

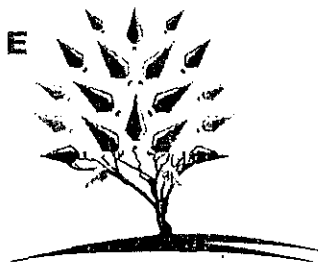


**ROB MOSSOP SC**

CHAMBERS THIRTEEN NORTH  
SIX DURBAN CLUB PLACE DURBAN  
T 031 304 8699/301 2262 F 031 304 9922  
E [rgmossop@law.co.za](mailto:rgmossop@law.co.za)

# KWAZULU-NATAL PROVINCIAL OFFICE

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E-mail: [infokzn@lpc.org.za](mailto:infokzn@lpc.org.za)



**LEGAL PRACTICE  
COUNCIL**

## NATIONAL OFFICE

Thornhill Office Park | Block 20, 94 Bekker Road | Vorna Valley | MIDRAND | 1686  
Tel: +27 010 001 8500

Advocate Hoosen Gani  
Advocate Chambers  
Pietermaritzburg

YOUR REF:

OUR REF : NADIRA/SH

*Please Quote Our Reference*

**BY HAND DELIVERY**

20 February 2020

Dear Mr Gani

**RE: STRIKE OFF APPLICATION- ADVOCATE ANTHONY ROBIN BRINK- COMPLAINT BY MR T V MTATI OBO LEGAL AID SOUTH AFRICA**

We are forwarding herewith the original file in respect of the complaint by Mr T V Mtati obo Legal Aid South Africa against Advocate Brink for investigation.

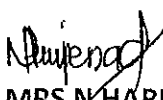
Kindly note that the matter was referred to the Legal Practice Council on 15 February 2020, with the recommendation that Advocate Brink be Struck Off from the roll. The Legal Practice Council considered the matter and resolved that the Legal Practice Council's Investigating Committee conduct a new investigation as they were of the opinion that the Society of Advocates were not authorised to conduct the investigations.

We attach hereto for the following documents for the Committee's deliberation on the matter:

- 1) Mr Mtati's complaint Affidavit dated 24 November 2015.
- 2) Advocate Brinke's complaints lodged with the Judicial Service Commission: -
  - Volume 1 (Complaints 1-5),
  - Volume 2 (Complaints 6-7)
  - Complaint No.8
- 3) Memorandum to Disciplinary Committee/ Legal Practice Council dated 30 January 2020.

Kindly provide us with your decision in the matter.

Yours faithfully

  
MRS N HARRIPERSAD  
SENIOR LEGAL OFFICER  
DISCIPLINARY DEPARTMENT

**ADVOCATE H.S. GANI**  
ADVOCATES CHAMBERS  
17 PRINCE EDWARD STREET  
PIETERMARITZBURG

21/02/2020



# KWAZULU-NATAL PROVINCIAL OFFICE

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## NATIONAL OFFICE

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Tel: +27 010 001 8500

Mr T V Matiti  
Legal Aid Board

Email: [thembileM@legal-aid.co.za](mailto:thembileM@legal-aid.co.za)

YOUR REF:

OUR REF : NADIRA/SH

*Please Quote Our Reference*

10 March 2020

Dear Sir


**RE: COMPLAINT AGAINST ADVOCATE ANTHONY ROBIN BRINK**

We refer to the above matter and advise that the National Legal Practice Council at its meeting held on 15 February 2020 considered the Complaints Committee's (Society of Advocates) recommendation that Advocate Brink be Struck Off the roll of and resolved that all investigations convene de novo, as the Society of Advocates had no authority to conduct such investigations. All pending complaints that were dealt with by the Society of Advocates had on 1 November 2018 been referred to the Legal Practice Council for consideration.

Kindly be advise whether you wish to supplement your complaints before the matter is referred to the Legal Practice Council's Investigating Committee for consideration.

Please provide us with your reply by the 1 April 2020.

Yours faithfully

  
**MRS N HARRIPERSAD**  
**SENIOR LEGAL OFFICER**  
**DISCIPLINARY DEPARTMENT**

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Website: www.lpc.org.za



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Tel: +27 010 001 8500

Advocate H Gani  
Advocate Chambers  
Pietermaritzburg  
Email: [hoosen@iafrica.com](mailto:hoosen@iafrica.com)

YOUR REF:

OUR REF : Nadira

*Please Quote Our Reference*

CC: Mr R J Lee  
Venns Attorneys

10 March 2020

Email: [redvers@venns.co.za](mailto:redvers@venns.co.za)

Dear Sirs

**RE: STRIKE OFF APPLICATION: ADVOCATE ANTHONY ROBIN BRINK-COMPLAINT BY MR T V  
MTATI OBO LEGAL AID BOARD**

Please be advise that the Provincial Council at its meeting held on 15 February 2020, resolved to refer the matter to the Investigating Committee of the Provincial Council to re-investigate same, however pursuant thereto the National Legal Practice Council at its meeting held on 7 March 2020 resolved that the Investigations are to commence de novo as the Society of Advocates had no authority to deal with the matter ceased as the Legal Practice Council took office on 1 November 2018.

