

SAMBO-MLAHLEKI ATTORNEYS

Attorneys & Sworn Translators

22
Tel: (011) 462-1111
Fax: (011) 462-1111

PO Box 11007
THE TRAMMIED
FREETOWN
011 462 1111
011 462 1111

FACSIMILE

Our Ref: N0001/05-10/01/Mr SSE Sambo
Your Ref:
Date: 21 September 2011
To: The Chairperson: Portfolio Committee on Arts & Culture
Fax No:
Attention: The Honourable Ms T Sunduza
From: Edward Sambo
Subject: PAN SOUTH AFRICAN LANGUAGE BOARD//MS NTOMBENHLE ROSEMARY NKOSI

Dear Ms Sunduza

Herewith please copies of documentation dealing with the above matter as requested from Ms Ntombenhle Nkosi.

Yours faithfully

Sambo Mlahleki Attorneys
Per SSE Sambo
Email: Edward@

SAMBO-MLAHLEKI ATTORNEYS

Attorneys & Sworn Translators

Suite 316 City Towers

PRETORIA

0002

Tel: (011) 462 1111

Fax: (011) 462 1111

PC 1001/07

C: 111

C: 111

Dir: 011 462 1111

Our Ref: N0001/05-10/01/Mr SSE Sambo

24 August 2011

URGENT!!

The Chairperson
Pan South African Language Board
PRETORIA

BY FAX: (011) 462 1111

Dear Dr Maletse

PAN SOUTH AFRICAN LANGUAGE BOARD//NTOMBENHLE ROSEMARY NKOSI

1. We refer to the above matter and wish to enquire whether the Board has formally taken a decision based on the findings and recommended sanction emanating from the disciplinary enquiry that was presided over by Advocate Pretorius SC as, to date, our client has not received any formal communication from the Pan South African Language Board in this regard. In the absence of any contrary indication, our client obviously still regards herself as an employee of your organisation.
2. If the Board has indeed formally taken any decision, we hereby request you to urgently furnish us with a copy of the minutes of the meeting where such decision was taken, as well as a copy of the notification, if any, that was sent to our client to enable us to adequately advise our client in protecting her fundamental rights and interests.
3. We are also instructed to demand that you urgently pay our client's monthly salary for the months of July and August 2011, which you have failed to deposit into her account without any lawful cause. Failing this, our instructions are to bring an urgent court application, which will be at your ultimate cost.
4. The issues raised above are quite urgent and we would therefore appreciate it if they can be treated as such. To this end, we will be happy to have the requested responses by not later than 12h00 on Friday 26 August 2011.
5. We await your urgent response.

Yours faithfully

Sambo-Mlahleki Attorneys

Per SSE Sambo

Ed: Edward@

Director: SSE Sambo - Candidate Attorney: MW Mashapa

HP LaserJet 3055

Fax Call Report

Sambo-Mlahleki Attorneys

24-Aug-2011 07:12

Job	Date	Time	Type	Identification	Duration	Pages	Result
7395	24/ 8/2011	07:10:58	Send	012-341-8828	1:15	1	OK

SAMBO-MLAHLEKI ATTORNEYS

Attorneys & Sworn Translators

Suite 314 City Towers
221 Van der Walt Street
PRETORIA
0002
Tel: (012) 323 2474
Fax: (012) 323 2451
Over Nat: N000105-10/01/11/ RSE Sambo

PO Box 111857
THE TRAMSHED
PRETORIA
0128
Cell: 082 482 8427
Direct Fax: 086 961 2451
24 August 2011

URGENT!!

The Chairperson
Pan South African Language Board
PRETORIA


BY FAX: (012) 341 8828

Dear Dr Malets

PAN SOUTH AFRICAN LANGUAGE BOARD INTOMBENHLE ROSEMARY NKOSI

1. We refer to the above matter and wish to enquire whether the Board has formally taken a decision based on the findings and recommended sanction emanating from the disciplinary enquiry that was provided over by Advocate Pretorius SC as, to date, our client has not received any formal communication from the Pan South African Language Board in this regard. In the absence of any contrary indication, our client obviously still regards herself as an employee of your organisation.
2. If the Board has indeed formally taken any decision, we hereby request you to urgently furnish us with a copy of the minutes of the meeting where such decision was taken, as well as a copy of the notification, if any, that was sent to our client to enable us to adequately advise our client in protecting her fundamental rights and interests.
3. We are also instructed to demand that you urgently pay our client's monthly salary for the months of July and August 2011, which you have failed to deposit into her account without any lawful cause. Failing this, our instructions are to bring an urgent court application, which will be at your ultimate cost.
4. The issues raised above are quite urgent and we would therefore appreciate it if they can be treated as such. To this end, we will be happy to have the requested responses by not later than 12:00 on Friday 28 August 2011.
5. We await your urgent response.

Yours faithfully


Sambo-Mlahleki Attorneys
Per Edwan Sambo
E-mail: Edwan@samboalahleki.co.za

Edwan RSE Sambo - Candidate Attorney JMW Makgopa

SAMBO-MLAHLEKI ATTORNEYS

Attorneys & Sworn Translators

224 Van der Walt Street
F
0002
Tel: (01
Fax: (01

PO Box 11607
T
C
C
Direct F

Our Ref: N0001/05-10/01/Mr SSE Sambo

02 August 2011

The Minister
Department of Arts and Culture
Beatrix Street
PRETORIA

BT

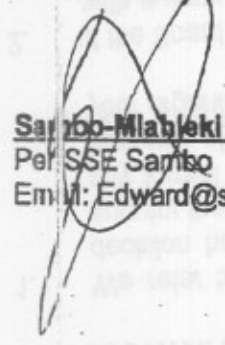
Dear Honourable Minister Mashatile

PAN SOUTH AFRICAN LANGUAGE BOARD//NTOMBENHLE ROSEMARY NKOSI

We refer to our letter dated 04 July 2011 regarding the above matter – **SEE ANNEXED COPY FOR EASE OF REFERENCE.**

May we please establish if it is now opportune for you to furnish us with your response.

