



EXHIBIT CC 18

AFFIDAVIT & ANNEXURES

OF

PHATISWA MAGOPENI



**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

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**IN THE COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE
CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR
INCLUDING ORGANS OF STATE ("THE COMMISSION")**

AFFIDAVIT

I, the undersigned,

PHATHISWA MAGOPENI

hereby declare under oath as follows:

1. I am female South African citizen currently employed as Group Executive: News and Current Affairs, also known as Head of News, at the South African Broadcasting Corporation (SABC). I joined the SABC on 1 March 2018.
2. I have been approached by investigators associated with the Commission of Inquiry into Allegations of State Capture, Fraud and Corruption in the Public Sector and certain Organs of State ("the Commission") and have been requested to provide an affidavit which details the 'State of the Newsroom' when I took over as head of news.
3. I have agreed to provide this affidavit as well as evidence to the Commission freely and voluntarily.

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4. The content of this affidavit is true and correct and falls within my own personal knowledge, unless the contrary clearly appears from the context or is otherwise stated.
5. Below is my submission regarding what I found and how things were when I started in March 2018.

THE CULTURE

6. It was clear from the word go when I joined the newsroom that things had fallen apart, there was no effective capable leadership to guide the work of the division. There were glaring issues of mistrust in the leadership, as staff viewed senior managers as lacking credibility due to their perceived association with the horrendous practices that journalists had been exposed to in the past.
7. There was a general sense that the management of the division was compromised and had no legitimacy to provide any trustworthy guidance to the operation. As a result of this there was a universal lack of purpose and commitment to deliver on the primary task of SABC News, the public mandate.
8. Upon engaging with individuals and groups within the various newsrooms across the country, it became clear that the issues were endemic and deeply entrenched. As a result of the sustained period of editorial transgressions, serious ethical drifts, editorial bullying by external parties,

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corporate bullying of newsroom staff and the harassment of journalist by news managers, the news operation was characterised by the following:

- 8.1 No existence of either editorial or administrative philosophy to guide management thinking and decision making.
- 8.2 No espoused and commonly understood values system to guide conduct in the news operation.
- 8.3 Crippling fear, anxiety, resentment and tensions.
- 8.4 A paralysed editorial system that could not enable ethical editorial decision making.
- 8.5 Lack of transparency and accountability in management decision making, which led to suspicion, speculation and a sense that there was an entrenched practice of favouritism.
- 8.6 Management that tolerated and natured unethical editorial practices.
- 8.7 An environment where people were 'playing safe', not wanting to upset the system, and avoiding doing things and raising issues that could attract backlash and victimisation.
- 8.8 Extremely low morale levels, lack of motivation and employee engagement

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- 8.9 No clear lines of command as journalists, on and off-the field, were getting instructions from everywhere, internally and externally.
- 8.10 An environment where politicians thought they had a say in editorial decisions and could dictate how stories are told, which stories are told, who tells them and when they should be told.
- 8.11 Staff coming to work, providing no service and leaving whenever they wanted to.
- 8.12 People allowed to sit in the system doing the bare minimum, with no one holding them to account.
- 9. What became clear is that due to the managers' lack of managerial capacity and legitimacy, the meltdown was allowed to continue.
- 10. The overall assessment of the operation revealed a battered news brand with no credibility. The public had lost trust in it, and reporters would share experiences of how they were ridiculed and undermined by their peers in the industry and politicians. Some would even talk about how they were ashamed of disclosing who they worked for, as a result of the bad reputation of the organisation.
- 11. The sad part of this experience was the loss of enterprise and confidence, as reporters, the heartbeat of any news operation, were reduced to making announcements with no real opportunity to engage in compelling impactful

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storytelling.

THE POLICY ENVIRONMENT

12. Despite the existence of the SABC's Editorial Policy framework, the news operation had no editorial accounting process or mechanism in place. This is required to ensure strict adherence to and observance of the policy. This gap led to a casual consideration and application of the Editorial Policy and related legislations and regulatory provisions. I attach thereto said Editorial Policy as **Annexure PM001**.
13. There was no performance management system in place, particularly at the bargaining level, meaning that employee performance could not be monitored, or support/training offered in areas where gaps would have been identified.
14. There was no productivity monitoring system. This is required to determine the level of output required from each employee, region and the entire news ecosystem, to sustain the needs of our various platforms, and minimise content slippages.
15. There was no framework to guide recruitment and remuneration of freelancers. Freelancers were brought in without any formal HR-approved process, and their remuneration was based on what managers proposed.
16. There was no framework to guide editors and journalist regarding

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invitations from government department, agencies, embassies and businesses requesting coverage of international events. This allowed those requiring coverage to prescribe those they wanted deployed for coverage. In some instances, the entities were writing directly journalists of their choice. This exposed the newsroom to both political and commercial influences as editors were not part of determining how such decision were made.

17. The need for the above-mentioned provisions is critical to strengthening editorial controls, ensuring quality, safeguarding the editorial independence of the news operation and shielding it from external influences.
18. Also, internal practice within the Corporation was such that the newsroom was to some extent perceived and treated as an extension of corporate communications, and a brand reputation management tool. Some of the external influence came via different areas within the institution, a hugely problematic practice in as far as the editorial independence of the newsroom is concerned.

PROCESSES AND SYSTEMS

19. There was no established standard operating framework to guide and coordinate the work of the division.
20. The SABC news operation functioned as three separate newsrooms,

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television news, radio news and digital news. This fragmentation resulted in duplication of effort, excess capacity and lack of coordination. Editorially, this caused a porous system that could be infiltrated and influenced from various points without anyone noticing.

21. There were no commonly understood strategic editorial pillars to guide day-to-day thinking in the newsroom, regarding content decisions and deployment of resources.
22. Approved documentation of work flows and guidelines for content management was non-existent.
23. There was no system to account for how news content is gathered, processed and disseminated across the various platforms.
24. A final quality checking process before transmission and/or publication, which is crucial to the credibility and trustworthiness of news and current affairs content, was non-existent.
25. The technology infrastructure supporting the work of the division was inadequate, and in some cases antiquated and unsuited for what is required to run a responsive and nimble news operation. One example of this is the ailing archiving system.
26. There was an acute lack of maintenance of newsgathering and processing equipment, and no clarity in terms of accountability in this regard.

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27. There were no approved Standard Operating Procedures to guide and manage routines and regular decision making in various areas within the operation.
28. Audit findings from previous years remained unresolved either due to lack of skills or will to address them.
29. This severe lack of processes to guide the work of the news operation, resulted in a system that had neither cohesion nor coherence. The problems were clearly visible in the lack of consistency in editorial quality and tone across the platforms.

COMMERCIAL OPPORTUNITIES

30. While the editorial policy prescribes what can and cannot be done, or associated with news and current affairs content, there are obvious opportunities for commercial exploitation. However, there was a general view that this could not be done. This was either due to the lack of understanding of the editorial policy itself or failure to comprehend the commercial value trapped in the business or both. Challenges that existed hampering real commercial opportunities include the following:
 - 30.1 The mismanaged extensive archive material that the news division possesses, which remains predominantly in analogue format, makes it difficult to quantify in monetary terms, and to commercialise. The continued usage of tapes for archives is a risky, costly and time-

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consuming endeavour, and one could conclude that leaving this area in this state was deliberate and exposed it to abuse and theft.

- 30.2 The lack of a properly designed tiered-pricing system for licencing archive material led to gross under-pricing of highly valuable material, that is exclusive to the organisation.
- 30.3 Another opportunity that led to revenue slippages is Outside Broadcasts (OBs). The pricing of these had been left to Executive Producers, leading to severe under-pricing if one considers the cost of resource deployment to deliver such productions. It is unclear why such a decision was made as this is the domain of commercial airtime sales. The result of this arrangement was loss of revenue that could have contributed to sustaining activities of the operation.
- 30.4 There was a generally-accepted view that advertising is not allowed in news, particularly on the SABC News Channel, which is incorrect. Neither the editorial policy, nor the carriage agreement prohibits classical advertising. As such, there was no dedicated sales team to sell the platform leading to value slippages.
- 30.5 Other missed opportunities included sponsorship of Informal Knowledge Building programming (IKB) which falls outside hard-core editorial news and current affairs content.
- 30.6 Host-broadcast services provided for major conferences organised by

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government, government agencies and or businesses, were done at a huge cost to the news service, while other broadcasters got the feed from the SABC free. This meant that only the SABC incurred production costs, and others, including international news media houses benefitted without making any financial contribution.

INITIAL INTERVENTIONS

31. The 2016 public outcry triggered by a series of internal and external events leading to, among others, the Parliamentary Inquiry into the SABC, resulted in the institution of an independent inquiry into editorial interference in the news division in May 2018. This was to establish among others whether there was any evidence to back claims of political and corporate interference, that had been made by several journalists in the newsroom. The report which was released on 5 August 2019 is attached hereto as **Annexure PM002**. It demonstrates the extent of damage that was caused to the lives of journalists, and the integrity and credibility of the SABC News brand, as a result of sustained political and corporate interference, harassment and bullying.
32. The initial consideration in trying to turn things around was to go back to basics and articulate the purpose of our existence as SABC News, anew. The aim was to get the news staff to recommit to the purpose and get them to believe in something bigger than their own individual goals. Central to this was to bring social consciousness and social justice as the philosophy underpinning our journalistic approach, firmly rooted in the life

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and the story of the citizen. This was supported by a strong emphasis on our core editorial imperative as a public news service. Below are some of the initiatives undertaken to address the problems:

- 32.1 Between March and May 2018, I embarked on a country-wide visit to our 13 operations. This included open engagements with all editorial staff and was aimed at assessing the health of the operations. It was also to guarantee all journalists my support and protection. During these sessions I invited everyone to speak freely about their experiences and concerns, seeking to lower the crippling hierarchical barriers between management and employees.
- 32.2 On the 4th of June 2018, we launched our rebranded and repositioned news service, taking a unified approach of presenting SABC News as a service. The pledge we made to the South African public through the editorial principles of Independence and Impartiality was aimed at handing the public news service back to its primary stakeholder, the citizen.
- 32.3 For the repositioning exercise we deliberately picked the values of independence and impartiality, espoused in our editorial policy, as editorial principles that underpin the character of our journalism. The repositioning exercise was primarily focused on restoring and rebuilding public trust and the legitimacy and credibility of the SABC News service.
- 32.4 The aim to introduce an integrated newsroom approach during the same period was two-fold: to take advantage of efficiencies that come with

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convergence; and to achieve consistency in editorial quality, singularity in editorial tone as well as predictability and evenness in editorial character across our various platforms, while taking into account idiosyncrasies in our audience segments.

- 32.5 Central to the integrated newsroom was the introduction of the single-diary, serving the needs of all our audiences across various dissemination platforms. In the main, this was done to manage time, eradicate content slippages and ensure effective coordination of resources.
- 32.6 From a commercial perspective, a robust pricing strategy is being developed for the licensing of archive material, and discussion are on-going to find more effective ways of digitising the material.
- 32.7 The process to document the work of the news division and to setup processes and systems is under way.
- 32.8 There is progress in attracting advertising and sponsorship for IKB programmes.

THE IMPACT OF THE CHANGES EFFECTED SO FAR

33. The introduction of the integrated newsroom system has greatly improved operational efficiencies, resource allocation, and enabled better coordination in our news coverage.

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34. Most importantly, it is the strengthening of editorial controls that played a crucial role in the effective management of our 2019 elections coverage.
35. The greatest success of this approach has been the advantage of accessing the collective wisdom and intellectual power of the entire newsroom.
36. The news operation also launched several current affairs programmes whose character is aligned with our editorial department.
37. The launch of these shows has strengthened the SABC News brand and brought it a step closer to becoming South Africa's and Africa's premium source of news.
38. A recent survey by the Reuters Institute, is testimony to the success of our efforts to turn around the SABC News brand, ranking it the 4th most trusted news brand in South Africa. The audience figures across our platforms are also testimony to these efforts.
39. The spirit of the newsroom is one of openness, courageous engagement and constructive dissent. Journalists have the liberty to question editors on things they are not comfortable with, without fear of being victimised.
40. Producers and editors are more comfortable to make decisions now, because they know that in a rapidly developing news cycle, indecision is actually worse than making a bad decision!

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41. Efforts to improve and alter the state of the newsroom are ongoing, as challenges are endemic.
42. This is all I wish to declare and accordingly reserve my rights to provide further documents to the Commission as and when they may become available or come into my possession and insofar as they may be relevant to the investigation.


DEPONENT

Signed and sworn before me at Brixton this 12th day of August 2019 after the deponent declared that the deponent is familiar with the contents of this statement and regards the prescribed oath as binding on the deponent's conscience and has no objection against taking the said prescribed oath. There has been compliance with the requirements of the Regulations contained in Government Gazette R1258, dated 21 July 1972 (as amended).


COMMISSIONER OF OATHS:

FULL NAMES:

CAPACITY:

ADDRESS:




Morale Morak
S/CS
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Editorial Policies





INTRODUCTION

The SABC is required, in terms of Section 6 of the Broadcasting Act (as amended), to develop policies that are intended to ensure compliance with the Authority's Code of Conduct, the Corporation's licence conditions, and the provisions of the Act. These policies — including a news editorial policy, and policies on programming, local content, education, universal service and access, language, and religion — are to be submitted to the Independent Communications Authority of South Africa (ICASA) no later than three months after the date of the SABC's conversion.

This document is a compilation of the above policies, which the SABC requires to guide it in discharging its public broadcasting mandate. The policies are the outcome of many months of consultation, with both SABC staff and the South African public generally. As part of this consultation, the SABC distributed copies of the draft policies widely, made them available in all the official languages, and held public meetings on the draft policies in each of South Africa's provinces.

These policies represent how the Board gives shape to and interprets the SABC's public broadcasting mandate, and provide a framework for editorial staff within which to take decisions.

A number of assumptions underpin the policies. One is that the SABC's current funding model is maintained or, if altered, is done so in a manner that improves the capacity of the Corporation to deliver on its mandate. Another assumption is that the current legislative, policy and regulatory regime will remain relatively stable and that it is unlikely that any additional mandate requirements, outside those interpreted and outlined in this document, will be set for the SABC. Changes in these assumptions may necessitate amendment of these policies.

The policies relate to all the SABC's content, and to services for both national and international audiences. They apply to all the services, irrespective of whether they are carried on radio or television, online, by short message service (SMS) or mobile phone; produced by an SABC department or an independent company. They generally apply to both the SABC's public and commercial services. Where they have particular relevance to either division, this is stated. Where the policies refer to particular designations, these may change from time to time and in the case of this happening, action flowing from the policies should involve the appropriate and relevant personnel at that time. The policies have been developed by the SABC's Policy and Regulatory Affairs Department, in cooperation with the relevant programming areas. Questions on any aspects of the policies should be directed to the Policy and Regulatory Affairs Department.

The policies are intended to help the editorial staff negotiate difficult editorial issues and decisions so that distinctive and compelling — and sometimes controversial — programmes can be made, while maintaining the highest ethical and editorial standards. Every member of the editorial staff, in the regions, at head office and overseas, is therefore required to study, understand and observe these policies.

The SABC recognises that compliance with its policies will depend on the professionalism, competence, skills and commitment of its staff. Ongoing professional development of SABC staff is therefore to be undertaken as a crucial part of the implementation of these policies. The SABC also assesses regularly the professional developmental needs arising from implementation of these policies in order to develop appropriate and ongoing professional developmental programmes.

Whereas certain policies apply to specific programme areas, all the policies should be read together with Chapter 2: The SABC's Mandate and Chapter 3: Programming Policy. All the informational and actuality programming, whether it is produced by SABC News or not, should conform to the News, Current Affairs and Information Programming Policy in Chapter 4.

The policies will become effective no later than 1 April 2004.

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THE SABC'S MANDATE

POWERS, FUNCTIONS, RIGHTS AND OBLIGATIONS

The SABC's mandate as a public broadcaster comes from the Charter, which defines its objectives.

The Charter is laid down in chapter IV of the Broadcasting Act (as amended) and requires the SABC to encourage the development of South African expression by providing, in the official languages, a wide range of programming that:

- Reflects South African attitudes, opinions, ideas, values and artistic creativity
- Displays South African talent in educational and entertaining programmes
- Offers a plurality of views and a variety of news, information and analysis from a South African point of view
- Advances the national and public interest.

The SABC's powers and functions, as well as its rights and obligations, are derived from a number of sources: legislation, the Charter, the licence conditions of each SABC station and channel, and regulations issued by ICASA from time to time, including the Code of Conduct for Broadcasters set by the BCCSA.