We apologise for any inconvenience caused and kindly request that you return the files as we have no obtain any further submissions by the complainant and Advocate Brink prior to our referral to your Committee for investigation.

Yours faithfully

  
**MRS N HARRIPERSAD**  
**SENIOR LEGAL OFFICIAL**  
**DISCIPLINARY DEPARTMENT**

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## NATIONAL OFFICE

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Tel: +27 010 001 8500

The Chief Executive Officer  
Mrs Kola Mantiti  
Legal Aid South Africa

YOUR REF:

OUR REF : Nadira

*Please Quote Our Reference*

Email: [communications@legal-aid.co.za](mailto:communications@legal-aid.co.za)

25 August 2020

Dear Sir

RE: **COMPLAINT BY LEGAL AID SOUTH AFRICA (MR T V MTATI) AGAINST ADVOCATE A BRINK**

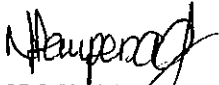
Our office is currently investigating a complaint that was lodged by Mr T V Mtati, the erstwhile Corporate Services Executive of Legal Aid South Africa. The complaint was initially lodged with the Society of Advocates of KwaZulu Natal, on 24 November 2015, and the matter was investigated by the Society. In September 2018, the Legal Practice Council took over all pending complaints from the Society of Advocates.

The abovementioned complaint was considered by the Legal Practice Council in January 2020 and it was resolved that all investigations regarding the pending complaints were to commence *de novo*. Advocate Brink was forwarded a copy of the complainant's affidavit and afforded an opportunity to reply to all the allegations raised by the complainant. Advocate Brink has since requested the following information/documents from your organisation in order for him to furnish our offices with his reply.

- 1) Confirmation of Mr Mtati's resignation.
- 2) Does the current Legal Aid South Africa CEO want to continue with the complaint. If yes, then confirmation who will be the complainant on behalf of the Legal Aid South Africa.
- 3) If the current Legal Aid South Africa CEO wants to continue with the complainant, a copy of the Resolution by the Legal Aid South Africa's Board authorising the new CEO to resubmit the complaint to the Legal Practice Council.

We await to hear from you.

Yours faithfully



**MRS N HARRIPERSAD  
SENIOR LEGAL OFFICIAL  
DISCIPLINARY DEPARTMENT**

## Nadira Harripersad

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**From:** Nadira Harripersad  
**Sent:** Monday, 28 September 2020 1:06 PM  
**To:** nondumisot@legal-aid.co.za  
**Subject:** RE : COMPLAINT AGAINST ADVOCATE BRINK.  
**Attachments:** Untitled\_28092020\_130732.pdf

Good Day Ms Nondumiso,

I refer to our telephonic discussion of even date and attach herewith for your attention a copy of our email dated 27 August 2020.

We require your urgent reply by 2 October 2020 , failing which we shall no option but to close our file

Regards,

)

Nadira Harripersad  
Senior Legal Officer  
Discipline Department

KWAZULU-NATAL PROVINCIAL OFFICE

1ST Floor | 200 Hoosen Haffejee Street | Pietermaritzburg | 3201 P O Box 1454 | Pietermaritzburg | 3200

Tel: +27 (0) 33 345 1304 ext. 201 | Fax: +27 (0) 33 394 9544 Docex 25 | Pietermaritzburg

E-mail: nadirah@lpc.org.za

-----Original Message-----

From: pmblibrary@lpc.org.za <pmblibrary@lpc.org.za>

Sent: Monday, 28 September 2020 1:08 PM

To: Nadira Harripersad <nadirah@lpc.org.za>

Subject: Scan from samsung

)

Scan drom Downstairs

## Nadira Harripersad

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**From:** Anthony Brink <anthonybrink.sa@gmail.com>  
**Sent:** Monday, 05 October 2020 12:02 PM  
**To:** Nadira Harripersad  
**Subject:** Re: FW: COMPLAINT AGAINST ADVOCATE BRINK.

Many thanks, Mrs Harripersad.

Would I be correct in understanding that the response awaited from LASA is for some of the documents I requested from you in my letter to you emailed in April?

I subsequently made a formal request for documents under the Promotion of Access to Information Act, which I duly delivered to the LPC's information officer in your national office. His or her response is very overdue now. Please follow up for me.

Sincerely  
Anthony Brink

On 05 Oct 2020 10:35, "Nadira Harripersad" <nadirah@lpc.org.za> wrote:

Good Advocate Brink,

The above matter refers.

Please see hereunder an email received from Legal Aid Board SA. We had addressed correspondence to the CEO regarding your queries and advise that we are now awaiting the CEO's response.

