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KwaZulu-Natal
30 December 2016

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Professor Bongani Majola
Chairperson: South African Human Rights Commission
2nd Floor, Forum 3
33 Hoofd Street
Braampark
Braamfontein

Private Bag X2700
Houghton 2041

By registered post

Dear Professor Majola

SPECIAL REPORT ON LEGAL AID SA
AN AGGRAVATED CASE OF REPEATED WILFUL NON COMPLIANCE
WITH THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 TO
ILLEGALLY OBSTRUCT ACCESS TO DULY REQUESTED RECORDS, AND
REPEATED FALSE ANNUAL AND 'CONFIDENTIAL' REPORTING TO
CONCEAL THIS FROM THE NATIONAL ASSEMBLY

My congratulations on your appointment as new chairperson of the SAHRC with effect from January 2017. I was most gratified to learn earlier this month that the SAHRC would be getting a whole new leadership in 2017, because I regret to tell you that both its previous chairperson, and its deputy chairperson and PAIA commissioner, proved dismally unresponsive to my repeated appeals and complaints concerning the very serious problem described in the heading above.

The specimen report I enclose – updated for you to reflect Legal Aid South Africa's most recent false reporting to conceal its illegal refusals to comply with PAIA: an extraordinarily serious matter – was delivered to your predecessor in September 2016, both by registered post and by email. Imagine my disappointment then when it was not even acknowledged, let alone attended to.

I'd be grateful if you'd give the matter your personal attention as your first big job in your new chair. It's extremely important. This massive scandal wouldn't have ballooned to its present proportions had the SAHRC intervened more energetically when I began appealing for its support in 2010–11, and had it

properly acted on its responsibilities set out in section 83(b)–(d) of PAIA concerning public body compliance with the Act. (Think of a sleeping policeman during a crime spree.) But this is all before your time. I'm hoping the SAHRC's new commissioners will take PAIA more seriously than their predecessors and act decisively at last to turn things around.

Please let me have your intentions. LASA's ongoing PAIA delinquency since 2010 is the subject of litigation currently pending in the Pietermaritzburg High Court, and I'd like to annex your response to this letter, along with mine to you and to your predecessor, to an affidavit that I'll be filing in the next few weeks.

Your reply by email would be preferred.

Yours sincerely

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

ADV ANTHONY BRINK
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