

**Legal Aid** G  
South Africa

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**Independent and within reach.**

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**Dear Mr. Brink,**

**REQUEST FOR ACCESS TO RECORDS OF LEGAL AID SA: AR BRINK**

1. I refer to the above matter and to your request of access to records of Legal Aid SA dated **12 April 2019** addressed to the Information Officer, Ms Vedalankar and further record that such request was received on **25 April 2019** after we had requested same.
2. The request has been referred to me as the Deputy Information Officer for reply.
3. Before I reply to your requests for records, I wish to place on record that Legal Aid SA will not comment on the allegations and conclusions that you have made relating to your requests, except to state that such assertions and conclusions are baseless and defamatory, and that the veracity of same are denied. Legal Aid SA and its officials reserves their rights in law and will, if they elect to do so, respond at the appropriate forum and time.
4. I hereby reply to your requests in the table below-

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Number	Record requested	Reply
<b>PART ONE</b>		
1.	All Legal Aid SA's counsels' fees for their services in drawing or settling the said postponement application papers, and for arguing the application.	The record is refused. The request is manifestly frivolous and vexatious. Secondly, the information falls within the prescripts of personal information of third parties and they refused to grant permission to release such information as required in terms of section 47 of PAIA.
2.	All travel expense and subsistence vouchers reflecting what Legal Aid SA's junior advocate and two in house attorneys to attend the said postponement application.	The record relating to junior counsels records refused on the basis that she has refused to grant permission to release such information as required in terms of section 47 of PAIA. The records relating two in house attorneys is refused on the basis that it is manifestly frivolous and vexatious and further seeks to substantially and unreasonable divert the resources of Legal Aid SA and furthermore such request does not align to the prescripts and objectives of PAIA, namely to enable the requester to fully exercise his rights and protect such rights.

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## PART TWO

3.	Legal Aid SA's annual reports made under section 32 of PAIA to the South African Human Rights Commission for:	
3.1	2016/17	Access to the record is granted. The copy of the record is attached as Annexure <b>PH1</b> . This record was submitted to SAHRC and can be accessible from SAHRC.
3.2	2017/18	Access to the record is granted. The record is attached as Annexure <b>PH2</b> . This record was submitted to SAHRC and can be accessible from SAHRC.
3.3	2018/19	Access to the record is granted. The record is attached as Annexure <b>PH3</b> . This record was submitted to SAHRC and can be accessible from SAHRC

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**PART THREE**

4	Any record identifying what vacant 'positions could not be filled' at Legal Aid SA that 'they' [Vedalankar and other Legal Aid Sa officers] knew about.	The record is refused. The record requested is similar, ancillary or connected to the legal proceedings at the Durban Labour Court under case 529/11 which matter was ventilated and finalised by a decision of the Labour Appeal Court. The request is therefore manifestly frivolous and vexatious and seeks to substantially and unreasonably divert the limited resources of Legal Aid SA.
5	Any record reflecting the reason these vacant 'positions could not be filled' that 'they knew'.	The record is refused. The record requested is similar, ancillary or connected to the legal proceedings at the Durban Labour Court under case 529/11 which matter was ventilated and finalised by a decision of the Labour Appeal Court. The request is therefore manifestly frivolous and vexatious and seeks to substantially and unreasonably divert the limited resources of Legal Aid SA.
6	The record of executive management's decision to 'adjust the budget' because 'they knew that those positions could not be filled'.	The record is refused. The record requested is similar, ancillary or connected to the legal proceedings at the Durban Labour Court under case 529/11 which matter was ventilated and finalised by a decision of the Labour Appeal Court. The request is therefore manifestly frivolous and vexatious

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		and seeks to substantially and unreasonably divert the resources of Legal Aid SA.
7	The boards resolution to approve the 'adjustment of] the budget because the vacant 'positions could not be filled', if, per Legal Aid SA's Approval Framework, this entailed a 'Reallocation of budget in excess of 8% between cost centres'.	The record is refused. The record requested is similar, ancillary or connected to the legal proceedings at the Durban Labour Court under case 529/11 which matter was ventilated and finalised by a decision of the Labour Appeal Court. The request is therefore manifestly frivolous and vexatious and seeks to substantially and unreasonably divert the limited resources of Legal Aid SA.
8	'[T]he information' about Legal Aid SA's adjustment of] that Vedalankar sent the Committee after the meeting, as undertaken to Hon Jeffrey; And its covering letter.	The record is refused. The record requested is similar, ancillary or connected to the legal proceedings at the Durban Labour Court under case 529/11 which matter was ventilated and finalised by a decision of the Labour Appeal Court. The request is therefore manifestly frivolous and vexatious and seeks to substantially and unreasonably divert the resources of Legal Aid SA.

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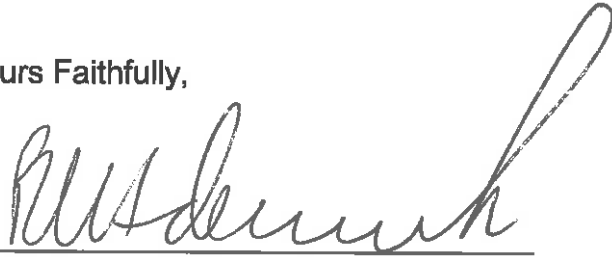


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Yours Faithfully,



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**Mr. Patrick Hundermark**

**Deputy Information Officer.**

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