

15 October 2021

To: Judge Navanethem Pillay
Chairperson of the Nominations Panel
Per: Email angelina@presidency.gov.za; OSewpaul@justice.gov.za

Dear Sirs,

OBJECTION LETTER: JUDGE PRESIDENT JOHN HLOPHE

1. We refer to the above.
2. The Organisation Undoing Tax Abuse (“OUTA”) is a non-profit company incorporated in terms of the Companies Act, 2008, and has been approved as a public-benefit organisation in terms of the Income Tax Act, 1972.
3. Part and parcel to OUTA’s mission is to challenge and take action against maladministration, corruption and where possible, ensure that individuals are held accountable for their conduct and actions.
4. OUTA strongly objects to the nomination of Judge President John Hlophe for the position of Chief Justice of the Constitutional Court of the Republic of South Africa, on the basis that he has brought the judiciary into disrepute and that renders him unfit and improper to occupy that position.
5. It is common cause that Judge President Hlophe has been found guilty of gross misconduct by the Judicial Conduct Tribunal for his attempt to improperly influence the Constitutional Court justices in a case involving former president Jacob Zuma. The findings of the Judicial Conduct Tribunal were upheld by the Judicial Service Commission and Judge President Hlophe now faces possible impeachment from the bench.
6. It goes without saying that Judge President Hlophe’s conduct has brought his credibility and integrity into question. An incumbent of the Chief Justice office must

ORGANISATION UNDOING TAX ABUSE NPC

Reg No.: 2012/064213/08

Directors: WL Duvenage (CEO), Adv. S Fick,

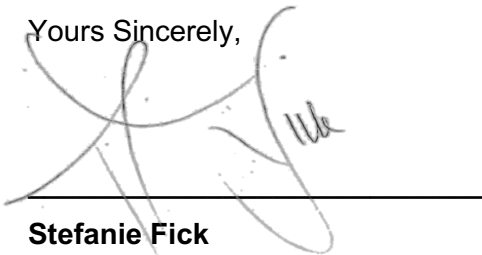
Non-Executive Directors: W Modisapodi (Chair), P Majozi, LJJ Pauwen, F Adam, T Pillay Van Graan, Dr H Volmink

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be a person with high integrity and must conduct themselves in a manner that demonstrates that they have high ethical standards.

7. Therefore, OUTA submits that for the reasons listed above, Judge President Hlophe is not a fit and proper person for the position of the Chief Justice and his nomination should not progress to the next stage of the appointment process.
8. We trust that you will find the above to be in order.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Stefanie Fick', is written over a horizontal line. The signature is stylized and somewhat cursive.

Stefanie Fick

**Executive Director of the Accountability and
Public Governance Division**

OUTA – Organisation Undoing Tax Abuse

Email: stefanie.fick@outa.co.za