South Africa's broadcasting legislation provides for a three-tier licensing structure for broadcasting services: public, commercial and community. The SABC is South Africa's only public broadcaster, and for public accountability purposes consists of two separate divisions controlled by the Board: a public service division and a commercial service division, in each of which the SABC runs a number of radio stations and television channels. Each has a set of licence conditions that imposes obligations, including quotas for local content, and requirements for geographical coverage and language services. These are laid down by ICASA, which is responsible for monitoring compliance with the licence conditions and with the objectives of the Charter.

Like all the broadcasters, the SABC is required to adhere to a Code of Conduct for Broadcasters that is approved by ICASA. As a member of the National Association of Broadcasters (NAB), the SABC is subject to the rules of the Broadcasting Complaints Commission of South Africa (BCCSA), which ensures that broadcasters adhere to certain minimum standards of programme content.

A central tenet of the SABC's Charter is that it enjoys freedom of expression and journalistic, creative and programming independence. The SABC Board, which is appointed by the President on the advice of the National Assembly, controls the affairs of the SABC and is mandated explicitly to protect the above freedom and independence.

CORE EDITORIAL VALUES OF THE SABC

Public broadcasters world wide share many features relating to independence, accountability and diversity. However, the SABC's context has unique facets that also determine its positioning. These relate to South Africa's challenges as a young democracy and a society in transition. The challenges are captured neatly in the preamble to the Constitution, which sets out the objectives of the South African constitution as these:

- To heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights
- To lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by the law
- To improve the quality of life of all citizens and free the potential of each person
- To build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

Those national objectives therefore underpin the values and principles that define the SABC's role as a public broadcaster: to play a part in healing divisions of the past; to promote respect for democratic values and human rights; to supply information that allows citizens to exercise their rights, and to reflect the rich diversity of a united South Africa.

The values articulated in the Constitution — including national development, unity, diversity, non-racialism, non-sexism, democracy and human dignity — represent those things that are commonly held by South Africans to be important. They bridge political, class, racial and gender divides, and although we are still at the start of our project of national development, those are what anchor us as a nation. For the public broadcaster, then, they must form the foundations of our editorial policies.

Among the core editorial values for the SABC are these:

Equality

The SABC provides programmes for everyone, in all the official languages, and promotes universal access to its services.

Editorial Independence

The SABC is governed by the Charter of the Corporation, which enshrines the journalistic, creative and programming independence of the staff of the corporation, and the constitutionally protected freedom of expression.

Nation Building

The SABC celebrates South Africa's national identity and culture, and provides its citizens with the information they need to participate in building our democracy.

Diversity

The SABC reflects South Africa's diverse languages, cultures, provinces and people in its programmes.

Human Dignity

The SABC respects the inherent dignity of all South Africans, reflects them in all their diversity, and does not use language or images that convey stereotypical or prejudiced notions of South Africa's races, cultures and sexes.

Accountability

In discharging their editorial responsibilities, SABC management and staff are accountable to the SABC Board, which is charged with ensuring that the corporation complies with the Charter.

Transparency

The SABC ensures that the principles of honesty, openness and transparency govern every aspect of its relationships with shareholder, stakeholders, suppliers and the public.



EDITORIAL CODE OF THE SABC

The values give rise to an Editorial Code that underpins all the programming. This Editorial Code was developed by the SABC Board in 1993, and has now been revised to incorporate recent developments and changes in the law. The Editorial Code affirms commitment to the principle of editorial independence as it relates to SABC programmes.

- We report, contextualise, and present news and current affairs honestly by striving to disclose all the essential facts and by not suppressing relevant, available facts, or distorting by wrong or improper emphasis
- We understand that if South Africans are to meet the challenges of building a nation and a strong democracy, they must have access to relevant, reliable, and timely information of the best quality. In covering newsworthy events, we aim to give them what they need in order to make informed decisions about their lives
- We commission, produce and broadcast programmes in a variety of genres and formats, and strive to ensure that the SABC's core values are upheld in commissioning, acquisition and production of programmes
- We are aware of the danger of discrimination being furthered by the media, and avoid promoting discrimination through the SABC's programmes on the grounds of gender, race, language, culture, political persuasion, class, sexual orientation, religious belief, marital status, or disability
- We do not allow advertising, commercial, political or personal considerations to influence our editorial decisions. The SABC is expected to provide information and as part of this duty should evaluate, analyse and critically appraise government policies and programmes. The SABC is not the mouthpiece of the government of the day, nor should it broadcast its opinion of government policies, unless they relate directly to broadcasting matters
- We respect individuals' legitimate right to privacy, and should not do anything that entails intrusion into private grief and distress, unless it is justified by overriding considerations of public interest
- We are circumspect and sensitive in presenting any form of brutality, violence, atrocities or personal grief
- We seek balance by presenting relevant views on matters of importance, as far as possible. This may not always be achieved in a single programme or news bulletin, but should be done within a reasonable time
- We are guided by news merit and judgement in reaching editorial decisions. Fairness does not require editorial staff to be unquestioning, nor the SABC to give every side of an issue the same amount of time
- In serving the public's right to know, we are enterprising in perceiving, pursuing and presenting issues that affect society and individuals
- We are free from obligation to any interest group, and committed to the public's right to know
- We do not accept gifts, favours, free travel, special treatment or privileges that could compromise our integrity
- We identify ourselves and our employer before obtaining any information for broadcasting. As a general rule, journalism should be conducted openly. Covert methods may be used only with due regard to their legality, to considerations such as fairness and invasion of privacy, and to whether the information being sought is so significant that it warrants public disclosure but cannot be obtained by other means

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THE SABC'S MANDATE

- We resolutely uphold the principle of journalistic freedom and see the protection of a journalist's sources as an important part of this principle. If the protection of a source were to become a legal matter, the SABC would not advise its employees to refuse to obey a court order, but would make its legal counsel available for advice and to present legal argument in court to protect the source
- We do our utmost to make a timely correction of any information that was broadcast and is found to be inaccurate
- We foster open dialogue with our viewers and listeners, as we are accountable to the public for our reports
- We aim to tell stories from a South African point of view and deal with issues that are important to South Africans. This includes local, African and global issues. We endeavour to contextualise for South Africans their life as global citizens, and to recount the story of South Africa in all its variety and complexity. Given our history, and that South Africa is part of Africa, we see it as our responsibility to endeavour to represent Africa and African stories fairly and diversely
- We support South African culture and develop programmes that are identifiably South African and contribute to a sense of national identity; to a sense of shared experience and the goal of nation building
- We are committed to being a truly national broadcaster, providing a showcase of all South Africa's provinces and peoples
- We provide a programme mix that suits a variety of tastes and reflects the diverse make-up of South Africa. This extends to languages, cultures and geographical regions.

EDITORIAL RESPONSIBILITY AND UPWARD REFERRAL

The scope of our programming means that the SABC has to provide consistent, relevant, useful and high-quality programming, including information and analysis. To sustain and deepen the trust the public have in the SABC, we have to maintain the highest standards of performance. In this regard, the SABC requires its editorial staff to understand that with the legislated and constitutional protection of the Corporation's independence comes the responsibility to serve the public with the highest standards of excellence and integrity.

Accordingly, the onus is on individual producers of programmes and commissioning editors to ensure that they understand and uphold the provisions of the Broadcasting Act, including the Charter of the SABC; the Editorial Code, the Code of Conduct for Broadcasters, and regulations and policies promulgated from time to time in terms of the Independent Broadcasting Authority Act; all other relevant legislation, and the philosophies and policies of the Corporation. As a rule, and as a matter of policy, the authority for editorial decisions is vested in the editorial staff.

In this regard, subject to standard management and editorial controls, programme producers and commissioning editors are responsible for either the production of the programme or the editorial control, or both. Should any difficulty arise during programme production and/or editorial control, or the programme producer or commissioning editor be unsure of anything, they should consult their supervisor for guidance. This process of voluntary upward referral could extend as far as the Group Chief Executive Officer, in his capacity as editor-in-chief. The role of editor-in-chief is one of many responsibilities that the GCEO assumes and should not be confused with the functions of the Heads of Radio, Television, News, Sport and Education or of the other editors and channel and station managers employed by the SABC. The GCEO's role is not to make day-to-day programming or newsroom decisions. However, the Board of the SABC delegates responsibility, and holds accountable the GCEO for the performance of all news and other programmes, broadcast and presented on all SABC radio, television, internet and other multi-media platforms.

The SABC views upward referral as a mutually empowering, nurturing and developmental approach for all the staff involved. It is not intended to shift editorial decision-making upwards; it is intended, when required, to underpin collective decision-making and shared editorial



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responsibility — especially when staff are faced with difficult decisions — and to underscore the interdependence of the Corporation's credibility and that of its editorial staff. Upward referral is not intended to disallow production and broadcasting of controversial and compelling programmes; it is intended to assist in maintaining the highest ethical and editorial standards.

When used effectively, upward referral should be a seamless and flexible process. The earlier it is activated, the better, as this allows alternatives to be considered at the outset, instead of later, when few options are open. It is an approach that is taken by the world's premier public broadcasters. It assumes that editorial staff are familiar with the functions, duties and values of the public broadcaster and are in the best position to make editorial decisions. The practice of upward referral gives journalists and other news staff an ideal mechanism for consultation, first with peers, and then with senior management, before taking a decision.

Even when specific editorial advice is not asked for, programmes or news items that are controversial, or likely to have an extraordinary impact, should be reported in advance to the senior news and programming executives. They, in turn, may decide to notify top management. Should a programme producer or editor not refer an issue upward to their supervisor next in the line function, that programme producer or commissioning editor would be held responsible for the editorial decision so made.

All the editorial staff should ask for advice from the Office of the Chief Legal Advisor on any matter that may have legal implications for the SABC. In addition, Legal Guidelines for editorial staff are available from the Legal Department. However, the final decision whether to broadcast, and in what form, lies with the editorial staff, not their legal advisors. The aim is to safeguard the editorial process and maintain clear responsibility for the decision to broadcast.

Independent productions made for the SABC are subject to the same standards as in-house productions, and have to comply with SABC editorial policies, as final responsibility for the production and content lies with the SABC. In this regard, all the contracts with independent producers and other broadcasters must include the obligation to conform to all the appropriate sections of the SABC Editorial Policies. The point of referral for independent producers is the appropriate SABC commissioning editor.

The daily practice of upward referral has evolved over time and has not been documented, or written into a manual or style guide. This practice will continue to develop, and as editorial policies are updated constantly to reflect the prevailing social values and international best practice, it will be refined further.

MANDATORY REFERRAL

The following matters are to be referred to the relevant Head of the programming area concerned:

- An instance in which it becomes necessary and is deemed to be in the public interest to gather information to which the public normally does not have access
- Interviews with criminals and people wanted by police
- Proposals to grant anonymity to people trying to evade the law
- Payment for information, aside from normal gratuities
- Broadcasting of any recording made originally for other legal purposes, such as a recording of the proceedings at a meeting
- Disclosure of the details of a serious crime that were obtained surreptitiously or unofficially
- Requests from external parties to view, listen to, or obtain untransmitted recorded material
- Commissioning of opinion polls on any political issue or issue of public policy
- National security matters
- Conduct of interviews with prisoners for broadcast without the permission of prison authorities
- Showing or featuring people in a live broadcast for entertainment purposes using hidden cameras
- Confronting an interviewee whilst recording, when no prior approach was made for an interview, and the interviewee has no expectation of being approached
- Featuring a real person in a drama where their permission, or that of their surviving relatives has not been secured
- The use of the most offensive language.

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PROGRAMMING

PREAMBLE

The SABC is accountable to the South African public for providing relevant and diverse broadcasting services of excellent quality. In this we are guided by:

- the Charter
- the SABC's Core Editorial Values
- the SABC's Editorial Code
- our obligation to comply with the industry standard, the Code of Conduct for Broadcasters, which is administered by the BCCSA.

Formulating a programming policy is therefore an intricate process in which we are the primary, but not the only, participants.

To meet audience expectations is our priority. In this we also create an environment that respects the freedom of expression provisions of our Constitution, and encourages our programme makers to explore, to innovate and to take risks in accommodating programmes that fulfil the SABC's public mandate.

In 1995, the SABC Board approved Guidelines on Programme Content, which were applicable largely to television but had some relevance to radio. What follows seeks to update that document. It is applicable to all the SABC services, public service and commercial.

There is a need for consistency of approach across the spectrum of SABC programmes, and this policy has been developed to answer that need. It offers a frame of reference for those who are faced with difficult programming decisions, and a guide to programme commissioning, planning, production, scheduling and transmission.

THE SABC'S APPROACH TO PROGRAMMING

The SABC's approach to programming is guided by the following principles:

- The programmes are underpinned by the SABC's core editorial values of equality, editorial independence, nation building, diversity, human dignity, accountability and transparency. These influence the production, commissioning and acquisition of all its programmes
- Across our portfolio of stations and channels we aim to meet the needs of all our audience segments. This extends to young and old, urban and rural in all the provinces, speakers of all the official languages, and people of every religious persuasion. It is obviously impossible for the SABC to please everyone all the time, but we endeavour to offer a wide range of information, education and entertainment in a variety of genres and formats, in which everyone should find something of interest some of the time
- As the national public broadcaster it is our duty to encourage the development of South African expression. We therefore showcase South African talent, support South African culture, and aim to develop programmes that are identifiably South African. These should contribute to a sense of national identity and of shared experience, and to the goal of nation building
- Whereas we seek to tell the stories of South Africa in all their complexity, we also deal with African and global issues in our programmes. Our aim is to contextualise for South Africans their life as global citizens, and to bring them the very best of programmes the world has to offer
- Given our history, and that South Africa is part of Africa, we see it as our responsibility to endeavour to represent Africa and African stories fairly and diversely
- Freedom of expression is at the heart of our programmes. We provide a home for programme makers that encourages them to innovate; to take risks and to develop their craft so that audiences may be given a rich diversity of top quality programmes.

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The SABC's approach to programming is further expanded in the Local Content Policy, and the Language Broadcasting Policy. It is also complemented by policies for specific genres including News, Current Affairs and Information; Educational Broadcasting, and Religious Broadcasting.

TASTE AND DECENCY

The issue of taste and decency in programmes is often controversial in that it involves judgements based solely on opinion, personal persuasions and systems of values. Until its amendment, the Code of Conduct restricted what was broadcast if it was deemed tasteless or indecent on the grounds of public morality. The new dispensation acknowledges that the notion of public morality is relative and culturally specific. The concept is therefore very difficult to define, and bears no objective criterion. In addition, the freedom of expression provisions of the Constitution are held to protect even unpopular and offensive speech. It is believed that any attempt to curb speech carries the potential to stifle artistic creativity, which is seen as fundamental to broadcasting.

Instead of placing a complete ban on material that might offend certain individuals or groups, the Code is now framed in terms of a directive to broadcasters to:

- give adequate warning beforehand when they believe material may upset some of the viewers/listeners
- be sensitive and circumspect in their scheduling of such material
- make sure material that is unsuitable for children is not broadcast outside the watershed period.

Although the SABC makes every effort to minimise what audiences might find distasteful or tasteless, the public broadcaster does have to deal frankly with controversial topics and cannot avoid tackling issues because of the risk of offending certain people.

The SABC also broadcasts programmes that some might oppose, or find offensive, but that have creative or social merit. These are aired:

- with due consideration of viewer/listener sensibilities
- with audience advisories
- at appropriate times.

Careful scheduling and appropriate warning or advice allows our public to make informed choices about what they want to see and hear. This practice does not detract from the SABC's editorial responsibilities in any way, but actually entrenches the culture of respect for freedom of expression, and the right to receive and impart information.

AUDIENCE ADVISORIES

The Code of Conduct is predicated on the notion that audiences should be given the freedom and responsibility to choose what they wish to see and hear, but that they can take this responsibility only when they are adequately informed about potentially problematic material in advance.

The Code requires broadcasters to give warnings that are clear to the audiences. They include age indicators, symbols for content such as graphic or excessive violence, explicit sexual conduct, nudity and bad language - including profanity.

Respecting the right to choose also means not allowing material that viewers and listeners might find threatening or shocking to intrude unexpectedly. Alerting the audience is likely to lessen the negative impact of violent or distressing scenes.

The SABC has therefore established the following procedures for acceptance and screening of programmes.