Regards,

Nadira Harripersad  
Senior Legal Officer  
Discipline Department

KWAZULU-NATAL PROVINCIAL OFFICE  
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Docex 25 | Pietermaritzburg  
E-mail: [nadirah@lpc.org.za](mailto:nadirah@lpc.org.za)

-----Original Message-----

**From:** Nondumiso Mhlongo <[NondumisoT@legal-aid.co.za](mailto:NondumisoT@legal-aid.co.za)>  
**Sent:** Monday, 05 October 2020 10:20 AM  
**To:** Nadira Harripersad <[nadirah@lpc.org.za](mailto:nadirah@lpc.org.za)>  
**Subject:** RE: COMPLAINT AGAINST ADVOCATE BRINK.

Good morning Ms Harripersad

Please note the Legal Aid SA will be continuing with the Brink matter. Our Chief Legal Executive is preparing a response for you and we will submit it to you by Wednesday, 07th October 2020.

Regards

Nondumiso

-----Original Message-----

From: Nadira Harripersad [mailto:[nadirah@lpc.org.za](mailto:nadirah@lpc.org.za)]  
Sent: Monday, 28 September 2020 13:06  
To: Nondumiso Mhlongo <[NondumisoT@legal-aid.co.za](mailto:NondumisoT@legal-aid.co.za)>  
Subject: RE : COMPLAINT AGAINST ADVOCATE BRINK.

Good Day Ms Nondumiso,

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We require your urgent reply by 2 October 2020 , failing which we shall no option but to close our file

Regards,

Nadira Harripersad  
Senior Legal Officer  
Discipline Department

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-----Original Message-----

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Sent: Monday, 28 September 2020 1:08 PM  
To: Nadira Harripersad <[nadirah@lpc.org.za](mailto:nadirah@lpc.org.za)>  
Subject: Scan from samsung

Scan from Downstairs

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## Nadira Harripersad

---

**From:** Nadira Harripersad  
**Sent:** Tuesday, 06 October 2020 9:47 AM  
**To:** 'Nondumiso Mhlongo'  
**Subject:** RE: COMPLAINT AGAINST ADVOCATE BRINK.

Good Day Nondumiso,

Thank you for your email dated 5 October 2020, the contents of which have been noted.

We await your further report on 7th October 2020.

Regards,

Nadira Harripersad  
Senior Legal Officer  
Discipline Department

KWAZULU-NATAL PROVINCIAL OFFICE

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E-mail: nadirah@lpc.org.za

-----Original Message-----

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**Sent:** Monday, 05 October 2020 10:20 AM  
**To:** Nadira Harripersad <nadirah@lpc.org.za>  
**Subject:** RE: COMPLAINT AGAINST ADVOCATE BRINK.

Good morning Ms Harripersad

Please note the Legal Aid SA will be continuing with the Brink matter. Our Chief Legal Executive is preparing a response for you and we will submit it to you by Wednesday, 07th October 2020.

Regards  
Nondumiso

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**Sent:** Monday, 28 September 2020 13:06  
**To:** Nondumiso Mhlongo <NondumisoT@legal-aid.co.za>  
**Subject:** RE : COMPLAINT AGAINST ADVOCATE BRINK.

Good Day Ms Nondumiso,

I refer to our telephonic discussion of even date and attach herewith for your attention a copy of our email dated 27 August 2020.

We require your urgent reply by 2 October 2020, failing which we shall have no option but to close our file

Regards,

Nadira Harripersad  
Senior Legal Officer  
Discipline Department

KWAZULU-NATAL PROVINCIAL OFFICE

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E-mail: nadirah@lpc.org.za

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Sent: Monday, 28 September 2020 1:08 PM

To: Nadira Harripersad <nadirah@lpc.org.za>

Subject: Scan from samsung

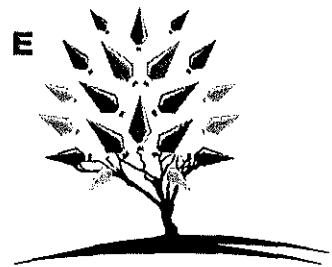
Scan from Downstairs

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# KWAZULU-NATAL PROVINCIAL OFFICE

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**LEGAL PRACTICE  
COUNCIL**

## NATIONAL OFFICE

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Mr N Mhlongo

YOUR REF:

Email: [NondumisoT@legal-aid.co.za](mailto:NondumisoT@legal-aid.co.za)

OUR REF : Nadira

*Please Quote Our Reference*

5 November 2020

Dear Sir

**RE: COMPLAINT AGAINST ADVOCATE BRINK**

The above matter and more especially your email dated 5 October 2020 refers.

We note that there has been no response by your Chief Executive Officer, despite your undertaking to revert to our offices by 7 October 2020.

Kindly note that should we not receive your response within two weeks from date hereof we will assume that you no longer intend to pursue the complaint.

Yours faithfully

**MRS N HARRIPERSAD  
SENIOR LEGAL OFFICIAL  
DISCIPLINARY DEPARTMENT**

## Nadira Harripersad

---

**From:** Nadira Harripersad  
**Sent:** Monday, 16 November 2020 10:01 AM  
**To:** Nondumiso Mhlongo  
**Cc:** Anthony Brink  
**Subject:** RE : COMPLAINT BY LEGAL AID BOARD SA / ADVOCATE A BRINK.