Yours faithfully



Sambo-Mlahleki Attorneys
Per SSE Sambo
Email: Edward@sc

HP LaserJet 3055

Fax Call Report

Sambo-Mlahleki Attorneys

012

2-Aug-2011 18:40

Job	Date	Time	Type	Identification	Duration	Pages	Result
7301	2/ 8/2011	18:37:01	Send	(012) 323 2454	3:01	3	OK

SAMBO-MLAHLEKI ATTORNEYS

Attorneys & Sworn Translators

Suite 314 City Towers
221 Van der West Street
PRETORIA
0002
Tel: (012) 323 2474
Fax: (012) 323 2451

PO Box 11867
THE FRANKS
PRETORIA
0128
Cell: 083 493 8427
Direct Fax: 083 851 2451
12 August 2011

The Minister
Department of Arts and Culture
Beatrix Street
PRETORIA

BY FAX: (012) 441 3614

Dear Honourable Minister Mashile

PAN SOUTH AFRICAN LANGUAGE BOARD/INTOMSENLE ROSEMARY NKOSI

We refer to our letter dated 04 July 2011 regarding the above matter - SEE ANNEXED COPY FOR EASE OF REFERENCE.

May we please establish if it is now opportune for you to furnish us with your response.

Yours faithfully

Sambo-Mlahleki Attorneys
PO Box 11867
Email: Edward@sambo-mlahleki.co.za

Direct: 012 323 2474 - Certified Attorney: HW Mashile

SAMBO-MLAHLEKI ATTORNEYS

Attorneys & Sworn Translators

PO BOX 11007
TLOKENG
PRETORIA

Tel: (012) 338 1111

Fax: (012) 338 1111

PO BOX 11007
TLOKENG
PRETORIA
012 338 1111
Direct Fax: 012 338 1111

Our Ref: N0001/05-10.01/Mr SSE Sambo

04 July 2011

The Minister
Department of Arts and Culture
Beatrix Street
PRETORIA

BY HAND DELIVERY

Dear Honourable Minister Mashatile

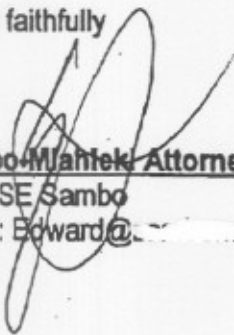
PAN SOUTH AFRICAN LANGUAGE BOARD/NTOMBENHLE ROSEMARY NKOSI


1. We refer to the findings of Adv P Pretorius SC dated 08 June 2011 as well as his sanction dated 24 June 2011 regarding the above matter and confirm that we act on behalf of Mrs Ntombenhle Rosemary Nkosi.
2. Our instructions are to lodge an appeal to the Honourable Minister against both the findings and recommended sanction of Adv Pretorius SC as well as the subsequent Board action thereon in terms of the provisions of Regulation 16(14) of the PanSALB Regulations, 2002.
3. It is also our instructions that we should register our client's displeasure to the Honourable Minister in the manner in which the Pan South African Language Board has dealt with our client's matter, more particularly on how the final decision was communicated. To date, our client has not received any formal communication from the Pan South African Language Board on the final decision emanating from the disciplinary enquiry that was conducted by Adv Pretorius SC but only received the news from the print and electronic media.
4. Be that as it may, our client's appeal is premised on the following factors:
 - 4.1 It is respectfully submitted that the Chairperson of the disciplinary enquiry failed to give consideration to the fact that the forensic investigation was not based on the final audit report but rather on a draft report that did not have Mrs Nkosi's input as she was not accorded an opportunity to respond to any preliminary findings before the final report. Furthermore, the forensic investigation heavily relied on management comments that were furnished by the Deputy Chief Executive Officer and not those furnished by Mrs Nkosi. During the disciplinary enquiry the internal auditors conceded that a satisfactory comment or response from management changes the implications of any finding. Therefore it is submitted that had consideration been given to Mrs Nkosi's comments on the draft internal audit report, most of the findings contained in the forensic investigation report would have been adequately addressed, thus even eliminating the relevant findings.

Director: SSE Sambo – Candidate Attorney: MW Mashapa

- 4.2. When the disciplinary enquiry was initiated in 2009 Mrs Nkosi faced about fifty six (56) charges which were eventually reduced to not more than ten (10) by the time the matter was heard, largely owing to further documentation and information coming to light, thus disproving or taking any credence on the findings of the forensic investigation. It is our humble submission that had Mrs Nkosi's witnesses not been intimidated, thus resulting in them not turning up at the enquiry, they would have corroborated Mrs Nkosi's testimony on the credibility of the internal audit report which formed the basis of the forensic investigation.
- 5. Based on the above, it is our submission that since the findings were based on a forensic investigation report that was the result of a flawed process, it should follow that the resultant recommendations should also fall away.
- 6. We trust that you will take the above into consideration in arriving at your decision. Should you need any substantive submissions regarding any of the issues contained herein we will gladly comply.

Yours faithfully


Sambo-Mjanfeki Attorneys
 Per SSE Sambo
 Email: Edward@...

 N.B. Jack (Received)
 Ministry. 04/07/2011

~~XX~~
~~XX~~