TELEVISION

- Each channel employs a full-time staff of programme acceptance officers to view and classify all the programmes to be broadcast by the channel, using a set of guidelines for treating potentially controversial material. If an officer is in doubt about a classification, the matter is referred to the supervisor of the programme acceptance unit. The supervisor may take the decision, or refer the material for review to the management of the channel and/or the Manager: Broadcast Compliance. In certain cases material may be referred to Legal Services for a decision
- Classification includes deciding on the appropriate age indicator and warnings to be displayed on the programme, and the most suitable time-slot for the broadcast
- The age ratings used by the SABC channels are PG (parental guidance), PG13, 13, 16 and 18.
- Standardised warning symbols are displayed on any programme containing material that could be disturbing: V (violence), S (sex), N (nudity), L (bad language, including profanity), and P (prejudice)
- Although profanity has become a part of daily expression and hence is frequently used on television, it is offensive to many viewers. The SABC therefore endeavours to apply the "L" symbol rigorously when profanity is concerned, in order to minimise distress to those audiences who may be offended
- The age rating and warning symbols are displayed for 60 seconds at the start of the programme, and for 30 seconds after each advertising break. These times could be increased for extremely controversial material
- Cautionary announcements are made verbally and/or visually at the start of programmes that could be exceptionally disturbing to certain viewers
- Schedules published in the print media all carry audience advisories
- On-screen promos and line-ups display the age indicator and warning symbols for each programme, for the full duration of the promo
- The SABC's policy on consumer advice requires all music videos and fillers to be programme accepted, and scheduled in specific time-slots in accordance with content and the watershed.

RADIO

Since radio is a more pervasive medium than television, as much care should be taken to respect the audience's rights as for television. The same principles of advisories apply to sensitive material broadcast over the radio, or anything that may disturb certain listeners, or is unsuitable for children.

SCREENING OF FILMS

When a film to be broadcast has been given a classification by the Film and Publications Board (FPB) - in terms of the Film and Publications Act, that certification is used as a guide. Although this age restriction may never be lowered for TV, it could be raised, at the discretion of the channel. These are the FPB classifications:

- "A": suitable for all ages. These films do not contain anything that is considered harmful or disturbing to even very young children
- "PG": Parental Guidance - alerts parents to films that contain scenes, or deal with themes, that might confuse or upset certain children if they were to watch them alone. Parents are advised to monitor their children's viewing
- "10", "13", "16" or "18": films that are unsuitable for children under the stipulated age. This is a legally restrictive classification.

No version of a film that has been refused FPB certification may be broadcast at any time, under any circumstances.

SCHEDULING AND THE WATERSHED

TELEVISION

The Code of Conduct specifies a watershed period for television broadcasters. The requirements are as follows:

- Programmes on television that contain scenes of violence, sexually explicit conduct, nudity

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and/or bad language, and are intended for adult audiences, may not be broadcast outside the watershed period

- Promotional material and music videos that contain scenes of violence, sexually explicit conduct, nudity and/or bad language, and are intended for adult audiences, may not be broadcast outside the watershed period
- Promotional material for adult programmes may be broadcast outside the watershed period, provided it does not contain scenes of violence, sexually explicit conduct, nudity and/or bad language. On such promotional material the age restriction and warning symbols that apply to the programme are to be displayed throughout
- The watershed period extends from 21:00 to 05:00
- During the watershed period, progressively less suitable (more adult) material may be shown. For instance, a programme might be acceptable at 23:00 that would not be suitable at 21:00
- Some of the programmes broadcast outside the watershed period might not be suitable for very young children. Sufficient information should be provided, in the form of regular scheduling patterns and/or on-air advice, to assist parents in making appropriate viewing choices
- Broadcasters should be alert to the likelihood of children watching programmes that begin before the watershed period and run into it
- Given the probability of older children being in the audience during the watershed period, broadcasters are to give consumer advice that would allow parents to take informed decisions on the suitability of programmes for their family.

It is axiomatic that if material is unsuitable for viewing by children, it should not be broadcast when large numbers of them may be expected to be watching TV. Outside the watershed period, then, we should not show anything that is inappropriate for children, or for family viewing. After 21:00 parents are expected to share the responsibility with the broadcaster for what their children are permitted to see.

Regular broadcasting of programmes with age restrictions of 13 or over between 17:00 and 20:00 is discouraged.

The SABC's programme scheduling should also take account of public holidays, religious festivals/holidays, events of cultural or international significance, and country-wide school holidays - ie when holidays in all or most of the provinces coincide.

In general, the SABC's answer to the potential clash of interests between controversial programming and some viewers' concerns is sensitive scheduling, which can greatly reduce its effect. In its role as a public broadcaster, the SABC is expected to extend the range of experience of its viewers and listeners through its programmes. We have, therefore, to strike a careful balance between respect for fundamental rights, and audience sensitivities and expectations. Programmes that challenge accepted world views, and offer new experiences and opposing perspectives, are the hallmark of successful public service broadcasting.

RADIO

Although the Code does not specify a watershed period for radio, the SABC abides by the dictum that stations do not broadcast material that is unsuitable for children at times when they are likely to form a large part of the audience. For instance, stations should be aware that children are likely to be listening to the radio while travelling to and from school.

LANGUAGE

The Position Paper on the Revision of the Code of Conduct for Broadcasters notes that in terms of the freedom of expression provisions in the Constitution, it is impossible to prohibit "offensive" language. The thinking in the new Code is that when transmitting material containing profanity, or other religiously insensitive material that is likely to offend a section of the audience, broadcasters should give warnings and be aware in their scheduling.

The Code also says that bad language, including profanity and other religiously insensitive material, should not be used in programmes that are specially designed for children. Further, that no excessively or grossly offensive language should be used before the watershed on

television, or at times when large numbers of children may be expected to be in the audience.

A public broadcaster is an important source of information and culture, and could influence standards and values through its use of language. The SABC has therefore to maintain high standards of integrity with regard to language usage. This is also one of the most frequent causes for complaint, particularly incorrect grammar, mispronunciation, negative stereotypes and profanity.

The SABC's policy on language usage is as follows:

- Not to use language simply for its shock value
- Never to use profanity gratuitously
- Not to ban the use of bad language in programmes, but to permit it only when it is defensible in terms of context and authenticity/credibility
- That language usage should take religious sensitivities into account.

Further guidelines on language usage are contained in the Language Broadcasting Policy.

DISCRIMINATION AND STEREOTYPES

The Code does not deal with stereotyping and discrimination. Instead, ICASA encourages broadcasters to develop their own internal guidelines for dealing with these matters. Given South Africa's past, and the role of public broadcasting in healing divisions, it is imperative for the SABC not to broadcast programmes that promote discrimination or stereotyping on the grounds of race, national or ethnic origin, colour, religion, gender, sexual orientation, age, or disability. To this end we are committed to avoiding language and images that reinforce stereotypes, and offend communities or individuals.

The SABC is further committed to reflecting diversity positively. We undertake to include in our programming non-stereotypical representations of the disabled, women, black and homosexual people, and of any other South Africans who have often been marginalised by the mainstream media, or represented in narrow and stereotypical terms.

The SABC's policy is as follows:

- To treat every part of society with respect
- Not to identify people solely by ethnic origin, and to mention colour only when it is relevant to the topic under discussion
- To avoid any unnecessary reference to disability, as it is often seen as insulting or implying deficiency, and not to use language that could add to such an impression: eg "deaf" or "hard of hearing" should be used, and "a person who has a disability" instead of "invalid" or "cripple" or "retarded"
- To use non-sexist language so as to avoid giving offence, or creating the impression - through repetition - that certain activities are associated with only one sex
- Since humour could also create and reinforce stereotypes, our policy is to avoid humour that is excessively exploitative, uncalled for, cruel, or designed to prejudice a person or group.

These requirements are not intended to preclude broadcasting of factual material, or views expressed in satirical or dramatic works. Once again, the context in which the language is used is pivotal. Proper scheduling ensures that material with the potential to offend, or that is unsuitable for children, is not broadcast inappropriately.

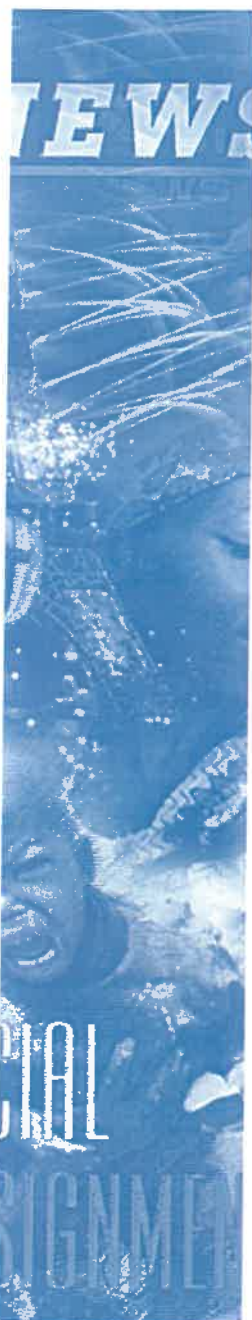
DISABILITY

We recognise that groups with disabilities often feel marginalized, and that it is a duty of the public broadcaster to promote access by these audience segments to its services and programmes and to ensure that the representation of people with disabilities in our programming is fair.

The SABC therefore treats people with disabilities respectfully in its programming, and we are committed to reflecting issues of disability in a way that does not perpetuate harmful negative stereotypes of the disabled.

We are also committed to exploring mechanisms for enhancing our delivery to people with disabilities. Where possible, we also strive to involve disabled persons in such initiatives.

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RACE

In the light of South Africa's history, the SABC takes particular care when dealing with issues of racism, and in depicting race. We are committed to representing issues of race in a way that does not perpetuate negative stereotypes, and that creates awareness of such stereotypes. To this end, we avoid racial identifiers such as divulging race, ethnicity and/or nationality, unless there is a compelling reason to do so.

We also undertake to raise awareness of racial discrimination by encouraging debate and discussion of these issues. This goal translates into encouraging a non-racial approach and perspective among our staff and programme makers.

GENDER

To consolidate the SABC's commitments in other sections of these policies, the SABC undertakes to strive to ensure that its programming, when judged within context, does not:

- promote violence against women
- depict women as passive victims of violence and abuse
- degrade women and undermine their role and position in society
- promote sexism and gender inequality
- reinforce gender oppression and stereotypes.

Furthermore, the SABC is committed to reflecting and portraying women in their positive societal roles - as independent, intellectual beings; as leaders, decision-makers, academics, agents for change, etc - and to avoid representation of men in roles that bolster gender ascendancy and stereotypes.

Gender balance should be sought - positively and actively - in programmes, such as those requiring a range of opinions on issues of public importance.

VIOLENCE

The Code of Conduct has extensive requirements for the representation of violence:

"14. Broadcasters shall not broadcast any material which, judged within context:

- Contains gratuitous violence in any form, i.e. violence which does not play an integral role in developing the plot, character or theme of the material as a whole
- Sanctions, promotes or glamorises violence.

"15. Violence against women

Broadcasters shall:-

- Not broadcast material which, judged within context, sanctions, promotes or glamorises any aspect of violence against women
- Ensure that women are not depicted as victims of violence unless the violence is integral to the story being told
- Be particularly sensitive not to perpetuate the link between women in a sexual context and women as victims of violence.

"16. Violence against specific groups

- Licensees shall not broadcast material which, judged within context, sanctions, promotes or glamorises violence based on race, national or ethnic origin, colour, religion, gender, sexual orientation, age, or mental or physical disability
- Licensees are reminded generally of the possible dangers of some people imitating violence, details of which they see, hear or read about.

"17. The above mentioned prohibitions shall not apply to -

- A bona fide scientific, documentary, dramatic, artistic, or religious broadcast which, judged within context, is of such nature;
- Broadcasts which amount to discussion, argument or opinion on a matter pertaining to religion, belief or conscience; or
- Broadcasts which amount to a bona fide discussion, argument or opinion on a matter of public interest."

PROGRAMMING

Violence manifests itself in many forms, and attitudes to it range from shock to disgust, passive acceptance and approval, depending on the context. The media's portrayal of violence may influence how it is received and acted on in society, and it has been suggested that violence broadcast by the media may induce apathy, insensitivity, or aggression in certain individuals.

Modern technology allows images of violence to be broadcast to people who have little or no real contact with it in their daily life. The SABC therefore has a duty not to glamorise any type of violence, nor to promote it, and to depict it only when it could help to portray a story, evoke compassion, prompt help, or simply be an accurate representation of real events.

In addition to the requirements of the Code, the SABC's policy on violence is as follows:

- To broadcast programmes or scenes containing images of violence if they are needed in order to portray legitimate information or context
- To ensure that any broadcast of material containing scenes of violence, or violent behaviour, is justifiable in the context of the SABC's functions and purpose
- To use some form of audience advisory to give advance notice when violence is to be shown
- To treat the subject of suicide, or attempted suicide, with circumspection, and not to give any detailed demonstration of the means of suicide
- To avoid portraying dangerous behaviour that children could easily imitate
- To use scenes of violence or cruelty to animals prudently and with adequate warning, as viewers are disturbed by such material.

The SABC's aim is not to see how much violence will be tolerated, but how little is needed to achieve honest ends without undue dramatic or editorial compromise.

Further guidelines on violence in news programmes is dealt with in the News, Current Affairs and Information Programming Policy.

PRIVACY AND DIGNITY

The Constitution protects fundamental human rights, and affords every South African the right to privacy and dignity.

The Code requires the electronic media to exercise exceptional care and consideration in matters involving the private lives and private concerns of individuals, bearing in mind that the right to privacy may be overridden by legitimate public interest. The SABC expects decisions of this kind to be taken with due consideration of the Corporation's values, and likely consequences of the action to be deliberated carefully. The following should act as guidelines:

- The public has the right to receive information about public figures and public institutions, if this is in the public interest
- Invasion of privacy may be justified in order to disclose information that has a bearing on someone's performance of public duties, or on any matter of public interest
- Aspects of the private lives of public figures that are pertinent to their public duties must be distinguished from those that are not.

When public interest is not affected, public figures should have the same right to privacy as others.

INTRUSION INTO GRIEF; COVERAGE OF SUFFERING AND DISTRESS

Careful consideration guides the SABC in its interaction with people who are grieving or in distress. They are often in an intensely emotional state and may not be able to decide rationally about giving comment or interviews, and discretion should be used in filming or interviewing them. Broadcasting their displays of grief should be kept to a minimum. A wide shot of someone being comforted is less intrusive than a lingering close-up of someone who is obviously distressed.

The SABC is committed to:

- respecting everyone's right to privacy and dignity, but especially those who are grieving
- treating sorrowing people with sensitivity

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- not identifying victims of rape, or of sexual violence in general, without their express and informed consent
- not identifying child victims of abuse or crime, unless exceptional circumstances indicate it to be demonstrably in the best interests of the child.

HIV/AIDS

The SABC's policy is not to disclose the HIV status of anyone without their express consent, unless it would be in the public interest to do so. Therefore

- Unless there are compelling public interest reasons, consent to disclosure should be obtained, and if possible should be obtained in writing (in the form of a waiver of the person's right to privacy)
- Lawful parents may give consent for disclosure of the HIV/Aids status of their minor child, provided it is fully informed consent and that it is demonstrably in the best interests of the child.

It is common cause that HIV/Aids is a national tragedy, which afflicts millions of South Africans, with dire social and economic consequences for South African society. It is therefore a matter of overwhelming public interest, and difficult decisions on broadcasts involving those affected by HIV/Aids, and related issues, will engage broadcasters continually. The following should serve as guidelines:

- The fundamental principles to be applied are that the pandemic should be de-stigmatised, and members of society should be educated to conduct their sex life responsibly
- The attendant aims should be to encourage communities to embrace the people living with Aids; to create empathy and understanding for them; not to ostracise the infected, but to accord them dignity as members of society.

The guidelines on privacy and dignity are elaborated on further in the News, Current Affairs and Information Programming policy. Editorial staff should also consult the Legal Guidelines for Editorial Staff.

PHONE-IN AND DISCUSSION PROGRAMMES

Phone-in and discussion programmes are an accepted and important means of broadcasting individual points of view on topics. However, the hosts are expected to take special care to uphold the SABC's editorial principles of fairness, impartiality and balance, and to ensure that a wide range of views are broadcast.

A host should steer callers and guests away from making comments that may be against the law, or SABC policy, and reprimand or contradict them tactfully, when necessary. It is important to ensure, as far as possible, that programmes do not become a focus or platform for organised pressure groups and irresponsible individuals. A short pre-interview by a "screener" should be used for these purposes. A record is to be kept of the names of all the speakers and their contact information, and retained for at least 30 days. When written comments are received, hosts should be vigilant not to read out comments on air with factual inaccuracies or with content which violates the law or SABC policy.