Good Day Mr Mhlongo,

The above matter more especially our correspondences dated 28 September 2020, 6 October 2020 & 5 November 2020 refers. We note with regret that your Offices have failed to furnish us with a response to our letter dated 25 August 2020 despite our repeated requests.

Kindly be advised that in light of your non-response we have no option but to close the matter.

Regards,

Nadira Harripersad  
Senior Legal Officer  
Discipline Department

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## Nádira Harripersad

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**From:** Nadira Harripersad  
**Sent:** Monday, 16 November 2020 10:01 AM  
**To:** Nondumiso Mhlongo  
**Cc:** Anthony Brink  
**Subject:** RE : COMPLAINT BY LEGAL AID BOARD SA / ADVOCATE A BRINK.

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Senior Legal Officer  
Discipline Department

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E-mail: [nadirah@lpc.org.za](mailto:nadirah@lpc.org.za)



## Shoba Harkhu

---

**From:** Patrick Hundermark <PatrickH@legal-aid.co.za>  
**Sent:** 19 November 2020 05:06 PM  
**To:** Shoba Harkhu  
**Subject:** FW: COMPLAINT AGAINST ADVOCATE BRINK  
**Attachments:** 3103\_001.pdf

**Importance:** High

Dear Mrs Harripersad

We refer to your attached letter and advise that we are engaging our Board Exco on the matter and thus require until 30 November 2020 to provide our response.

Kindly confirm that this will be in order.

Regards

**Patrick Hundermark**  
Chief Legal Executive  
Legal Development Department

Address: 29 De Beer Street | Braamfontein | Johannesburg  
Tel: +27 11 877 2051 | Cell: +27 82 600 3926

Twitter: [@LegalAidSA1](#) | Facebook: [LegalAidSA1](#)  
Advice Line: 0800 110 110 | Please Call Me: 079 835 7179  
Website: [www.legal-aid.co.za](http://www.legal-aid.co.za) | Ethics Hotline: 0800 153 728



Independent and within reach.



**TARGET 16.3** Promote the rule of law at the national and international levels, and ensure equal access to justice for all



Legal Aid SA supports environmental sustainability.  
Please consider the environment before printing this email.

---

## Correct Abbreviation of Legal Aid South Africa

We have noted that a few of our stakeholders refer to us as LASA. Please be reminded that the organisation, Legal Aid South Africa, is correctly abbreviated as Legal Aid SA and not LASA. We request that you assist us in building and maintaining our brand through our name 'Legal Aid' ; representative of and affirms our Mission to deliver quality legal aid services to the poor and vulnerable Africa. The acronym 'LASA' has no meaning and adds no value, whereas the correct usage of our 'Legal Aid SA' builds awareness with the term legal aid and hence builds our brands.

**Vision:** A South Africa in which the rights enshrined in the Constitution are realised and upheld and responsibilities are complied with to ensure equality, justice and quality of life for all



**Mission:** To be a leader in the provision of sustainable, ethical, independent and quality legal aid services to the poor and vulnerable

---

**From:** Nondumiso Mhlongo

**Sent:** Monday, 09 November 2020 12:03

**To:** Patrick Hundermark <PatrickH@legal-aid.co.za>

**Subject:** FW: COMPLAINT AGAINST ADVOCATE BRINK

**Importance:** High

Good day Patrick

Please see the attached letter.

Regards

Nondumiso

---

**From:** Shoba Harkhu [<mailto:shobah@ipc.org.za>]

**Sent:** Monday, 09 November 2020 12:01

**To:** Nondumiso Mhlongo <[NondumisoT@legal-aid.co.za](mailto:NondumisoT@legal-aid.co.za)>

**Subject:** COMPLAINT AGAINST ADVOCATE BRINK

9 November 2020

Mr N Mhlongo

Dear Sir

We are forwarding herewith our letter dated 5 November 2020

Regards,

Shoba Harkhu

Disciplinary Department

KWAZULU-NATAL PROVINCIAL OFFICE

1<sup>ST</sup> Floor | 200 Hoosen Haffejee Street | Pietermaritzburg | 3201

P O Box 1454 | Pietermaritzburg | 3200

Tel: +27 (0) 33 345 1304 ext. 205 | Fax: +27 (0) 33 345 3028

Docex 25 | Pietermaritzburg

## Shoba Harkhu

---

**From:** Patrick Hundermark <PatrickH@legal-aid.co.za>  
**Sent:** 30 November 2020 05:00 PM  
**To:** Shoba Harkhu  
**Subject:** RE: COMPLAINT AGAINST ADVOCATE BRINK

Dear Mrs Harripersad

The writer refers to the e-mail below. Our response was considered by the Legal Aid SA Board on 28 November 2020. Unfortunately our CEO has suffered a family bereavement and is currently unavailable to sign the response.

We will submit the response as soon as same has been signed by the CEO.

Kindly acknowledge receipt.

