

In the Judicial Service Commission

In the matter between:

ROBERT PAUL HOFFMAN

Complainant

and

MOGOENG MOGOENG

Respondent

Affidavit supporting the Complaints

I, the undersigned,

Robert Paul Hoffman

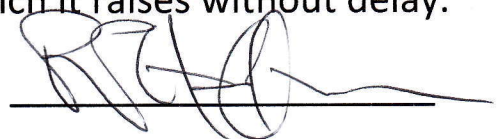
make oath and say:

1. I am the complainant in this matter and the facts set out herein are within my own knowledge.
2. The respondent is Mogoeng Mogoeng, the Chief Justice of the Republic of South Africa.
3. The Institute for Accountability in Southern Africa engaged me in 2009 as one of its four directors. I was previously an attorney from 1975 to 1980, a junior advocate from 1980 to 1995 and a silk at the Cape Bar from 1995 to 2006. Between 2006 and 2008 I was the founding director of the Centre for Constitutional Rights, a unit of the FW de Klerk Foundation. I have acted as a judge in the Cape High Court (now known as the Western Cape High Court) at the invitation of Friedman JP, King JP and Hlophe JP during the period in which I practised as a silk at the Cape Bar.
4. The facts, upon which my complaints, including the complaints of respondent's gross misconduct or gross incompetence, are

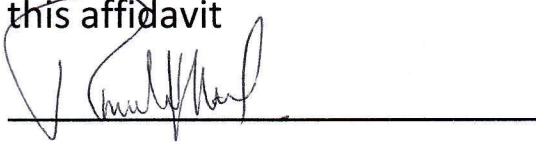


based, appear to me to be common cause or undisputed and are set out separately in the formal complaint which is attached to this affidavit marked "RPH".

5. I have read the formal complaint in its entirety and confirm that the contents are true and correct.
6. In the event that the respondent agrees that the facts set out in the first five paragraphs of the complaint are common cause; it will, I respectfully submit, not be necessary to present evidence in support of the complaints and the matter can swiftly be determined after argument on the complaints is heard.
7. Having regard to the high office which the respondent holds and its importance to the integrity, effectiveness and probity of the judiciary as a whole, I respectfully request that this complaint be accorded urgent priority attention by the Judicial Service Commission with a view to reaching a final determination of the issues of law which it raises without delay.



Signed and sworn to at Noordhoek on 3 August 2013, the deponent having acknowledged that he knows and understands the content of this affidavit



Commissioner of Oaths

Full names: RONALD LUKE STEEL

Address: 6 Turquoise Close, Noordhoek.

Designation and Capacity: Minister of Religion
ex officio marriage officer