Since phone-in and discussion programmes are not a scientific way of surveying public opinion on any matter, there should be no suggestion - explicit or implicit - that the views broadcast reflect wider public opinion. More on this subject is given in the News, Current Affairs and Information Programming Policy.

CHILDREN

The Code provides the following regarding children:

- Broadcasters are reminded that children embrace a wide range of maturity and sophistication. In interpreting the Code, it is legitimate for broadcasters to distinguish, if appropriate, those approaching adulthood from a much younger, pre-teenage audience
- Broadcasters may not transmit material that is unsuitable for children at times when large numbers of them may be expected to be in the audience

PROGRAMMING

- Broadcasters are to exercise particular caution, as provided below, in the depiction of violence in children's programmes
- In children's stories portrayed by real-life characters, violence - whether physical, verbal or emotional - may be portrayed only when it is essential to the development of a character and plot
- Animated programmes for children, although they are accepted as a stylised form of storytelling that could contain non-realistic violence, may not have violence as their central theme, nor invite dangerous imitation
- In children's programmes, due care should be taken in dealing with themes that could threaten their sense of security, such as the portrayal of domestic conflict, death, crime, or drug abuse
- In children's programmes, due care should be taken in dealing with themes that could invite imitation, such as the use of plastic bags and dangerous household products as playthings, use of matches, and other hazardous physical acts
- Children's programmes may not contain realistic scenes of violence, or which create the impression that violence is the preferred or only method to resolve conflict between individuals
- Children's programmes may not contain realistic scenes of violence that minimise or gloss over the effect of violent acts. Any realistic depiction of violence should portray, in human terms, the consequences for its victims and its perpetrators
- Children's programmes may not contain frightening or otherwise excessive special effects that are not required by the story line.

For both entertainment, education and information, the SABC offers a range of programmes for children, from toddlers to adolescents. The extensive material for young audiences is designed to reach different target groups at times best suited to their needs, age and level of maturity.

The SABC takes special care to ensure that programmes children are likely to watch unsupervised would not cause alarm or distress, or incite aggressive behaviour.

It is important to note that offering children enjoyable and enriching programmes is not to be confused with concealing the real world from them. Adults sometimes seek to exclude from television certain images and words, or coverage of certain events, in an effort to protect children. For some children, though, the world is already violent and dangerous, and it is important for the media - especially television - to help them understand and deal with their own lives.

Adults often have strong views about how children ought to behave, and expect children's programmes to show only ideal patterns of behaviour. However, programmes that are not based on children's own needs and interests tend to be seen as artificial and irrelevant. Programme makers are encouraged to allow children to participate in the development of children's programming in order to ensure relevance.

There are further guidelines on children's programming in the Policy on Language Broadcasting and the Policy on Educational Broadcasting.

SEX AND NUDITY


Sex and nudity may give offence, and broadcasters are encouraged to give their audiences adequate warning and to schedule such material when children are not expected to be in the audience in large numbers.

Broadcasters are prohibited from carrying material classified as XX (sexually explicit) in terms of the Film and Publications Act, or material which, judged in context, contains a scene or scenes, simulated or real, of any of the following:

- A person who is, or is depicted as being, under the age of 18 participating in, engaging in, or assisting another person to engage in sexual conduct or a lewd display of nudity
- Explicitly violent sexual conduct
- Bestiality
- Explicit sexual conduct that degrades a person in the sense that it advocates a particular form of hatred based on gender and that constitutes incitement to cause harm.

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In terms of the Code, the restrictions do not apply to bona fide scientific or documentary programmes, or dramatic material which, judged in context, is of such a nature.

The Code also requires scenes depicting sexual conduct to be broadcast only during the watershed period. Further, when an exception is made for a programme with a serious educational purpose, it should be approved in advance by the most senior programme executive, or a delegated alternative. The Code provides that explicit portrayal of violent sexual behaviour is justifiable only in exceptional circumstances, and the above approval process is prescribed in this instance, too.

The SABC's policy on the portrayal of sex and sexuality is to ensure that it is defensible in the context, and presented with tact and discretion. This, with adequate advisories, should make for greater acceptability to the viewing public. When representation of sexual intercourse is justified, it should generally be reserved for after 22:30. It is worth remembering, though, that if a series on sex were made for adolescents, there would be no point in broadcasting it late at night. Exceptions may also be allowed for nature documentaries, programmes that have a serious educational purpose, or where the representation is a graphical illustration (delineated in cartoons or diagrams), but these are to be approved by the channel head.

When sexual topics feature in news, documentaries and discussions, programme makers should observe the need for careful scheduling and consumer advice. Tactful handling can help prevent the most sensitive of subjects from giving widespread offence. Overall, any programme that deals with sex and sexuality should be treated with care, and without sensationalism.

Just as the SABC does not condone racist material, or gratuitous violence, it does not present sexual violence, or exploitative or non-consensual sexual relations, as acceptable.

Whereas most of the negative reaction from the public is prompted by depiction, even discussion of sex attracts some criticism. However, it is the SABC's responsibility as a public broadcaster to encourage debate and open discussion of sex, sexuality and sexual roles.

PROCESS FOR DEALING WITH PROGRAMME COMPLAINTS

Complaints from members of the public that are received at the SABC and relate to matters of policy, or compliance with the Code, are dealt with by the office of the Manager: Broadcast Compliance. When such complaints are received by the channels or stations, or in any other department, they should be referred to that office without delay.

The SABC's policy is to deal with every such complaint. The response is either prepared in consultation with, or communicated immediately to, the management of the channel/station concerned, or the relevant head of SABC News. The services are required to take ownership of complaints about their services.

Trends in complaints, and all the formal complaint processes, are reported to Top Management and Board regularly.

COMPLAINTS LODGED WITH THE BROADCASTING COMPLAINTS COMMISSION OF SA

If a member of the public lodges a formal complaint with the BCCSA about a programme broadcast on any of the SABC services, the BCCSA notifies the SABC in writing, provides a copy of the complaint, and indicates whether a copy of the programme should accompany the written response from the SABC.

When the BCCSA requests material for review in any complaint process, the SABC is obligated to provide a complete copy of the programme as broadcast. This includes any on-screen and/or verbal consumer advice. If appropriate, a transcription of the text is required, and/or the Final Control Sheet for the programme. The Manager: Broadcast Compliance requests this material from the relevant service, and it should be supplied within three (3) days.

The Manager: Broadcast Compliance prepares the SABC's response to the complaint, in consultation with the staff responsible for the broadcast, who may be asked to provide

comments in writing. This submission, together with the material requested, has to be delivered to the BCCSA's premises within ten (10) working days of notification of the complaint.

The formal process is then conducted in accordance with the current Procedure of the Commission (available on the Internet at <http://www.bccsa.co.za>), which may be amended from time to time.

When the BCCSA gives notice that a complaint is to be heard by the Tribunal, the Manager: Broadcast Compliance:

- requests the head of the service against which the complaint has been lodged to delegate an appropriate representative to attend the hearing (normally the person responsible for the programme in question)
- applies to the SABC's Chief Legal Advisor for assistance, if the BCCSA advises that the complainant will have legal representation
- prepares the SABC's case
- consults, or refers a case to, Legal Services when the need arises
- defends the SABC at the hearing, assisted by a legal consultant, if necessary.

When the BCCSA's decision about a complaint, adjudication (by an individual commissioner), or judgement handed down by the Tribunal is received, the Manager: Broadcast Compliance circulates it immediately to all the relevant staff.

On being found guilty of a breach of the Code, a broadcaster may be reprimanded by the Commission, or required to take certain steps to rectify a situation, or instructed to broadcast a correction, retraction, or apology. The BCCSA is also empowered to impose fines of up to R40 000 for serious infringements

It is important to note that records must be kept of formal complaints and their outcome.

COMPLAINTS LODGED WITH THE ADVERTISING STANDARDS AUTHORITY OF SA

When a member of the public lodges a formal complaint with the ASA about self-promotional material broadcast on any of the SABC services, the ASA notifies the SABC in writing, provides a copy of the complaint, and requests a copy of the material for review by the Authority. If the Authority finds that the complaint is not "frivolous or vexatious", the SABC may be called to a hearing and be subject to sanctions as set out in the Code of Advertising Practice.

The ASA has jurisdiction over channel and station promos that are broadcast on any other SABC service (eg an RSG promo flighted on SABC2, or an SABC3 promo on SAfm), or on any other broadcaster's channel/station. The ASA does not have jurisdiction over a channel/station promo broadcast on the same channel/station (eg an SABC3 promo flighted on SABC3).

The Authority therefore can entertain complaints about programme promos only if they are flighted on another broadcaster's service, or if they are published in the print media, or placed on outdoor advertising (eg billboards).

A promo for any SABC programme that is flighted on the same SABC channel/station falls within the jurisdiction of the BCCSA.

When the ASA requests material for review in any complaint process, the SABC is obligated to provide a copy of the promo. The Manager: Broadcast Compliance requests this material from the relevant department, and delivers it to the Authority within five (5) days.

COMPLAINTS ABOUT CONTRAVENTION OF THE SABC'S EDITORIAL POLICIES

Complaints about any breach of the SABC's Editorial Policies that are not received directly by the Policy and Regulatory Affairs department should be referred to the Manager: Broadcast Compliance without delay.

In the event of a serious contravention of editorial policy, or repeated infringement, the matter is

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referred upwards as follows:

- General Manager: Policy & Regulatory Affairs
- Head: Public & Regulatory Affairs, the Chief Legal Adviser and the applicable senior programming / news executive
- Group Chief Executive Officer
- SABC Board.

SPONSORSHIP OF PROGRAMMES

The SABC complies with ICASA's regulations on programme sponsorship¹.

ICASA defines programme sponsorship as direct or indirect financing, whether partial or total, of the production or transmission of broadcast programme material by an advertiser or person seeking to promote their activities or product.

ICASA regulates programme sponsorship and is concerned to ensure that editorial control remains with the broadcaster. To this end, the regulations stipulate that if there is any depiction during a sponsored programme of the name or logo of whoever provides the sponsorship, that depiction should be subordinate to the content of the programme. The regulations also provide that where there is programme sponsorship, the sponsor's association with the programme has to be stated clearly, both before and after the programme.

The stations and channels, together with SABC Sales and Marketing, ensure that the SABC is in compliance with these regulations.

INFOMERCIALS

ICASA has developed rules for infomercials², with which the SABC complies. These provide that:

- infomercials may not be carried during prime time, or during children's programmes
- infomercials must be labelled in such a way as to make it clear that they are not programme material
- no more than two hours of infomercials per day are allowed in the performance period (05:00 - 23:00) of each channel.

In addition to the above, ICASA encourages broadcasters to ensure that infomercials are not carried on all the free-to-air channels at the same time.

The stations and channels, together with SABC Sales and Marketing, ensure that the SABC is in compliance with these regulations.

REVIEW

This policy is reviewed by the SABC Board every five years.

¹ICASA Regulations relating to the Definition of Advertising, and the Regulation of Infomercials and Programme Sponsorship and respect Broadcasting Activities, 1999.

²As Above

NEWS

CURRENT AFFAIRS AND INFORMATION PROGRAMMING

INTRODUCTION

The SABC occupies a distinctive position of trust in the lives of its viewers and listeners. We are the most extensive, all-inclusive and diverse news organisation in South Africa. The SABC considers it a duty to provide consistent, relevant, useful and top-quality information and analysis on which all South Africans can rely as they discuss and deliberate, form opinions and build a common future.

The Independent Broadcasting Authority Act, the Broadcasting Act, the Code of Conduct for Broadcasters and the SABC's Editorial Code set out the essential requirements for news and current affairs services that are to be studied, understood and observed by every member of the SABC's news staff.

This policy covers all the news, current affairs and information programming broadcast by the SABC, including news bulletins and current affairs programmes provided for radio, television and SABC Africa.

THE SABC'S ROLE IN NEWS, CURRENT AFFAIRS AND INFORMATION PROGRAMMES

The SABC recognises the important part played by news and information in human, social and economic growth and development, especially in societies such as ours that are embarking on nation building. The SABC takes account of this, as it is in these circumstances that news, current affairs and information services can be the catalyst for positive and progressive development and change.

Through this policy, the SABC is well positioned - and unmatched in the market - to meet the challenge of telling the South African story with compassion, determination and resolution, while creating forums where South Africans from every walk of life can communicate ideas about their common future.


The SABC should offer information that is substantial, and analysis that is authentic and meaningful to ordinary, enquiring South Africans so that they can form their own opinions. Also, since our services are for everyone's use, they should take account of representation and identity, and reflect life as it is. This means accounts and interviews, and other forms of presentation, should reflect and draw on South Africa's diversity of people, languages, cultures, genders, abilities and classes, and the full spectrum of opinions, perspectives and comment.

For the SABC to achieve these objectives, we require - and our audiences rightly expect - the news staff to uphold the highest editorial and ethical standards consistently and diligently. Clearly what we uphold as a common good for society, such as decent and incorruptible values, robust and vigorous creativity, and healthy and wholesome growth and development, lies at the very heart of good journalism.

The SABC's freedom of expression and its journalistic, creative and programming independence is guaranteed and protected in law. The principle of editorial independence is therefore fundamental to the operations of the public broadcaster and especially important to the functions of the SABC's news division.

The SABC is committed to upholding the independence of its news division and, flowing from this policy, the news division will develop its own internal guidelines on how to entrench this independence and deal with potential conflicts of interest in the newsroom. These guidelines should deal with involvement of reporters in political organisations, declarations of financial or family interests, how gifts and free travel are to be dealt with, etc.





As a public institution, the SABC is often itself the subject of its own news reports. When reporting on itself, the SABC makes sure that it does so fairly and fully.

OBJECTIVITY, ACCURACY, FAIRNESS, IMPARTIALITY AND BALANCE

The SABC's right to freedom of expression comes with an obligation: the duty of every member of its news staff to uphold the highest professional and ethical standards. These are captured in the SABC's Editorial Code, some of the clauses of which are reproduced below:

- We report, contextualise, and present news and current affairs honestly by striving to disclose all the essential facts and by not suppressing relevant, available facts, or distorting by wrong or improper emphasis
- We do not allow advertising, commercial, political or personal considerations to influence our editorial decisions. The SABC is expected to provide information, and as part of this duty should evaluate, analyse and critically appraise government policies and programmes. The SABC is not the mouthpiece of the government of the day, nor should it broadcast its opinion of government policies, unless they relate directly to broadcasting matters
- We seek balance by presenting relevant views on matters of importance, as far as possible. This may not always be achieved in a single programme or news bulletin, but should be done within a reasonable time
- We are guided by news merit and judgement in reaching editorial decisions. Fairness does not require editorial staff to be unquestioning, nor the SABC to give every side of an issue the same amount of time
- We do not accept gifts, favours, free travel, special treatment, or privileges that could compromise our integrity, and any such offer is to be disclosed
- We foster open dialogue with our viewers and listeners, as we are accountable to the public for our reports
- We aim to tell stories from a South African point of view and deal with issues that are important to South Africans. This includes local, African and global issues. We endeavour to contextualise for South Africans their life as global citizens, and to recount the story of South Africa in all its variety and complexity. Given our history, and that South Africa is part of Africa, we see it as our responsibility to endeavour to represent Africa and African stories fairly and diversely
- We are committed to being a truly national broadcaster, providing a showcase for all South Africa's provinces and peoples.

The Code of Conduct for Broadcasters also requires the SABC to report news truthfully, accurately and objectively. In this regard, the staff may not allow their professional judgement to be influenced by pressures from political, commercial or other sectional interests.

Since they are professionals, SABC journalists and other news staff have personal opinions, beliefs and preferences arising from social, educational, cultural and other forms of nurturing. South Africa's apartheid past, and individuals' experiences in contesting and living under it, also accentuates differences that could create unfairness and partiality, or perceptions of such bias. It is the responsibility of SABC journalists and editorial staff to ensure that these forms of individual and collective nurturing do not lead to any form or perception of inequity or prejudice.

In order to meet the required standard of journalistic objectivity it is the responsibility of SABC news staff to be aware of such personal opinions, beliefs and preferences, and to take them into account in gathering and transmitting news. SABC reporting should be, and be seen to be, accurate, fair, impartial and balanced. Our audiences have the right to expect SABC news and current affairs programming not to reflect the personal views of editorial staff.

In assigning staff, SABC editors should be sensitive to published views, associations and backgrounds, so as to avoid any perception of bias, or of vulnerability to undue influence.