Regards

**Patrick Hundermark**  
Chief Legal Executive  
Legal Development Department

Address: 29 De Beer Street | Braamfontein | Johannesburg  
Tel: +27 11 877 2051 | Cell: +27 82 600 3926

Twitter: [@LegalAidSA1](#) | Facebook: [LegalAidSA1](#)  
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**Independent and within reach.**



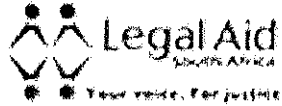
**TARGET 16.3** Promote the rule of law at the national and international levels, and ensure equal access to justice for all

 Legal Aid SA supports environmental sustainability.  
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**Mission:** To be a leader in the provision of sustainable, ethical, independent and quality legal aid services to the poor and vulnerable

**From:** Patrick Hundermark  
**Sent:** Thursday, 19 November 2020 17:06  
**To:** 'shobah@lpc.org.za' <shobah@lpc.org.za>  
**Subject:** FW: COMPLAINT AGAINST ADVOCATE BRINK  
**Importance:** High

Dear Mrs Harripersad

We refer to your attached letter and advise that we are engaging our Board Exco on the matter and thus require until 30 November 2020 to provide our response.

Kindly confirm that this will be in order.

**Regards**

**Patrick Hundermark**  
Chief Legal Executive  
Legal Development Department

Address: 29 De Beer Street | Braamfontein | Johannesburg  
Tel: +27 11 877 2051 | Cell: +27 82 600 3926


Twitter: [@LegalAidSA1](https://twitter.com/LegalAidSA1) | Facebook: [LegalAidSA1](https://www.facebook.com/LegalAidSA1)  
Advice Line: 0800 110 110 | Please Call Me: 079 835 7179  
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**Independent and within reach.**



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TARGET 16.3 Promote the rule of law at the national and international levels, and ensure equal access to justice for all



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**Mission:** To be a leader in the provision of sustainable, ethical, independent and quality legal aid services to the poor and vulnerable

**From:** Nondumiso Mhlongo  
**Sent:** Monday, 09 November 2020 12:03  
**To:** Patrick Hundermark <[PatrickH@legal-aid.co.za](mailto:PatrickH@legal-aid.co.za)>  
**Subject:** FW: COMPLAINT AGAINST ADVOCATE BRINK  
**Importance:** High

Good day Patrick

Please see the attached letter.

Regards  
Nondumiso

**From:** Shoba Harkhu [<mailto:shobah@ipc.org.za>]  
**Sent:** Monday, 09 November 2020 12:01  
**To:** Nondumiso Mhlongo <[NondumisoT@legal-aid.co.za](mailto:NondumisoT@legal-aid.co.za)>  
**Subject:** COMPLAINT AGAINST ADVOCATE BRINK

