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MEDIA RELEASE

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MEDIA STATEMENT FROM THE OFFICE OF THE CITY MANAGER

The Court has dismissed with costs the case of the DA which challenged the reappointment of Brink as the City Manager after it became clear that its case is founded on lies, gossips and fabrications.

The City welcomes the High Court's dismissal of the case of the DA with costs after it became clear that its legal challenge on the reappointment of Brink as the City Manager was founded on lies, gossips and fabrications. This ruling sends a clear message to the DA that its abuse of Court and legal process and undermining of lawful internal process of Council will not be countenanced. Last year, the DA approached the Court claiming that a panel that was chaired by its former Executive Mayor, Cllr Mpho Phalatse did not recommend Brink for the position of the City Manager on false basis that he did not meet the requirements. The City through its lawyers refuted these falsehoods and demonstrated with hard evidence that its case was founded on lies and gossips and laced with malice.

For the record, the City can confirm that Brink was recommended to be the City Manager by the Panel which was chaired by Cllr Phalatse after her preferred candidate was rejected by the coalition partners of the DA. The first basis for this rejection was that she sanctioned an unlawful and clandestine investigation through questionable means to generate false allegations and manufactured evidence which she used to frustrate the appointment of Brink. The second basis was that, she held a secret meeting with her candidate prior to the interviews, which empowered him to perform well in the interviews. The City is at liberty to confirm that despite her machinations, the competency assessment report of Brink proved he was the best candidate for the job by a mile.

His suitability was later confirmed by the Court when it refused to set-aside the recruitment process and the recommendation of Brink to be the City Manager. The Court only set-aside the appointment on the basis that the report before Council should have been tabled through Rule 62 and not Rule 64 and left the recruitment process intact, effective and operational. This procedural defect was corrected on 29 November 2023, a report to re-appoint Brink was re-tabled in terms of Rule 62. As expected, the DA ran to Court on urgent basis, and falsely claimed that the City reemployed Rule 64 to reappoint Brink. Furthermore, it misrepresented the judgement, and falsely stated that this judgement interdicted the City from re-appointing Brink. The lawyers of the City opposed these fabrications, and hence Judge Makume at

paragraph 10 and 12 of the judgement was not convinced that the lies, gossips and fabrications of the DA were urgent, and dismissed its application with costs.

With that said, we call on every staff member to focus on the job of delivery services to our residents.

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ENDS

Issued by the City of Joburg

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