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NEWS, CURRENT AFFAIRS AND INFORMATION PROGRAMMING

SABC news staff are expected to present issues fairly, not to take sides, and to afford the public access to the full range of views on a subject. In this regard, editorial staff should not become emotional, or use emotive language, in writing stories or conducting interviews.

For the SABC to retain its credibility, accuracy is imperative. Research for any news programme has to be thorough, and be checked and cross-checked. Substantiation is also an important tool for ensuring accuracy. Another agency or SABC correspondent should substantiate national and international reports that are not obtained first hand. News and current affairs stories and feeds taken from international broadcasters, bureaux and correspondents are always to be acknowledged, and to be consistent with SABC editorial policies and standards.

SABC editorial staff should always endeavour to present stories in a fair and balanced manner. When exceptional circumstances make it impossible to achieve fairness and balance, or when a damaging critique of an individual or institution is presented, those criticised should be given an opportunity to present their side of the story: the "right of reply". When the response from such an individual or institution is reflected in a subsequent programme, it should be given comparable prominence.

With the best of intentions and efforts, mistakes still happen. When a serious factual error has been made, it should be admitted and corrected as soon as it is realised. The Code of Conduct requires any rectification to be presented with such a degree of prominence and timing as may be adequate and fair in the circumstances so as to attract attention readily.

LANGUAGE AND TONE IN NEWS

It is important for the SABC to get its facts and use of language right. Given our nation's divided history and previously unequal learning systems, the use of South African languages should always take account of the needs and sensitivities of our audiences. This means the use and tone of language should take account of our different cultures, abilities, classes and experiences; avoiding exaggeration, value judgment, unnecessary provocation, and lack of objectivity.

It has now become a standard practice for news stories and bulletins to be produced and broadcast in all eleven official languages. This is another important dimension of language. Since inaccuracies easily creep in when stories are translated, only staff who have the required language skills should translate stories, and they should do so accurately and fairly.

Further guidelines on language use are laid out in the Programming Policy and the Language Broadcasting Policy.

INTERVIEWING

Interviews are an important tool of journalism. In order to achieve the objective of an interview to break new ground and get new information, it is important for interviewing to be purposeful and well researched.


For an interview to be successful, it is important to inform an interviewee of the purpose of the interview, its duration and any other relevant matter, and to establish how he or she prefers to be addressed.

Care should be taken when interviewing ordinary people who do not have any experience of broadcasting. We should also make allowances for the language barrier: confusion and misunderstanding, or difficulty of expression, may arise when an interview is conducted in a language other than the interviewee's home language. If necessary, an interviewer should repeat questions and confirm that the interviewee has a clear understanding of what is asked, and may request the interviewee to clarify answers. We should not make assumptions, or reconstruct an interviewee's responses later; the interview is the opportunity to do so.

Conversely, interviewers are increasingly faced with interviewees who attempt to steer the interview on their own course. In such cases, interruptions may be justified. Any unwillingness to answer questions should be shown up, but this should be done calmly and respectfully.

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Further guidelines for dealing with guests are given elsewhere in this policy, and in the policy on Programming.

ECONOMICS AND BUSINESS NEWS

SABC News gives special attention to economics and business news aimed at informing and educating our audiences. Examples are business, commercial and labour laws; harmful business practices; effective ways of saving and spending money; prices, inflation and other basic economic indicators, and how these affect our audiences.

In commissioning and broadcasting economics and business news, SABC news staff should ensure that a range of views, perspectives and opinions - not only the orthodox ones - are presented in a balanced, fair and accurate manner.

INVESTIGATIVE JOURNALISM

Investigative journalism, to which the SABC has made an important contribution, is a key element of our news services. SABC investigative journalism plays a vital part in pursuing matters of public concern systematically through innovative and reliable journalism, making it possible to access information that is crucial to the construction of a democratic society.

As a rule, and given its potential effect on the lives of a large part of society, investigative journalism at the SABC always takes into account the relative importance of an issue. Minor matters should not be dealt with when more significant issues warrant attention. Although investigative journalism is robust and thorough in its examination of issues, it also has to adhere to the highest ethical and journalistic standards, be in the public interest, offer valuable information and authentic analysis, promote public dialogue, and enable the public to form their own opinions.

Given its nature, investigative journalism frequently involves legal considerations, and on such occasions the advice of the Legal Department is to be sought.

As a rule, SABC journalists work in the open. Clandestine methods of gathering news and information should be used with due regard to the law, the right to privacy, and the significance of the information. If it were to become necessary and in the public interest to gather information to which the public normally does not have access, the matter should be referred to the relevant Head of News. As a matter of policy, the SABC does not use hidden cameras and microphones to gather news. In exceptional circumstances - such as illegal, antisocial or fraudulent activity, or clear and significant abuse of public trust, and where alternative means of newsgathering are impossible - the use of such equipment might be in the public interest. If so, the matter is to be referred to the relevant Head of News, and in all these cases there should be consultation with the Legal Department.

USE OF GUESTS, ANALYSTS AND SPECIALIST COMMENTATORS

The SABC's principle of providing the full spectrum of opinions, perspectives and comment also applies to selection and use of guests, analysts and specialist commentators. This requires editorial staff to choose, as participants, people who have a wide range of views, opinions and perspectives, and are drawn from all over the country. Such people should be required to declare any vested interest they may have in the matter to be discussed.

PAYING FOR INFORMATION

The Code of Conduct prohibits broadcasters from paying criminals for information, unless compelling societal interests indicate the contrary.

As a matter of policy, the SABC does not pay people for information. In circumstances where compelling public interest and the right to know are involved, and access to information cannot be gained by other means, the matter is to be referred to the relevant Head of News for a decision. When payment has been made, this fact is to be reported in the broadcast.

NEWS, CURRENT AFFAIRS AND INFORMATION PROGRAMMING

PUBLIC OPINION SURVEYS

Polling and random sampling are methods used to discover facts, uncover attitudes and confirm hypotheses. However, to ensure the validity and reliability of the findings of such research, it has to be done according to proven scientific methods. Before broadcasting the results of non-SABC surveys, journalists should obtain information on the methods used and the main results of the survey; seek the opinion of experts in the field, and consult SABC Market Intelligence on the validity of the methods used and interpretation of the findings.

The SABC may also conduct its own public opinion surveys, for which it takes full accountability.

The Head of News Research approves any such survey, including the design, questionnaires and interpretation of the results, after consultation with the relevant Head of News.

Statements gathered (live or pre-recorded) from people chosen at random - vox pops - are not scientific surveys. These should be presented solely to illustrate the range and texture of popular opinion on a topical issue. There should not be any suggestion - explicit or implicit - that the views broadcast in such a survey reflect wider public opinion.

PROTECTION OF SOURCES

The SABC firmly upholds the principle of journalistic freedom and sees the protection of a journalist's sources as a key element of this principle.

At times, information that ought to be given to the public is available to journalists only through confidential sources. If the confidentiality of such sources of information were not respected, it would restrict the free flow of information in a free and democratic society.

In the event of a source not wanting to be identified publicly, the SABC uses the information obtained only when the source is known to the journalist and has prima facie credibility; the journalist has checked the reliability of the source and obtained corroboratory evidence from other relevant sources; and the identity and bona fides of the confidential source have been disclosed to the relevant Executive Producer ahead of the broadcast.

When protection of a source becomes a legal matter, the SABC does not advise its staff to refuse to obey an order of a court, but makes its legal counsel available for advice and to present legal argument in court to protect the source.

GENDER AND REPRESENTATION

Democratisation places an important responsibility on the SABC to include in our news services - consciously and with due prominence - the perspectives and opinions of women who are making a crucial contribution to the political, social and economic life of South Africa. This is one of the important criteria for ensuring that the full range of comment is offered, so that our audiences may have a comprehensive overview of issues in order to form their own opinions.

News staff should therefore endeavour to ensure fair gender representation in news and information programming.

PRIVACY

Promoting the dignity of all South Africans is a cornerstone of our Constitution, and it is for this reason that the Bill of Rights is so central to it. Unlike the private commercial media, the SABC has a special duty to uphold the Bill of Rights and to respect the dignity and private lives of individuals. For this reason, we respect individuals' right to privacy, and as a matter of policy do not violate such privacy unless it is justifiable in the public interest.

The Programming Policy expands on the SABC's approach to matters of privacy.



REPORTING ON SUFFERING AND DISTRESS

In terms of the SABC Editorial Code we are circumspect in the presentation of brutality, violence, atrocities and personal grief.

When covering any accident, disaster or conflict the SABC always gives a full, accurate and factual account of relevant matters such as time, location and casualty figures. In doing so, we avoid causing needless distress or anxiety to those who already know of their loss. SABC editorial staff cover accidents and disasters with compassion and sensitivity that is frank and genuine.

The consequences of a tragic event or disaster call for considerable sensitivity on the part of the SABC. Reporting on these events should follow well established principles:

- As a rule, intrusive visuals of the dead should not be broadcast unless the story demands it
- Those injured or grieving should not be put under any pressure to give interviews
- As far as reasonably possible, next of kin should not learn bad news from a radio or TV newscast
- A funeral should be covered only with the permission of the family, and treated sensitively and without intrusion, unless public interest considerations are apparent
- The time of day of transmission - before or after the watershed - and audience sensibilities should always be considered
- When the content of a report or programme may upset sensitive viewers or children, a warning to that effect is to be given.

News bulletins should be prepared bearing in mind that children watch TV during the day and early evening, especially in school holidays. This could mean delaying graphic details and visuals of particularly disturbing events until the later bulletins, when it is reasonable to expect parents to be in a better position to monitor their children's viewing.

In its coverage of crime, the SABC avoids sensationalist reports that have no context or explanation. The SABC seeks to report not only on the event, but also the human consequences and the subsequent judicial process.

The guidelines are elaborated on further in the Programming Policy. Editorial staff should also consult the Legal Guidelines for Editorial Staff.

BROADCASTING EVENTS OF NATIONAL IMPORTANCE

The SABC gives full, or extended, live television and/or radio coverage of events of national importance. In scheduling these events, editorial staff should take into account that they inevitably result in schedule changes. Such events may include the Opening of Parliament, the budget speech, State occasions such as visits by foreign dignitaries and State funerals; major commemorative occasions, and the proceedings of national commissions of inquiry.

Other events that may warrant live coverage and involve scheduling and programming changes include major parliamentary debates, the opening of provincial legislatures, and significant conferences of the major political parties. Live coverage in this category requires approval of the relevant stations and channels, in consultation with top management.

When an event of national importance is of a party political nature, editorial staff are to ensure that the SABC policies on objectivity, accuracy, fairness, impartiality and balance are adhered to.

The Policy on Language Broadcasting outlines further requirements for broadcasting events of national importance.

ELECTION BROADCASTS

This news policy is applicable both during elections and outside of elections. Outside of elections, the SABC approaches its coverage of political parties as it does its coverage of all other newsmakers - we are guided by our commitment to objectivity, accuracy, fairness, impartiality and balance. As such this policy does not deal specifically with the coverage of political parties outside of an election period.

NEWS, CURRENT AFFAIRS AND INFORMATION PROGRAMMING

Broadcasting during elections is a testing time for the SABC. This is because it is during elections in particular that our commitment to objectivity, accuracy, fairness, impartiality and balance is scrutinised closely and evaluated assiduously. Election broadcasts are regulated by the Independent Broadcasting Authority Act and ICASA's regulations. During an election period, the SABC is bound to comply with additional ICASA guidelines on equitable coverage of political parties, which are only applicable during an election period. Notwithstanding these additional requirements, news decisions during election periods have, as is the case between elections, to be driven by the news judgement of our news staff, and take account of the need to ensure that attention is given to thorough examination of the views, policies and campaigns of all the main political parties.

This is also a trying time for our editorial staff, who may experience pressure from political parties seeking to influence our editorial decisions. While remaining courteous, staff should always refer complaints to the appropriate offices.

News staff are required to study, understand and observe the statutory provisions on election broadcasts in the Independent Broadcasting Authority Act (see Sections 58, 59 and 60) and ICASA's regulations. These requirements include the limitations on party election broadcasts, the time to be made available to political parties, the duration and scheduling of party election broadcasts, and political advertising during election periods. News staff should also familiarise themselves with any internal guidelines developed for election coverage, including policies such as the Policy on Election Advertising.

The SABC shall, in compliance with the Independent Broadcasting Authority Act, cease party election broadcasts 48 hours before the polling period begins.

RESTRICTIONS ON SPONSORSHIP OF NEWS, CURRENT AFFAIRS AND INFORMATION PROGRAMMES

The SABC's approach to the sponsorship of news, current affairs and information programmes takes into account our public and commercial services' programming responsibilities, applicable legal and regulatory requirements as stipulated from time to time by ICASA, and the overall performance and well-being of our stations and channels.

Our overriding concern, shared by ICASA, is to preserve the editorial independence and integrity of the programmes concerned. Like ICASA, the SABC seeks to ensure that editorial control of programmes remains with the broadcaster. Accordingly, it is the responsibility of broadcasters to ensure that editorial independence and integrity are not influenced by the presence of advertising and sponsorship, and to demonstrate this to ICASA's satisfaction.

Sponsorship of television news and current affairs has been prohibited by ICASA, and is therefore not allowed by the SABC. For radio, ICASA has allowed a window period for sponsorship of news, but has encouraged the industry to phase it out. In line with the fact that it is currently permitted by ICASA, the SABC's policy is to allow for the sponsorship of radio news and current affairs programmes. Weather forecasts and sports bulletins that form part of TV news bulletins may be sponsored. Any product placement within news and current affairs programmes is strictly forbidden.

REVIEW

This policy is reviewed by the SABC Board every five years.



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LANGUAGE

INTRODUCTION

As South Africa's public broadcaster, the SABC embraces the constitutional duty to treat all the official languages equitably, and with equal respect. The Constitution also recognises the need to promote South African Sign Language and "the Khoi, Nama and San languages".

We are conscious of the important part the public broadcaster should play in facilitating the fulfilment of these rights, and pledge our commitment to working towards these goals.

This Language Policy is derived further from the Corporation's commitment to freedom of expression, which is protected by the Constitution, including the right of all South Africans to receive and impart information. We recognise that freedom of expression can be realised fully only when every South African can inform and be informed in their language of choice. Access to meaningful information would also empower South Africans to participate effectively in every facet of society.

We also recognise that language plays a crucial part in promoting and attaining the goals of building our democracy and our nation, and protecting and developing our uniquely diverse cultures. This is because the use and development of language is closely linked to the development of culture and identity. These matters are particularly important in our relatively new democracy, where language will be instrumental in its growth and development.

Owing to its virtually universal accessibility and use, the public broadcaster has a unique responsibility to broadcast programmes that promote development of national identity while supporting development of our languages and cultures. South Africa, and consequently the public broadcaster, is faced with a further challenge: that of bringing marginalised national languages, cultures and identities into the mainstream, so that they can develop and flourish, and become a core part of our nation building project.

STATEMENT OF COMMITMENT

This policy takes into account the Constitution and a range of legislative and regulatory requirements — in particular those contained in the Independent Broadcasting Authority Act, the Broadcasting Act, and ICASA policies and regulations.

Drawing on these, the SABC commits itself to being the voice and vision of every South African. Accordingly, we

- provide a range of distinctive, creative and top quality programmes in all 11 official languages across our radio and television portfolio, and strive to reflect the needs of each language community in our programming
- maintain distinct and separate radio services in each of the 11 official languages
- treat all the official languages equitably on our television services
- integrate South Africa Sign Language into broadcasting as a means of making programming accessible to people with hearing disabilities
- strive to include other non-official languages spoken in South Africa, with particular emphasis on the Khoi, Nama and San languages.

In acting on these commitments the SABC will be guided by the following:

- The need for institutions, including the public broadcaster, to take practical and positive steps to treat all the official languages fairly
- The need to address the marginalisation of indigenous languages and South African Sign Language in recognition of the impact of the previous systematic marginalisation of those languages
- The obligation to reflect the linguistic and cultural diversity, and multilingual nature of South Africa while promoting national unity

- The SABC's responsibility to be responsive to the needs of all South Africans, including the deaf
- The importance of language in communication as the carrier of values, attitudes, culture and expression.

AIMS AND OBJECTIVES

The SABC's primary role is to make its programmes accessible to all the audiences, and in that regard language is fundamental to meaningful communication. In keeping with this, the SABC aims to:

- Inform, educate and entertain South Africans in their home languages
- Promote understanding and acceptance of and between the linguistic and cultural groups in South Africa
- Contribute to continual development of the 11 official languages and South African Sign Language
- Promote multilingualism in South Africa.