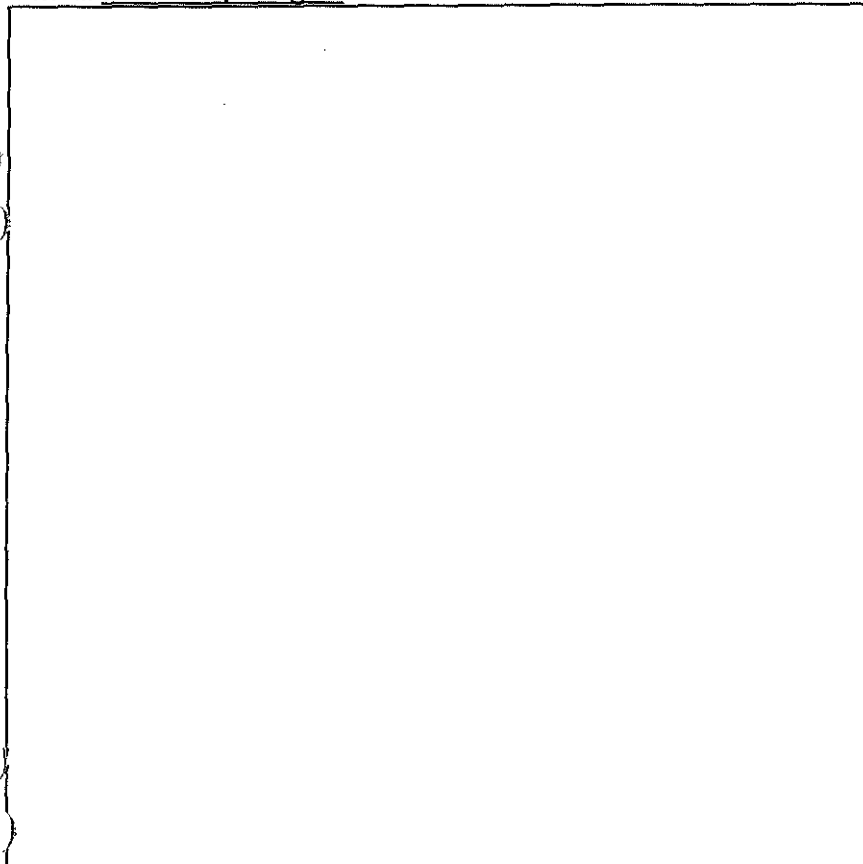
9 November 2020

Mr N Mhlongo

Dear Sir

We are forwarding herewith our letter dated 5 November 2020

Regards,  
Shoba Harkhu  
Disciplinary Department  
KWAZULU-NATAL PROVINCIAL OFFICE  
1<sup>st</sup> Floor | 200 Hoosen Haffejee Street | Pietermaritzburg | 3201  
P O Box 1454 | Pietermaritzburg | 3200  
Tel: +27 (0) 33 345 1304 ext. 205 | Fax: +27 (0) 33 345 3028  
Docex 25 | Pietermaritzburg  
E-mail: [shobah@lpc.org.za](mailto:shobah@lpc.org.za)



**From:** [scan@lpc.org.za](mailto:scan@lpc.org.za) <[scan@lpc.org.za](mailto:scan@lpc.org.za)>  
**Sent:** 09 November 2020 09:25 AM  
**To:** Shoba Harkhu <[shobah@lpc.org.za](mailto:shobah@lpc.org.za)>  
**Subject:** Attached Image

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Thank You.

---

# KWAZULU-NATAL PROVINCIAL OFFICE

1<sup>ST</sup> Floor | 200 Hoosen Haffejee Street | Pietermaritzburg | 3201  
P O Box 1454 | Pietermaritzburg | 3200  
Tel: +27 (0) 33 345 1304 | Fax: +27 (0) 33 345 3028  
DoceX 25 | Pietermaritzburg  
E-mail: kzncomplaints@ipc.org.za  
Website: www.lpc.org.za



## NATIONAL OFFICE

Thornhill Office Park | Block 20, 94 Bekker Road | Vorna Valley | MIDRAND | 1686  
P O Box 537 | Midrand | 1685  
Tel: +27 010 001 8500

Mr Patrick Hundermark  
Chief Legal Executive  
Legal Aid of South Africa

Email: PatrickH@legal-aid.co.za

YOUR REF:

OUR REF : Nadira

*Please Quote Our Reference*

3 December 2020

Dear Sir

**RE: COMPLAINT AGAINST ADVOCATE BRINK**

Your letter dated 30 November 2020 bears reference.

The Legal Practice Council at its meeting held in January 2020 resolved that the investigation in the above mentioned matter commence de novo as the Society of Advocates had no authority to deal with the complaint as the Society ceased and the Legal Practice Council took office on 1 November 2018.

Advocate Brink was forwarded a copy of the initial complaint lodged by Mr T V Mtati, the erstwhile Corporate Service Executive of Legal Aid South Africa and he was afforded an opportunity to reply to all the allegations raised by the complainant at the time. Advocate Brink had required certain information/documents from your organisation in order for him to furnish our offices with his reply.

Our offices had addressed the following correspondences dated 25 August 2020, 28 September 2020, 6 October 2020, 5 November 2020, 16 November 2020 to the Legal Aid South Africa, to which we have not yet received the requested information in order for our offices to investigate the matter. We advised your offices that in the event we do not receive the Legal Aid South Africa Boards reply to the request, then our offices will proceed to closed its file, as we cannot keep the complaint pending indefinitely as this will severely prejudice Advocate Brink.

Please note that Advocate Brink is putting extreme pressure on our offices to obtain you Boards response, so that he can file his Answering Affidavit to the complaint and have the matter finalised. We note that your Chief Executive Officer has suffered a family bereavement and we express our condolence in this regard, however our offices would require a definitive date on which your response would be forwarded to us for onward transmission to Advocate Brink.

We would like to bring to your attention Rule 39.3 which states:-

***"In order to establish whether grounds for referring the complaint to the Investigating Committee exist, the executive officer or the legal officer, or any other person in the employ of the Council to whom the authority has been delegated by the Council , may, in his or her discretion:-***

***39.3.1 notify the respondent in writing of the nature of the complaint and call upon the respondent to furnish a written explanation in answer to the complaint within 30 days of such notice; and***

***39.3.2 request the complainant to provide further particulars on any aspect of the complaint."***

Yours faithfully



**MRS N HARRIPERSAD  
SENIOR LEGAL OFFICIAL  
DISCIPLINARY DEPARTMENT**

## Shoba Harkhu

---

**From:** Patrick Hundermark <PatrickH@legal-aid.co.za>  
**Sent:** 04 December 2020 02:21 PM  
**To:** Shoba Harkhu  
**Cc:** anthonybrink.sa@gamil.com  
**Subject:** RE: COMPLAINT AGAINST ADVOCATE BRINK

Dear Mrs Harripersad

The writer acknowledges receipt of your e-mail enclosing your letter dated 3 December 2020.

I do not intend to deal with the contents of your letter save to apologise for the delay in providing our response to your correspondence but as indicated in my e-mail of 19 November 2020, the current CEO was engaging with our Board and thus we required until 30 November 2020 to respond. The Board dealt with the matter on 28 November 2020 and the CEO is required to sign off the response. I am expecting the CEO to return to office next week and thus undertake to ensure that our response is delivered on or before 11 December 2020.

