



JUDICIAL CONDUCT COMMITTEE

Ref no: JSC/44/05/24

In the matter between:

MR THABANG MOTJAMELA

COMPLAINANT

and

ACTING JUDGE LESLIE

RESPONDENT

Date: 26 May 2026

Decision: The appeal is dismissed.

RULING

THE JUDICIAL CONDUCT COMMITTEE (SHONGWE JA, SALDULKER JA AND MABINDLA-BOQWANA JP)

[1] This is an appeal in terms of section 15(5) of the Judicial Service Commission Act 9 of 1994 (the Act) against the decision made by the Acting Chairperson

dismissing a complaint by the appellant. The complaint was dismissed in terms of section 15 (2)(c) of the Act on the grounds that it is solely related to the merits of a judgment granted and does not fall within the parameters of any ground set out in section 14 (4) of the Act.

[2] The grounds of appeal are, *inter alia*, that the respondent acted like a lay person in the Labour Court and that he lacked qualifications or ability of being a judge. That he was tactless and bossy to poor people that are not represented and showed discrimination. These grounds of appeal are in an unsigned, undated and none commissioned affidavit.

The Complaint

[3] The complaint is also in the form of an unsigned and non-commissioned affidavit unlike some complainants who complete a dedicated form and sign it. The complainant says his brother was the applicant in a review application in the Labour Court in Cape Town which was dismissed as being defective. He accuses the respondent of being incompetent, biased and prejudicial. The complainant then applied for leave to appeal, which was also dismissed by the respondent on the grounds that there is nothing to indicate that the appellant has *locus standi* to act on behalf of his brother's estate as he is deceased. And also, that there would not be any reasonable prospects of success on appeal.

Discussion

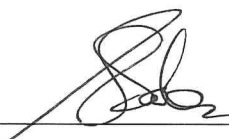
[4] The complainant does not have *locus standi* to file the complaint. He does not dispute the fact that his brother died before his matter was finalised. We acknowledge that he is a lay person and does not know what needs to be done in the circumstances. That, however, cannot serve as the basis to allow the complaint. The

route followed by the complainant is incorrect. His course was to appeal the decision of the respondent to a higher court.

[5] After the death of his brother, his *lis* under case no: C31/2020 in the Labour Court in Cape Town, it appears, in any event, had come to an end. For our purposes, the complaint is without merit. The Acting Chairperson was correct to find that the complaint related to the merits of the respondent's judgment or order.

Conclusion and Outcome

[6] Given all of the above the appeal is accordingly dismissed.

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THE JUDICIAL CONDUCT COMMITTEE