SCOPE OF THE POLICY

The SABC is, in terms of the Independent Broadcasting Authority Act and the Broadcasting Act, required to provide broadcasting services in all the official languages and to cater specifically for the needs of people with hearing disabilities. Accordingly, this is an overarching policy, affecting many activities of the Corporation.

This policy should therefore be considered when the SABC:

- Develops strategic plans for the Corporation
- Develops business plans and budgets for the Corporation
- Formulates programme strategies, policies and plans for each radio station and television channel
- Determines training needs and strategies
- Develops audience research projects to gauge the needs of viewers and listeners and to assess response to programmes
- Formulates plans for universal service and access to broadcasting
- Investigates and formulates plans for the use of innovative technology.

USE OF LANGUAGE IN BROADCASTING

In fulfilling its duty to protect and nurture South Africa's official languages, the SABC strives to ensure that they are all spoken correctly. In doing so the SABC commits itself to celebrating the rich diversity of dialects and accents in each language group.

The SABC recognises that languages are dynamic, continually developing and adapting to circumstances; language in broadcasting should therefore take account of the evolution of languages.

Moreover, language usage should accord with the programme genre. It is fair to assume that more formal language would be used in news programmes, whereas more conversational, colloquial or everyday language would be used in drama.

Language in broadcasting should also take account of the social expectations and values of different language groups, and the right of every South African to be treated with respect and dignity. Language usage in broadcasting should therefore avoid giving offence and causing hurt unnecessarily. It should encourage respect and concern for everyone, and be free of elements such as prejudice, and racist and sexist connotations. The Programming Policy and the Policy on News, Current Affairs and Information Programming expand further on this issue.



OPERATING PRINCIPLES

In striving to play its part in reaching these common national goals, the SABC's Language Broadcasting Policy takes account of, and is shaped by, a number of operating principles:

- Use of groupings such as cognate, shared and widely understood languages so as to make the most cost effective use of scarce resources
- Special action on marginalised languages
- Attainment of language goals, including the use of South African Sign Language, firstly in targeted programme genres
- Combined use of unilingual and multilingual programming
- Coverage of events of national importance to promote the development of national identity, unity and nation building
- Fair allocation of resources to achieve quality in programmes on all the broadcasting platforms
- Application of appropriate technologies to achieve language coverage and access goals
- Use of research to understand audiences' language broadcasting needs
- Introduction of annual plans to focus implementation and monitoring of the Language Policy
- Development of mutually beneficial relationships with key social partners, notably the Pan South African Language Board.

These operating principles are elaborated on below.

RADIO

Radio is still the most widely used and most accessible broadcasting medium in South Africa. It is used in homes, cars, taxis, trains, malls and food courts. South Africans can listen to the radio all day and all night. As audiences have fragmented increasingly into niche markets there has arisen a special responsibility for the SABC, as the public broadcaster, to offer South Africans a wide range of programmes — irrespective of age, income or language. Accordingly, the SABC is charged with providing quality radio services in all 11 official languages. In making this pledge the SABC notes:

- The crucial part radio plays in the lives of many South Africans, as it is often the only medium available to them in their home language, and in many instances the only medium available at all
- The under-development of previously disadvantaged people and of their languages in South Africa, which must be redressed if we are to meet our commitment to delivering excellent radio services
- The unique part radio can play in promoting people's right to receive information, to express themselves, and to inform others.

The SABC further commits itself to providing quality radio programmes in non-official South African languages, in particular in the Khoi, Nama and San languages.

PROGRAMMING GUIDELINES

- A language service should be sensitive to and reflect the needs and lifestyles of the speakers of that language — including those of children, young people, urban and rural dwellers, and the elderly
- A language service should provide programming in genres such as news and information, children's/educational programmes, and entertainment
- Programmes should aim to reflect the realities of the target audience, while recognising their right to a wide range of programming from throughout South Africa and the world
- Programmes should aim to foster unity and common South Africanness.

NEWS AND INFORMATION PROGRAMMES

The SABC recognises the important part news and information programmes play in enabling every South African to participate effectively, and from an informed basis, in building our democracy, nation and economy. Meaningful access to information is therefore essential, and involves not only reporting events, but analysing issues of significance as well.

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LANGUAGE

We commit ourselves to providing comprehensive radio news and information programmes in all the official languages.

BROADCASTING EVENTS OF NATIONAL IMPORTANCE

The SABC is committed to airing events of national importance, such as the annual State of the Nation Address at the Opening of Parliament, and the Budget Speech, that warrant full or extended live coverage. Coverage of these events gives South Africans access to important and relevant information about our developing nation. On such occasions the SABC strives to ensure that all its language services cover them. To this end, the language services collaborate with, and complement, one another's programmes and schedules. The Policy on News, Current Affairs and Information Programming gives more information on broadcasting events of national importance.

CHILDREN'S PROGRAMMES

The Broadcasting Act requires the SABC to meet children's programming needs. Children require informative, educational and entertaining programmes of excellent quality, in their home language, aimed specifically at addressing their needs and instilling a sense of pride in their culture and language. These needs vary according to the circumstances and ages of children, from pre-school to schoolgoing and adolescence.

Radio programmes have a supportive role in nurturing and developing children's language capacity, and cultural knowledge and experiences. Programmes can also assist in promoting understanding between children of different language and cultural communities.

The SABC addresses the needs of children in its language radio services by offering programmes that cater specifically for them.

The Programming Policy give more information on children's programmes.

ALLOCATION OF RESOURCES

The SABC commits itself to ensuring fair allocation of financial and other resources to the language services so that they can meet the requirements of broadcasting programmes of excellent quality.

In allocating its resources, the SABC takes into account the historical imbalances between English and Afrikaans on one hand, and the nine African languages on the other. Moreover, the SABC takes into account that radio, owing to people's lower literacy levels and poverty, remains for many the only medium available for receiving essential education and information, and good quality entertainment. Special attention is therefore paid to developing and expanding programmes on services that target historically disadvantaged communities.

UNIVERSAL ACCESS

Through its Universal Service and Access Policy, which is described separately, the SABC ensures that its language services are accessible to South Africans who speak those languages.

TELEVISION

The SABC is committed to treating all the official languages equitably on television. This is achieved across the television portfolio as a whole, not on each individual channel. Over time, the SABC is committed to increasing the air-time of other official languages in local programming.

Since prime time (18:00-22:00) is relatively short, the SABC is committed to considering and implementing innovative strategies for providing programmes equitably in all the official languages. One such strategy being implemented is to schedule programmes in different languages on and across SABC television channels in a complementary way.



In fulfilling its mandate to provide television programmes in all the official languages, the SABC takes into account the following:

- The Constitutional requirement to treat all the official languages equitably
- The comparatively little television air time available, especially in prime time, and the complexities of allocating time equitably to all the languages
- The similarities and differences between the official languages; for example, certain languages are part of a cognate group (languages that are mutually understandable within that group)¹, others are not cognate but shared and understood by different communities², whereas some are neither mutually understandable nor widely spoken³. In addition, some language communities are much bigger than others
- The realisation that certain languages are recognised as being more marginalised than others (Xitsonga, Tshivenda, Siswati and SiNdebele) and the additional responsibility this places on institutions such as the SABC to address this marginalisation
- The need to address historical underdevelopment of the vast majority of South Africans and their languages in order to realise the rights of all people to equality and dignity
- The unique potential of television to showcase cultures and languages creatively; to nurture people's knowledge and experience of one another, and to contribute to developing a national identity.

GUIDELINES FOR EQUITABLE TREATMENT

- The term equitable means just, fair and reasonable — not necessarily equal — treatment. In this regard, the SABC aims to broadcast every official language on television, while ensuring that programmes are accessible to as many viewers as possible. We aim to complement our national television service by providing regional services as required by the Broadcasting Act, (as amended) pending the licensing of these services by ICASA and appropriation of funds for this purpose, by Parliament
- Equitability is achieved through a combination of means, including unilingual productions and multilingual programmes. We strive to explore the use of technologies such as subtitling to ensure that programmes are accessible to as many viewers as possible. At times this objective is met the best by broadcasting in cognate or widely understood languages. When this is applied, the SABC rotates the use of languages in any cognate group in order to achieve equitability.

In striving to achieve equitability, the following matters are taken into account:

- The overall time allocated to each language
- Scheduling of programmes when members of the target audiences are available
- The range of programme genres available in each language
- Financial and other resources for programmes in each of the official languages.

In determining allocation of time to each language, the SABC has due regard to:

- The number of home language speakers in the coverage area of a channel
- The geographical spread of the language
- The extent to which members of a language community are able to understand other languages
- The extent of marginalisation of the language
- The extent to which it is understood by other South Africans
- Available resources.

These criteria are intended to ensure that all the languages receive some air time, but not necessarily in equal amounts. Moreover, when these criteria are applied effectively, we dedicate a greater amount of programme time to more widely spoken or shared languages, while committing ourselves to special projects for marginalised languages.

TELEVISION PROGRAMMING

For television programming, the SABC commits itself to the following principles:

- Across the television portfolio, the SABC aims to broadcast a range of top quality programmes in each of the official languages in order to meet the information, education and entertainment needs of audiences comprehensively
- The SABC aims to produce and screen news and information, children's educational programmes, and drama in different languages, while not neglecting other genres
- The SABC aims to ensure that programmes in specific languages are broadcast at times to suit most of the members of the target audience in that language community
- The SABC aims to broadcast programmes in the different languages that reflect the needs, lifestyles and circumstances of speakers of that language, including the children, young people, urban and rural dwellers, and the elderly
- Scheduling of programmes across the SABC channels should be sensitive to audiences' right to have access to a range of programmes in their home language, and in languages they understand. To this end, television programmes across the channels are scheduled in a complementary manner
- Programmes are aimed at fostering unity and a common South African identity, instead of separateness, and at promoting cross-cultural knowledge, appreciation and understanding. We believe our country's diverse language groups and regions should be reflected to the nation and to themselves
- The SABC creatively combines unilingual and multilingual programmes, and uses broadcasting technologies such as subtitling, to reach its language goals.

UNILINGUAL PROGRAMMES

The SABC ensures that across the television portfolio some programmes are dedicated to each official language. A programme would be classified as being in an official language if most of the programme were in that language.

MULTILINGUAL PROGRAMMES

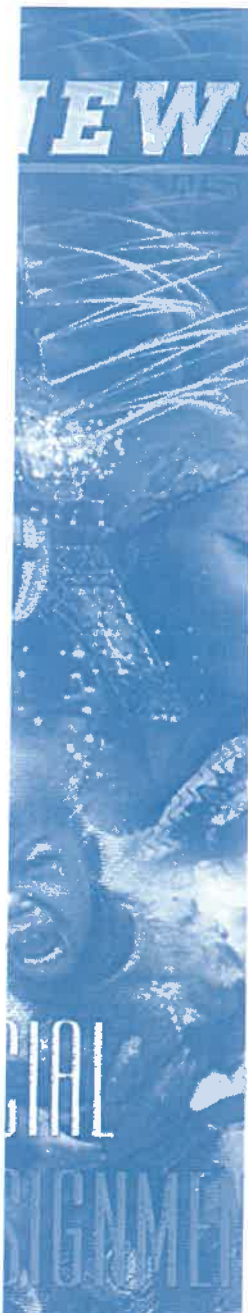
The SABC is conscious of the part multilingual programmes can play in promoting knowledge and understanding of the country's diversity of languages and cultures. Such programmes, when used creatively, also reach out to wider audiences.

Accordingly, the SABC actively encourages production of meaningful multilingual programmes as a means of attaining its language broadcasting objectives. Multilingual programmes are those that include substantial amounts of more than one official language.

TELEVISION NEWS, CURRENT AFFAIRS AND INFORMATION PROGRAMMES

The SABC is specifically obligated to provide comprehensive news and information programmes. As stated previously, meaningful access to information involves not only reporting on events, but providing substantial analysis of issues surrounding such events. Accordingly, the following principles are applied to all the SABC news, current affairs and information programmes on television:

- The SABC screens television news bulletins in all the official languages, and is sensitive to audience availability in scheduling news programmes
- Given the constraints of channel air time, the SABC makes use of cognate languages, on a rotational basis, and widely understood languages to meet this mandate
- The SABC ensures that information programmes, including current affairs and documentaries, serve the needs of different language communities. In meeting this commitment, the SABC takes due cognisance of the fact that several languages are cognate to each other, or widely understood.



BROADCASTING EVENTS OF NATIONAL IMPORTANCE

The SABC is committed to broadcasting events of national importance that warrant full or extended live coverage, such as the annual State of the Nation address by the President at the opening of Parliament, and the Budget speech.

When such events are televised, the SABC strives to ensure that the broadcasts are accessible to the widest range of South African language communities. This can be achieved through use of a combination of cognate languages and widely understood languages, and innovative use of broadcasting technology such as multiple soundtracks, subtitling, and Sign language. In this regard, the SABC strives to broadcast events of national importance in the six language groups as provided for in the National Language Policy Framework, developed by the Department of Arts and Culture. The Policy on News, Current Affairs and Information Policy gives more information on broadcasting events of national importance.

CHILDREN'S PROGRAMMES

Children require informative, educational and entertaining programming of excellent quality, in their home language, that is aimed specifically at addressing their needs and instilling a sense of pride in their culture and language. These needs vary according to the circumstances and ages of children, from pre-school to schoolgoing and adolescence. The SABC recognises that many children, particularly pre-school children, understand only their home language.

The SABC aims to broadcast a range of top quality educational, informative and entertaining television programmes for children of different age groups that are responsive to their language needs. This can be accomplished by means such as dubbing, multilingual programming and subtitling that is age appropriate. When acquiring and broadcasting children's programmes the SABC takes children's language requirements into account. More information on children's programmes is detailed in the Programming Policy.

DRAMA

Drama provides a unique means of telling our South African stories, and learning from and about one another. The SABC broadcasts top quality South African television dramas that in combination include and reflect South African languages and cultures. We also undertake to investigate innovative and creative ways of ensuring that such dramas are accessible to as wide a range of audiences as possible, such as multilingual productions, subtitling, and dubbing.

MEETING THE NEEDS OF THE DEAF AND HARD OF HEARING, AND THE BLIND

The SABC is committed to responding to the broadcasting needs of all its audiences. Responding effectively to the needs of people with disabilities is an important part of our mandate. The SABC develops specific plans to facilitate access to its broadcasts for people with disabilities.

Broadcasting of programmes in South African Sign Language, as a recognised South African language, is one of the means of meeting the needs of people with hearing disabilities. While the broadcasting of Sign Language interpretation facilitates access to programming by the deaf and hard of hearing, it also creates knowledge and understanding of South Africa's substantial deaf and hard of hearing community, and so contributes to nation building.

The SABC progressively expands the amount of programming that is signed, beginning with selected news and current affairs, and events of national importance. Special efforts are being made to provide Sign Language interpretation when programmes are recorded in front of live audiences. Such efforts facilitate participation by people from the deaf and hard of hearing communities in such programmes.

While focusing on providing programming that is signed, the SABC also acknowledges that a holistic approach is needed to address the needs of the deaf community. In this regard, closed captioning may offer a viable solution. The SABC will continue to explore various technology options which may assist in providing a holistic approach in addressing the needs of the deaf community.

LANGUAGE

In meeting the broadcasting needs of South Africa's blind communities, the SABC undertakes to investigate the use of innovative technologies such as audio-description.

ALLOCATION OF RESOURCES

The SABC acknowledges that it is faced with limited air time and other broadcasting resources. In order to achieve its language broadcasting objectives, the SABC undertakes to achieve fair and equitable allocation of financial and other resources when commissioning and airing programmes in the official languages.

UNIVERSAL SERVICE AND ACCESS

The Broadcasting Act requires that, as circumstances permit, a range of programmes in South Africa's official languages should be extended to all South Africans. The SABC undertakes to pursue this objective with regard to television, through its Universal Service and Access Policy.

RESEARCH

The needs and demographics of our language communities are changing and evolving continually. Since the SABC is committed to serving the broadcasting needs of these communities, it undertakes to research these needs regularly, and to ensure that such research informs its programming and scheduling strategies. The SABC also makes use of research to assess whether the strategies and innovations it implements meet audience expectations adequately.

TECHNOLOGY

The SABC recognises that technology offers innovative means of meeting the challenges of broadcasting in the country's official languages and South African Sign Language. The SABC therefore commits itself to undertaking relevant research into the creative use of technologies to facilitate implementation of its mandate.