After more than 5 years of relative inaction, I am sure the prejudice you allude to in your letter will not be exacerbated by the extension to 11 December 2020.

Your sincerely

Patrick Hundermark  
Chief Legal Executive  
Legal Development Department

Address: 29 De Beer Street | Braamfontein | Johannesburg  
Tel: +27 11 877 2051 | Cell: +27 82 600 3926

Twitter: @LegalAidSA1 | Facebook: LegalAidSA1 Advice Line: 0800 110 110 | Please Call Me: 079 835 7179  
Website: <https://eur01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.legal-aid.co.za%2F&data=04%7C01%7Cshobah%40lpc.org.za%7C2e1a01e67feb4e3e45f108d8984f16ba%7C87621f630574da8993efbab081227ce%7C0%7C0%7C637426812796088595%7CUnknown%7CTWFpbgZsb3d8eyJWIjoiMC4wLjYwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ikk1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=ttVLAmdJ9IdluHVv32QdvhHHkzcCbcN%2BMejU0YYAa6Q%3D&reserved=0> | Ethics Hotline: 0800 153 728

-----Original Message-----

From: Shoba Harkhu [mailto:shobah@lpc.org.za]  
Sent: Thursday, 03 December 2020 09:40  
To: Patrick Hundermark <PatrickH@legal-aid.co.za>  
Cc: anthonybrink.sa@gamil.com  
Subject: COMPLAINT AGAINST ADVOCATE BRINK

3 December 2020

Mr Patrick Hundermark

Dear Sir

We are forwarding herewith our letter dated 3 December 2020

Regards,  
Shoba Harkhu  
Disciplinary Department  
KWAZULU-NATAL PROVINCIAL OFFICE  
1ST Floor | 200 Hoosen Haffejee Street | Pietermaritzburg | 3201 P O Box 1454 | Pietermaritzburg | 3200  
Tel: +27 (0) 33 345 1304 ext. 205 | Fax: +27 (0) 33 345 3028 Docex 25 | Pietermaritzburg  
E-mail: shobah@lpc.org.za

-----Original Message-----

From: pmblibrary@lpc.org.za <pmblibrary@lpc.org.za>  
Sent: 03 December 2020 09:38 AM  
To: Shoba Harkhu <shobah@lpc.org.za>  
Subject: Scan from samsung

Scan from Downstairs

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## Shoba Harkhu

---

**From:** Patrick Hundermark <PatrickH@legal-aid.co.za>  
**Sent:** 11 December 2020 02:49 PM  
**To:** Shoba Harkhu  
**Subject:** RE: COMPLAINT AGAINST ADVOCATE BRINK  
**Attachments:** Letter to the Legal Practice Council -KZN Provincial Office 11-12-2020.pdf

Dear Mrs Harripersad

We refer to the above matter and attach hereto a letter from the CEO of Legal Aid SA, Ms Matiti Kola, for your attention.

Kindly acknowledge receipt and advise should you have any queries.

Yours sincerely

Patrick Hundermark  
Chief Legal Executive  
Legal Development Department

Address: 29 De Beer Street | Braamfontein | Johannesburg  
Tel: +27 11 877 2051 | Cell: +27 82 600 3926

Twitter: @LegalAidSA1 | Facebook: LegalAidSA1 Advice Line: 0800 110 110 | Please Call Me: 079 835 7179  
Website: <https://eur01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.legal-aid.co.za%2F&data=04%7C01%7Cshobah%40lpc.org.za%7C2457f36392ff445bc01e08d89dd3243e%7C87621f63a0574da8993efbab081227ce%7C0%7C0%7C637432877677937638%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikh1haWwiLCJXVCi6Mn0%3D%7C1000&sdata=MdBfGt5TmC51dMlCtJR5zEYSzm3PjzvzNYyhp3YHtPo%3D&reserved=0> | Ethics Hotline: 0800 153 728

)-Original Message-----

**From:** Patrick Hundermark  
**Sent:** Friday, 04 December 2020 14:21  
**To:** 'Shoba Harkhu' <shobah@lpc.org.za>  
**Cc:** anthonybrink.sa@gamil.com  
**Subject:** RE: COMPLAINT AGAINST ADVOCATE BRINK

Dear Mrs Harripersad

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Cc: anthonybrink.sa@gamil.com  
Subject: COMPLAINT AGAINST ADVOCATE BRINK

3 December 2020

Mr Patrick Hundermark

Dear Sir

are forwarding herewith our letter dated 3 December 2020

Regards,  
Shoba Harkhu  
Disciplinary Department  
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1ST Floor | 200 Hoosen Haffjee Street | Pietermaritzburg | 3201 P O Box 1454 | Pietermaritzburg | 3200  
Tel: +27 (0) 33 345 1304 ext. 205 | Fax: +27 (0) 33 345 3028 Docex 25 | Pietermaritzburg  
E-mail: shobah@lpc.org.za

