

Justice Mogoeng Mogoeng
Chief Justice of the Republic of South Africa
Private Bag x1
Constitutional Hill, Braamfonfein
Johannesburg,
2017



**Higher Education
Transformation Network**

Non-Profit Organization (NPO) Reg No: 116-851

3rd May 2015

By Email: enquiries@judiciary.org.za; info@concourt.org.za;

**RE: APPEAL: COMPLAINT ON JUDICIAL BIAS & MISCONDUCT BY DEPUTY JUDGE
PRESIDENT OF THE WESTERN CAPE HIGH COURT: JUDGE JEANETTE TRAVERSO**

Dear Chief Justice Mogoeng

We refer to your letter dated 23rd April 2015.

We seek an appeal of the decision. The panel did not engage a single authority we provided nor did they engage the concept of invidious discriminatory purpose or illicit intent.

The Judicial Conduct Committee failed to engage the authorities we tendered, either in terms of their relevance or if they felt otherwise, lack of relevance. That they failed to do so constitutes an amateurish response and undermines the dignity of Anni Dewani.

We further object to the conflating of our complaint with that of the second complainant and the summary conclusion that our complaint was against the merits of Judge Traverso's decision. If the Committee engaged our complaint fully, and canvassed the authorities we cited, they could not have properly arrived at that erroneous conclusion.

For us to comprehensively amend our appeal, it is requested that the Judicial Conduct Committee (JCC) avail to us all relevant documents that made them to arrive at the 23rd April 2015 decision. Amongst others, the documents that we request are the following:-

1. The minutes of the deliberations of the Judicial Conduct Committee
2. The affidavit by Judge Traverso
3. The affidavit by State Prosecutor Adrian Mopp.
4. The entire court recordings (transcript) of the entire criminal trial of S v Dewani presided over by DJP Traverso. ***(We request for the entire transcript, not part thereof as stated in the 23rd April 2015 decision by Judge Leeuw)***
5. Affidavit by Adv. Henry van Zyl SC
6. Affidavit by Mr Pieter Andre Botha.
7. Affidavit by Ms. Penelope Magona (Assessor).
8. Affidavit by Mr Johann Gerber (Assessor)
9. Letter to JCC dated 26th February 2015 by Western Cape DPP, Mr RJ de Kock.

Registered Address: 5 Waterfall Edge Waterfall Business Park, Bekker Road Vorna Valley Midrand 1685
Postal: Postnet Suite 162 Equestria 0184
Tel: (012) 771 2065
Cell: 076 687 4542 / 079 183 1313
Fax: 086 510 6630
Email: enquiries@hetn.org.za
www.hetn.org.za

NPO Reg No: 116-851 Directors: LL. Thekiso; RS. Legoabe; H. Makaneta; M. Makhele; T. Molea, IN Tufvesson

10. Affidavit of complaint lodged by Mr Verschuur on behalf of Justice4Anni

11. Any other relevant document considered by the Judicial Conduct Committee (JCC) on the matter.

We will amend our appeal accordingly when we have received the requested documents and records.

We trust that the appeal panel will provide a more professional and thorough review of our complaint, rather than the cursory and superficial response we received from Judge Leeuw, which failed to engage a single authority we cited.

We look forward to your response.

Yours faithfully



Lucky Lempitse Thekisho
Board Chairperson
Higher Education Transformation Network