RELATIONSHIPS WITH OTHER ORGANISATIONS

The SABC recognises that it has a significant part to play in contributing to equitable treatment of all the official languages and South African Sign Language. It believes it can fulfill its responsibilities effectively in collaboration with other organisations that have also been established to further these aims, such as the Pan South African Language Board. The SABC therefore establishes mutually beneficial working relationships with such organisations to facilitate compliance with the Language Policy outlined in this document.

MONITORING AND IMPLEMENTATION

This Language Policy lies at the core of our public service mandate as the public broadcasting service in South Africa. In order to ensure its implementation, the Board and management of the SABC have established specific appraisal and monitoring processes. The Board requires management to submit an annual language action plan that identifies future goals arising from this policy. A summary of achievements of the previous year is also to be attached to the language action plan in order to facilitate a review of the achievements, opportunities and challenges.

The summary includes the following:

- An account of the performance on language, including South African Sign Language, in the previous year
- A summary of the findings of any relevant research





- A summary of professional developmental programmes undertaken to meet the competence and skills needs of implementing this policy
- A summary of investigations into the use of technology, and application of technologies to implement this language policy.

The SABC also undertakes to publish relevant parts of this information as part of the Corporation's Annual Report to Parliament.

REVIEW

This policy is reviewed by the SABC Board every five years.



¹ Nguni and Sesotho languages are recognised as being cognate languages

² For example English and Afrikaans are not cognate but home language speakers of one often understand the other. In addition, these languages are understood by members of other language communities.

³ For example, XiTsonga and TshiVenda

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INTRODUCTION

Historically the concepts of "universal access" and "universal service" have been applied to the telecommunications sector, where universal service obligations were set for operators following deregulation and market liberalisation. The aim of these obligations (usually contained in licence conditions) has been to ensure that general public policy goals, including those of economic growth and social development, could be attained in the context of competing demands for scarce resources, as countries privatise former monopolistic providers of basic or essential services. In the context of convergence, these concepts have sometimes been transplanted crudely into the broadcasting sector in an effort to ensure that deregulation and market liberalisation do not lead to a situation where people are deprived of access to essential services.

Application of the concepts of Universal Service and Access in the broadcasting sector is based on a different premiss from that of telecommunications. The 1998 White Paper on Broadcasting Policy said that the key goals of broadcasting policy were to ensure that policy intervention would redress past imbalances and "recognise the special character of language broadcasting and provide for technical parameters that suit the different languages". In terms of the Broadcasting Act, the SABC has to work towards making its services available throughout South Africa. Also, national policy is expected to "prioritise the provision of services in languages of choice where applicable". What the White Paper recognises is that "programming alone will not solve the problems of addressing all South African broadcasting needs. Access is a critical area that needs urgent address through appropriate policy intervention. In the area of signal distribution, the network and infrastructure must be extended to cover the entire country".

This document sets out a policy on Universal Service and Access for the SABC's broadcasting services. It aims to facilitate the provision of a comprehensive end-to-end public broadcasting service for all South Africans.

Since there is no definition of Universal Service and Access for broadcasting, this policy includes a definition of Broadcasting Universal Service and Access.

As a major player in the emerging knowledge-based economy and the global information society, the SABC has a crucial part to play in defining targets for achieving Broadcasting Universal Service and Access in South Africa, and indeed beyond our borders. This policy sets out general principles to guide planning and implementation of the SABC's operations. The aim is ultimately to develop a corporate action plan, with steps that could be achieved within specified periods, and is aligned with other SABC plans and policies.


CONTEXT OF THIS POLICY

The changes in the broadcasting industry, including technological changes, make it imperative for this policy to be flexible and dynamic. The aim is to ensure that uncertainty about future developments in the South African broadcasting sector do not discourage much needed future investment in the sector, nor hamper planning efforts to expand coverage and services.

What is certain for medium- to long-term planning, is that future recommendations and targets for Universal Service and Access will undoubtedly be made in the context of convergence. We may assume, then, that when questions of universal coverage in terms of signal distribution are raised, the means of transmission will be assessed so that the most technically appropriate and affordable solutions are adopted.

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Legislation, regulations and public policy directives in the South African communications sector are already framed in the language of technological convergence, in which the general approach to regulation is based on a three-tier structure: networks, services and content. Regulatory developments in the highly industrialised regions of the world have already adapted to the needs of addressing convergence. They have also relied heavily on competition law to regulate transmission networks and trade in audiovisual products and services. Separate policies and regulations have been developed to deal with the goals of cultural and social policy, including extension of public broadcasting services.

From a technological point of view, the developments in digital broadcasting technology will certainly help to shape this policy. Digital Terrestrial Television (DTT) and Digital Audio Broadcasting (DAB) have not only revolutionised the transmission of radio and television signals, but introduced innovations such as digital modulation techniques, wireless data transmission to mobile receivers, and frequency efficiency. Within this, a central concern is the extent to which the cost of digital receivers will become affordable over time. The main advantage of digital broadcasting, compared with analogue terrestrial broadcasting, is that a number of radio and television services are combined into a single digital data stream that is distributed to every transmitter in the network, making it possible to transmit several programmes in the space previously occupied by one service.

From the point of view of universal service, the key question is whether these advances in digital technology will help us to deliver affordable public broadcasting services, or merely add to the inequality in provision of services and widen the digital divide.

The policy and regulations that will determine future definitions of Universal Service and Access in South Africa in a fully digital broadcasting environment will almost certainly be instituted after an appreciable time. Those concepts, then, will have to evolve over time and in response to technological advances, market developments and changes in user demand.

On a broader scale, the government's e-strategy has yet to be finalised. The requirements of this strategy to achieve Universal Service and Access, as well as other initiatives aimed at bridging the digital divide and inducting South Africa into the Information Society, will determine the macro policy environment in which the SABC's policy will be developed and refined further.

The SABC's policy has been developed with these factors in mind, to ensure that it remains flexible, dynamic and responsive to such developments while providing direction and certainty for the SABC's operations.

SCOPE OF THE POLICY

The SABC's commitment to Universal Service and Access extends across its portfolio of radio stations and television channels. Implementation of this policy will prioritise the gradual extension of public broadcasting services to everyone in the country.

BACKGROUND

Plans for future coverage will be built on what the SABC has already achieved in working towards Universal Service and Access. Those achievements are summarised below:

Since 1999, the SABC has extended the reach of its television services through these projects:

- Elimination of the SABC2-SABC3 switch in parts of the Eastern Cape and KwaZulu-Natal increased the reach of SABC3 to 74.3% of the population
- Expansion of SABC2 to Taung and Ganyesa
- Expansion of SABC3 in high-density metropolitan areas.

Most of these projects are the result of many years of planning and implementation since the SABC's universal service goals were set in the mid-1990's, based on the Independent Broadcasting Authority's Triple Inquiry Report. The operation has involved complex, time-consuming, network and coverage planning, in conjunction with signal distribution provider Sentech. In fact the process of expanding coverage, firstly of the SABC's African Language Stations, which began in 1995, was implemented only from 1998. That gives some idea of the time it takes to plan and

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UNIVERSAL SERVICE AND ACCESS

implement effectively. It should be noted, though, that the process is also slowed by long delays in getting approval from local authorities and conducting environmental impact assessments before new transmitter sites can be established.

In 1999, coverage of the SABC television services was as follows:

SABC1 - 82.81%

SABC2 - 85.46%

SABC3 - 71.86%

In 2003 the SABC was expanding its networks, after which the coverage will be:

SABC1 - 89%

SABC2 - 91%

SABC3 - 77%

For radio, the Independent Broadcasting Authority recommended in 1995, as part of its Triple Inquiry Report, that the 11 full-spectrum language services be upgraded to reach more speakers of their broadcasting languages. The SABC took up the challenge and made formal application to the Independent Broadcasting Authority for authorisation to expand the transmitter networks of those stations. The plans were approved on 19 May 1999, to be implemented in two phases.

The SABC moved quickly and phase 1, involving erecting additional transmitters at existing sites, was completed by 1 June 1999. This took radio to 1,2 million people who had not previously received a radio signal in their own language. Four radio stations benefited from this phase: Sesotho broadcaster Lesedi FM gained 300 780 potential listeners, Ukhozi FM (in isiZulu) gained 128 200, Ikwekwezi FM (in isiNdebele) gained 86 318, and Ligwalagwala FM (in siSwati) gained 128 200.

The goal of phase 2 was to take an FM radio signal to areas that had not had access to one. This involved setting up 11 new transmitter sites housing 13 FM transmitters. The work began in March 2001 and by end 2003 has provided 2,1 million more potential listeners with FM radio. By the time it is completed, 3,5 million people will be able to tune in. In all, the two-phase plan will expand the FM network to reach 4 789 872 more people. Table 1 shows the percentage increase in the reach for all 11 radio stations.

SERVICE	BEFORE EXPANSION (AFTER INTEGRATION)	CURRENTLY* (as of October '03)	GAIN
Ikwekwezi FM	30%	67%	37%
Lesedi FM	73%	85%	13%
Ligwalagwala FM	34%	71%	37%
Motsweding FM	86%	86%	N/A
Munghana Lonene FM	84%	84%	N/A
Phalaphala FM	79%	79%	N/A
RSG	87%	87%	N/A
SAfm	95%	95%	N/A
Thobela FM	73%	78%	5%
Ukhozi FM	69%	81%	12%
Umhlobo Wenene FM	79%	79%	N/A

Table 1: Coverage percentages for PBS radio. These figures include three transmitters approved by ICASA but not yet in operation. After integration refers to the integration of former TBVC broadcasters as follows: Radio Thoyandou into Phalaphala FM, Radio Mmbatho into Motsweding FM and Radio Transkei into Umhlobo Wenene FM.

In addition to terrestrial expansion, the SABC radio and television services are also available throughout South Africa on the Vivid DTH satellite platform.



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A DEFINITION OF UNIVERSAL SERVICE AND ACCESS FOR BROADCASTING SERVICES

The SABC understands Broadcasting Universal Service and Access to mean:

"Provision of a range of audio and video broadcasting services to citizens throughout the Republic. The services shall include, but are not limited to, radio and television programmes that cater for information, cultural, religious and educational needs and are delivered via the most appropriate technical means available at an affordable price to broadcasters and audiences alike."

AIMS FOR BROADCASTING UNIVERSAL SERVICE AND ACCESS

The Triple Inquiry Report drew a distinction between universal service obligations for radio and for television, and mandated the SABC to attend urgently to the problem of limited coverage and poor quality of the African language services, primarily through radio. The SABC's approach is that this distinction is still valid, and that using radio to extend unilingual programming in order to achieve Broadcasting Universal Service and Access should be retained as a policy goal in future. This principle should be extended gradually to television as the technical and financial means become available.

However, in implementing this policy the SABC does not mean to replicate apartheid's social and geographical segregation patterns. There is no intention to segregate the airwaves by simply maintaining the current provision of language-based services targeted only at those areas where most of the speakers of a language traditionally reside. This means that in implementing the policy we should not assume speakers of any of South Africa's official languages who still reside in the former homelands would choose to remain there, or would not commute. In fact, the current urbanisation trends demonstrate shifts in the demographic profile of people living in various parts of the country, and confirm the movement of people from rural to urban environments in search of improved economic prospects.

In this context, the SABC's planning for expansion of coverage takes account of relevant demographic data and urbanisation trends.

The SABC also has to consider how to prioritise allocation of resources to extend coverage of the full range of public broadcasting services when, for instance, a huge investment in infrastructure results in reaching only a very few people, or provides a social but not a financial return. In each case, the extent of the proposed coverage, the number of people to be reached by the expansion, the extent of need of those people, the cost of the expansion, the nature of the service to be provided by the expansion, and frequency availability, among other things, will determine the feasibility of investing in transmission extension. Against this backdrop, the SABC's aims for Broadcasting Universal Service and Access are as follows:

- The SABC's first aim is to endeavour to ensure that every South African has access to a broadcasting service
- Another aim is to ensure that a radio service that provides a range of programmes, is available in each official language. Initially, this will be achieved by using the most affordable means of signal distribution to reach at least 80% of the speakers of each language
- As a more long-term goal, the SABC undertakes to ensure that audiences have access to a range of radio services in a variety of official languages
- As to television, the SABC aims to ensure that at least two public service channels, offering a range of programming in a variety of official languages, are available. Initially, this would be achieved by using the most affordable means of signal distribution to reach at least 90% of the population.

UNIVERSAL SERVICE AND ACCESS

PRINCIPLES FOR ACHIEVING BROADCASTING UNIVERSAL SERVICE AND ACCESS

In achieving these aims, the SABC is guided by the principles set out below.

Achieving Broadcasting Universal Service and Access is the responsibility of the South African broadcasting system as a whole.

The principle established in national policy, legislation and regulations is that achieving Universal Service and Access is not solely the SABC's responsibility. Policy pronouncements have, since the Independent Broadcasting Authority Triple Inquiry Report was released in 1995, and the White Paper on Broadcasting Policy in 1998, affirmed consistently that Universal Service and Access is the responsibility of the South African broadcasting system as a whole. This includes other categories of broadcasting licensees, such as commercial and community broadcasters, as well as signal distributors. In this regard, section 34(2)(b) says: "the signal distribution sector must provide universal access for all South Africans to broadcast services".

The SABC's responsibility is to define its contribution to Broadcasting Universal Service and Access. It therefore makes a regular report of its achievements against its stated aims.

The SABC also liaises regularly with other stakeholders who share the responsibility for extending Broadcasting Universal Service and Access. These are primarily Sentech, ICASA, the Department of Communications and the Universal Service Agency.

Achievement of Broadcasting Universal Service and Access is subject to the financial resources available.

Broadcasting legislation recognises that resources to finance provision of the public broadcasting services are limited. The principle established applies to both public service obligations and achievement of Universal Service and Access. For instance, Section 3(4) of the Broadcasting Act of 1999, provides that "the broadcasting system as a whole must provide educational programming, and where such programming is provided by a dedicated education service, must be extended throughout the Republic within the financial resources". Regarding commercial services, Section 30(d) of the Broadcasting Act of 1999 provides that: "commercial broadcasting services, when viewed collectively, must within a reasonable period of time be extended to all South Africans and provide comprehensive coverage of the areas which they are licensed to serve". Another section of the Broadcasting Act that makes the provision of services conditional on availability of resources is section 3(6), which says: "a range of programming in the Republic's official languages must be extended to all South Africans as circumstances permit".

Likewise, the SABC's approach to achieving Broadcasting Universal Service and Access has to take account of the financial resources available. In this approach, the SABC should strive for economic efficiency while achieving the maximum in terms of service delivery targets. As the SABC migrates from analogue to digital, the financial implications of double illumination will need to be factored into our planning.

The SABC's approach takes cognisance of the approach to national development set out in the Integrated Sustainable Rural Development Strategy (ISRDS) and Urban Renewal Programme (URP). Therefore aims have been fixed to guide planning and implementation that is co-ordinated to attain economic efficiency while achieving maximum impact on targets of service delivery. In practice, this would mean, for example, that as roll-out of the electricity grid advanced, detailed planning for expansion of TV coverage could be closely co-ordinated to occur as electricity became available.

The interoperability of systems and delivery platforms is the key to achieving Broadcasting Universal Service and Access.

Optimal solutions for expansion of coverage promised by the advent of digital broadcasting, across any of the delivery platforms (satellite, terrestrial or cable), are technically possible and financially feasible only if the networks and operating systems are interoperable. This is not the case in South Africa at present.

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In the short to medium term, the SABC's Broadcasting Universal Service and Access aims are to be achieved by using a combination of analogue and digital technologies. Adoption of a global standard for digital broadcasting throughout South Africa in order to promote interoperability, mobility and end-to-end connectivity, would therefore be the key to advancing the achievement of Broadcasting Universal Service and Access.

MONITORING AND IMPLEMENTATION

As the need to achieve Broadcasting Universal Service and Access affects many areas of the SABC, the Board requires management to determine responsibility within the Corporation for driving implementation of this policy.

The Board also requires management to submit an annual action plan for Broadcasting Universal Service and Access, outlining goals and resources required. This would ensure that dynamic changes in the industry did not make plans redundant. It would also allow harnessing of technological developments to assist in attainment of Broadcasting Universal Service and Access. A summary of the previous year's achievements should be attached to this plan, including:

- A report of the SABC's achievements in terms of Broadcasting Universal Service and Access against the stated aims, including reasons for achieving or failing to achieve them
- A breakdown of the services extended in the previous year, including the increase in population coverage of those services and the cost of the expansion.

Relevant aspects of these reports are included in the Corporation's Annual Report to Parliament.

REVIEW

This policy is reviewed by the SABC Board every five years.