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# KWAZULU-NATAL PROVINCIAL OFFICE

1<sup>ST</sup> Floor | 200 Hoosen Haffejee Street | Pietermaritzburg | 3201  
P O Box 1454 | Pietermaritzburg | 3200  
Tel: +27 (0) 33 345 1304 | Fax: +27 (0) 33 345 3028  
Docex 25 | Pietermaritzburg  
E-mail: melissag@ipc.org.za  
Website: www.ipc.org.za



## NATIONAL OFFICE

Thornhill Office Park | Block 20, 94 Bekker Road | Vorna Valley | MIDRAND | 1686  
P O Box 537 | Midrand | 1685  
Tel: +27 010 001 8500

Advocate A Jeffrey SC  
34 Richefond Circle  
Ridgeside Office Park  
UMHLANGA ROCKS

YOUR REF:

OUR REF : NH/mg

*Please Quote Our Reference*

25 October 2021

**BY COURIER**

Dear Advocate Jeffrey SC

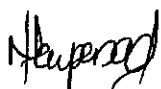
**RE: COMPLAINT BY THE LEGAL AID BOARD (MR T MTATI) AGAINST ADVOCATE A R BRINK**

Thank you for your e-mail dated 22 October 2021.

Enclosed please see the complaint consisting of 5 lever arch files.

We have further enclosed the claim form for submission on completion of the matter.

Yours faithfully



**MRS N HARRIPERSAD  
SENIOR LEGAL OFFICER - DISCIPLINARY DEPARTMENT**

Encl.

## Melissa Geldenhuys

---

**From:** William A.J Nicholson <wnicholson@law.co.za>  
**Sent:** Monday, 27 February 2023 11:30  
**To:** Melissa Geldenhuys  
**Subject:** RE: Round Robin : Adv. A R Brink - Complaint by Mr T V Mtati obo Legal Aid South Africa

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Melissa

I am happy to deal with it. However, I am presently Acting Judge in the Durban High Court. I will only be able to deal with it after 24 March 2023.

Regards

William Nicholson

---

**From:** Melissa Geldenhuys <Melissag@lpc.org.za>  
**Sent:** Monday, 27 February 2023 07:30  
**To:** William A.J Nicholson <wnicholson@law.co.za>  
**Subject:** Round Robin : Adv. A R Brink - Complaint by Mr T V Mtati obo Legal Aid South Africa

**Your Ref:**  
**Our Ref:** NH/mg

*Please ensure that all correspondence addressed to our offices reflects our reference number.*

Morning Advocate Nicholson,

I trust you are well.

I have the above matter which was referred to an Investigating Committee member and the member came back saying that due to his ill health he cannot attend to this matter for us. The matter consists of 5 lever arch files, double sided printing. Mrs Harripersad is prepared for you to claim R625,00 per hour.

Kindly advise whether you would be in a position to assist us so that I can make arrangements for the files to be hand delivered to your chambers.

Regards

Melissa Geldenhuys  
Administrator to Mrs N Harripersad  
Disciplinary Department



**KWAZULU-NATAL PROVINCIAL OFFICE**

1<sup>st</sup> Floor | 200 Hoosen Haffeejee Street | Pietermaritzburg | 3201

P O Box 1454 | Pietermaritzburg | 3200

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Docex 25 | Pietermaritzburg

E-mail: [melissag@lpc.org.za](mailto:melissag@lpc.org.za)

Website: [www.lpc.org.za](http://www.lpc.org.za)

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## Melissa Geldenhuys

---

**From:** William A.J Nicholson <wnicholson@law.co.za>  
**Sent:** Monday, 13 May 2024 18:47  
**To:** Melissa Geldenhuys  
**Cc:** Nadira Harripersad  
**Subject:** RE: Round Robin : Adv. A R Brink - Complaint by Mr T V Mtati obo Legal Aid South Africa  
**Attachments:** Investigation REport - Advocate Anthony Robin Brink.pdf  
**Importance:** High  
**Categories:** Print E-mail

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kindly find the report attached.

Sorry for the delay. The files were not in order, which caused more time that I anticipated.

Regards

William Nicholson

---

**From:** Melissa Geldenhuys <Melissag@ipc.org.za>  
**Sent:** Wednesday, March 13, 2024 2:35 PM  
**To:** William A.J Nicholson <wnicholson@law.co.za>  
**Cc:** Nadira Harripersad <NadiraH@ipc.org.za>  
**Subject:** FW: Round Robin : Adv. A R Brink - Complaint by Mr T V Mtati obo Legal Aid South Africa  
**Importance:** High

Dear Advocate Nicholson,

The above and my various e-mails refer.

Please can you provide us with a progress report on the matter. Alternatively, should you not be in a position to consider the matter, then we will uplift the files from your office and instruct another Committee to consider same.

We await to hear from you.

Regards

Melissa Geldenhuys  
Senior Administrator to Mrs N Harripersad  
Disciplinary Department