

6. The JCC chairperson's allocation of Brink's eight gross misconduct complaints against Mlambo JP to one or more other JCC members for investigation in 2017.

NOTE: Paragraph 36 of Zondi JA's decision states: 'The complaints were referred to me ... after they were considered by two members of the JCC, who recommended to the Chairperson of the JCC that they be dealt with in terms of s 17 of the Act.' (Brink's ellipsis) It may be that these two judges were appointed after Brink wrote to the Chief Justice in November 2019, protesting the JCC's failure to have decided his complaints, then more than two-and-a-half years after he'd filed them, and Mlambo JP had responded and Brink commented the following year.

7. The JCC chairperson's allocation of Brink's gross misconduct complaint against Waglay JP to one or more other JCC members for investigation in 2017.

NOTE: Then-JSC secretary the late Lynette Bios telephoned Brink on 11 February 2019 to request a copy of this complaint, indicating almost certainly that the original, acknowledged complaint had been lost, and suggesting possibly that another judge had asked for a replacement copy.

8. The written instruction in October 2017 issued to the late Lynette Bios, then-secretary of the JSC, by the chairperson of the JCC, or by another member (or members) handling Brink's eight complaints against Mlambo JP, that she/he again 'submit all of his complaints', preferably 'with an index and proper pagination referencing each of the complaints'.

NOTE: The instruction is quoted in Ms Bios's email to Brink on 31 October 2017:

> Dear Mr. Brink
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> I have been instructed by the Judicial Conduct Committee to kindly request
> you to submit all of his complaints, so as to avoid a piecemeal
> consideration and determination of these matters. Moreover, as his
> submission runs into many hundreds of pages, it would be most helpful if
> you could furnish the Committee with an index and proper pagination
> referencing each of the complaints."
>
> Kind regards
>
> Lynette Bios