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The SABC also recognises that broadcasting local content on the public broadcaster can contribute to promoting growth of the music, production and associated cultural industries.

This is the context in which the SABC operates, and in which it seeks to demonstrate its commitment to broadcasting local content.

Various regulatory and legislative requirements applicable to the SABC in terms of local content were taken into account in developing this policy. They include those of the Independent Broadcasting Authority Act, the Broadcasting Act, and relevant ICASA regulations. Specifically, the SABC has been guided by the following:

- The requirement that broadcasting services, viewed collectively, develop and protect national and regional identity, culture and character
- The obligation of the SABC to take into account the needs of its audiences
- The requirement that the SABC display South African talent
- The requirement that the SABC reflect South African attitudes, opinions, ideas, values and artistic creativity
- The requirement that the SABC offer a plurality of views and a variety of news, analysis and information from a South African point of view
- The need to support the production of local content by South Africans; particularly by historically disadvantaged people
- The specific quotas set by ICASA for local television content, independent production and South African music on the SABC's public and commercial services.

In accordance with those obligations, the SABC commits itself to the following:

- To ensure that local television content is a significant and visible part of its schedules, throughout the broadcasting period and in prime time, in line with the quotas prescribed by ICASA
- To ensure that it commissions a significant amount of its local television content from the independent production industry, in line with the quotas prescribed by ICASA
- To continue to play a high level and wide variety of South African music across the SABC radio stations, in line with the quotas prescribed by ICASA.

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SCOPE OF THE POLICY

The imperative to deliver significant levels of local content has a direct impact on all the SABC radio stations and television channels. These services are bound to comply with the ICASA regulations and licence conditions on local content. This Local Content Policy should be read together with those requirements and applies to all the SABC's radio and television services. It is the responsibility of the licensees — the radio stations and television channels — to comply with local content quotas. These platforms prescribe and agree the proportions of local content with internal suppliers, including the content hub, news, education and sport.

The policy should be considered when the SABC:

- Develops strategic plans and/or Key Performance Indicators for the Corporation
- Develops business plans and budgets for the Corporation and its services
- Formulates programme strategies, policies and plans for each station/channel.

TELEVISION

DEFINITION OF LOCAL TELEVISION CONTENT

Local television content is defined in the Independent Broadcasting Authority Act¹ as a television programme (excluding broadcasts of sports events and compilations of them, advertisements, teletext and continuity announcements) that is produced by a South African broadcaster, or by South African people.

DEFINITION OF INDEPENDENT PRODUCTION

Also in the Independent Broadcasting Authority Act, an **independent production**² is defined as a production of local television content by a person who is not employed directly or indirectly by a broadcaster, or by a person who is not controlled by, or in control of, any broadcasting licensee.

LOCAL CONTENT QUOTAS

Like all broadcasters, the SABC is bound by the local content and independent production quotas prescribed by ICASA. There are three sets of quotas for television:

- **Global local content** quotas for each television channel. These stipulate that a percentage of the air time between 05:00 and 23:00 should be allocated to local content. The global quotas distinguish between public and commercial television
- **Genre quotas.** These stipulate that if a television channel carries a certain genre of programming (such as drama), a percentage of that type of programming is to be allocated to local content. The genres are defined in the ICASA regulations³ and span the following six areas: drama, informal knowledge building, children's, education, documentary and current affairs. In each case a minimum percentage is prescribed. These quotas also distinguish between public and commercial television
- **Independent production quotas.** Here the stipulation is that a percentage of the total amount of local content aired must be allocated to independent television productions. These quotas make no distinction between public and commercial services.

All the quotas are set out in regulations which may be reviewed by ICASA every three years.

COMPLIANCE WITH QUOTAS

It is the responsibility of each television channel to ensure that they comply with the local content quotas. Scheduling Managers in the channels send their schedules to the Policy and Regulatory Affairs Department monthly. Policy and Regulatory Affairs works with the channels to ensure consistency in the designation and measurement of local content, and adequate forecasting to identify any potential difficulties in meeting the quotas.

Policy and Regulatory Affairs consolidates the information received from channels and compiles it into reports that are submitted to top management. Annual local content compliance figures are published in the Corporation's Annual Report to Parliament.

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LOCAL CONTENT

THE SABC'S APPROACH TO LOCAL CONTENT ON TELEVISION

The following principles underpin the SABC's approach to local content on television:

- In line with the distinction between commercial and public service channels made by ICASA, the most significant delivery of local content is on the SABC's public service channels. The SABC believes it is appropriate for the public service channels in its portfolio to have the most significant commitment to airing local material
- The SABC undertakes to broadcast a range of good quality local productions. This means the television portfolio as a whole airs local content in a variety of genres and programme types, targeted at different audiences. Taken collectively across the SABC's television portfolio, this content should reflect South Africa's diversity of people, provinces, languages, cultures and religions, while also being aligned to the needs of the audience
- The SABC is also aware that historically there has been a lack of good quality local material in African languages. It is a dual objective of this policy, and of the Language Broadcasting Policy, for local African language programming to be seen on our public service television channels
- The SABC is eager to support development of television content on the African content and, if possible, will endeavour to showcase such material, particularly on its public service channels
- The SABC recognises that a productive and thriving relationship with the independent production sector is essential broadcasting of good quality local content. As part of its commitment to strengthening the relationship with this sector, the SABC is publishing a separate policy and procedures on Procurement of Local Content, which details the SABC's policy and procedures for commissioning and acquiring local material. This policy also outlines the SABC's approach to supporting Black Economic Empowerment in the production industry which it has identified as an important objective
- The SABC recognises that it is the industry's biggest investor in skills development. Aligned to its investment in local content is a commitment to investing in empowerment and skills development processes that benefit the industry at large
- The SABC strives to engage more fruitfully with partner organisations in the film and television industry in order to support development and transformation of the local production industry.

RADIO

DEFINITION OF SOUTH AFRICAN MUSIC

South African music is defined in the Independent Broadcasting Authority Act. In order to qualify as South African music, a musical work must meet two of the following criteria:

- The lyrics are written by a South African citizen
- The music is composed by a South African citizen
- The music and/or lyrics are performed principally by musicians who are South African citizens
- The musical work is a live performance recorded wholly in South Africa, or performed wholly in South Africa, and broadcast live in South Africa.

QUOTAS FOR SOUTH AFRICAN MUSIC

The SABC's music stations (those that devote more than 15% of their air time to music) are bound to comply with the South African music quotas prescribed by ICASA. These quotas stipulate that a percentage of the tracks played between 05:00 and 23:00 are to be South African. A distinction is made between public service and commercial radio. The quotas are reviewed by ICASA every three years.

COMPLIANCE WITH QUOTAS

It is the responsibility of each radio station to ensure that they comply with the local content quotas applicable to them. They are assisted by the SABC's Policy and Regulatory Affairs department in reporting their compliance to ICASA. Monthly compliance reports are made to top management, and annual figures are published in the Corporation's Annual Report to Parliament.

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THE SABC'S APPROACH TO SOUTH AFRICAN MUSIC ON RADIO

The following principles underpin the SABC's support for South African music:

- ICASA makes a distinction between the level of local content expected from public service stations and from commercial stations, and has set a higher quota for public service stations. The SABC concurs that its public service stations should lead the way in supporting South African music
- With 18 radio stations broadcasting in all the official languages, and in a range of formats, SABC radio stations are uniquely placed to showcase the wide range of musical expression in South Africa. The SABC undertakes to use its stations effectively to explore and celebrate the diversity of South African music
- Whereas the allocation of air time to South African music will always be the primary means of supporting local music, the SABC believes there are a number of other equally effective interventions that SABC radio stations are able to make in support of local music. SABC radio publicises local musicians through interviews, reviews and promotions. The stations, both public service and commercial, also stage live events every year in partnership with South African acts
- One of the greatest challenges facing SABC radio stations is to provide sufficient good quality local material in all music formats. This continues to have a direct effect on stations' ability to meet their quotas. Towards addressing this concern, the SABC works with relevant forums such as the South African Music Forum convened by ICASA. The SABC hopes that through this work the broadcasting and music industries will be able to develop strategies jointly to address the issues of supply in South African music
- The SABC strives to support the development of music on the African continent, and where possible will showcase such music.

MONITORING AND IMPLEMENTATION

The Board requires management to submit an annual local content action plan that identifies future goals arising from this policy. A summary of achievements of the previous year is to be attached to the local content action plan in order to facilitate a review of the achievements, opportunities and challenges.

REVIEW

This policy is reviewed by the SABC Board every five years.

¹ICASA has proposed that all local content definitions be removed from the Act and be published in Regulations

²ICASA has proposed an amendment to this definition to also exclude a person controlled by a controlling shareholder of a broadcasting licensee.

³ICASA South African Television Content Regulations, 15 February 2002

RELIGIOUS BROADCASTING

INTRODUCTION

South Africa is a multicultural and multiple faith society that is united by a common humanity and moral order. Within its diversity there are human values that call for the promotion of social harmony, national healing, reconciliation, social reconstruction and nation building.

Most South Africans acknowledge the Divine, which is expressed through a variety of religious beliefs and practices, and religious institutions. As the public broadcaster, the SABC has an obligation to provide religious programmes and to broadcast religious material in a manner that is unbiased and representative of South Africa's religious plurality. In so doing, the SABC seeks to promote mutual respect for religious beliefs among the country's different religious groups.

The SABC's religious programming should therefore reflect South Africa's major religions, while allowing expression for those religions that do not have an extensive following. For the purposes of this policy, major religions are understood to include Christianity, African Religion, Islam, Hinduism and Judaism.

In its religious programming, the SABC seeks to correct gender, racial, religious and resource allocation imbalances associated with religious broadcasting in the past. Further, it seeks to ensure that the distinctive identities of the religious traditions are broadcast in a way that facilitates the religious and moral objectives of justice, social harmony and the common good. Religious programming should play a meaningful part in the moral regeneration of South Africa.

Religious broadcasting should be undertaken in accordance with values that include:

- Sensitivity to the diverse nature of South African society and the need for justice, healing and reconciliation
- Compassion and concern for human dignity and for all life, including the earth
- A common South Africanness
- Integrity, transparency and trust in all relationships
- Commitment to the independence and autonomy of the SABC, within the parameters of its accountability to the South African public
- A spirit of co-operation between the SABC and the religious community.

NATURE AND CONTENT OF RELIGIOUS PROGRAMMES

The following principles underpin the SABC's approach to religious programming:

- In achieving its religious programming mandate, the SABC provides both faith specific and multifaith programmes. Faith specific programmes should give the major religious groups the scope to celebrate their life of faith and understanding of the Divine fully and without censure. Multifaith programmes are in addition to faith specific programmes and should promote religious dialogue, respect and understanding among all the religious groupings in South Africa. The vehicles for delivery of religious programmes are the radio stations and TV channels in the SABC's public broadcasting portfolio
- Whereas religious broadcasts have necessarily to comply with the SABC's Policy on Programming, the SABC takes particular care to ensure that in such programmes there is sensitivity to the beliefs of others, and that no religion is either attacked or undermined in such programmes
- Religious broadcasting may not be used to solicit funds, nor to support any programme of a political or ideological nature. Permission for fundraising, whether for emergency relief and/or social welfare, or for religious causes, should be obtained from the SABC before the broadcast



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- The theological content of meditational and worship programmes is at the discretion of the presenter, as a member of a particular religious organisation, but should comply with the Policy on Religious Broadcasting and other relevant SABC policies
- The format of religious programmes and the choice of presenters should meet the technical, creative and professional criteria required by the SABC
- The SABC provides religious programmes in a variety of formats including documentaries, magazines and actuality programmes. The aim of these is to encourage religious comment on matters of national concern, and to introduce people to faiths practised in South Africa and, where appropriate, elsewhere
- The SABC sources religious programmes through its standard content procurement procedures including commissioning, licensing and /or content that may be acquired at no cost to the Corporation or the supplier
- Religious broadcasting should strive to be contextual and relevant, and to reflect our African reality. Towards further correction of the neglect of African culture in the public media, special attention is given to African Religion and traditional cultures
- Religious programmes should take account of regional factors, target audiences, language and cultural preferences, and the devotional needs of specific groups.

ALLOCATION OF TIME

The SABC has relatively little air time available and, in addition to religious programming, has to provide a wide range of public interest programmes in its schedules. Despite these constraints, the SABC undertakes to offering meaningful and sufficient religious programming on its radio and television services.

In allocating air time to religious groups, the SABC is committed to the principle of fairness and applies this principle in determining the time allocated to each group. These allocations are made on a three-yearly basis, after consultation with the Religious Broadcasting Panel (RPB), taking the following into account:

- Data on the percentage of the population in each religious group, as per the latest available census information
- The need for each of the major religions to enjoy meaningful and sufficient programming of a faith specific nature
- The need for all the religions to be reflected in religious programmes
- The need for sufficient programming of a multifaith nature
- The need to redress past imbalances in religious broadcasting.

SCHEDULING

Religious programmes should not be confined to Sundays, or the fringes of the programme schedules, but be placed at times when audiences are available and be broadcast on days that are appropriate to individual religions.

PAID BROADCASTING

In addition to its normal provision of religious programmes, the SABC may make air time available for purchasing by religious groups for broadcasting of religious material. The sale of such air time would be negotiated on a commercial basis and be guided by the following:

- The sale of air time to religious groups may in no way detract from the SABC's mandate to provide religious programming.
- The sale of air time to particular religious groups should be consistent with the time allocated to those groups, as determined every three years. Within this, the SABC shall also ensure that there is a fair representation of various denominations in religious groups.

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RELIGIOUS BROADCASTING

- Religious material broadcast in slots that have been sold to religious groups is always to be consistent with the SABC's Policy on Religious Broadcasting and all the other relevant policies. The SABC reserves the right to accept or reject an offer to purchase air time based on the material proposed
- In considering offers to purchase air time, the SABC gives preference to good quality local material
- Profits from the sale of air time to religious groups should be directed to the funding of religious programmes
- Scheduling of such air time is the prerogative of the SABC
- Sponsorship, fundraising, advertising and commercial branding in air time sold to religious groups is governed by the rules of SABC Airtime Sales
- Operational Guidelines to guide transactions on air time sales are available on request.

RELIGIOUS BROADCASTING PANEL (RBP)

The SABC's approach to religious programming is informed by advice of the RBP, a body appointed by the SABC Board and representative of South Africa's religious community.

The RBP is nominated by the religious community and appointed by the Board. The appointments are made on the basis of public interviews conducted by a selection committee appointed by the Board and in accordance with the SABC's Corrective Action Policy. In addition to the Chairperson, who sits on the Board, the RBP consists of at least fifteen people drawn from various religious groups and includes professional advisers. There are at least two members from each of the five major religions in South Africa. Senior management from both radio and television represent SABC management at RBP meetings.

The RBP's term of office is two years and may be extended only once. Members who are unable to complete their term of office are replaced immediately as per the appointment criteria outlined above.

The relationship between the RBP, the Board, management and the religious community should be one of co-operation, while recognising that the SABC Board is ultimately responsible for matters of policy.

The mandate of the RBP is to promote co-operation between the SABC and the religious groups in the country. Further, the RBP advises the SABC specifically on:

- Review of SABC Religious Broadcasting Policy, including the composition of the RBP and how it is appointed
- Liaison with religious communities
- Allocation of time for the religious groups in both faith specific and multifaith programmes.

Members of the RBP are entitled to an honorarium as approved by the Board and are reimbursed for subsistence, travelling and accommodation expenses.

MONITORING AND IMPLEMENTATION

The Board requires management to submit an annual religious broadcasting action plan that identifies future goals arising from this policy. A summary of achievements from the previous year is to be attached in order to facilitate a review of the achievements, opportunities and challenges.

REVIEW

This policy is reviewed by the SABC Board every five years.

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EDUCATION

INTRODUCTION

The SABC is required by legislation to inform, educate and entertain viewers and listeners. The broadcasting of educational programmes is therefore essential to the implementation of its public service mandate.

The SABC recognises that to right the wrongs inflicted by decades of apartheid education on the knowledge, literacy and skills profile of South Africa requires the collective contribution of all educational authorities, institutions and individuals. The SABC recognises that through broadcasting, it can make a unique contribution to this national project. Complementary to what is offered by schools, colleges, higher education institutions and work place training, radio and television can make the most significant contribution to learning.

The SABC also acknowledges that an informed and educated citizenry is fundamental to the sustained development of South Africa. Through its educational programmes it is well placed to advance national goals of equality, dignity and an inclusive society and works towards these ends.

In fulfilling its educational mandate, the SABC is guided by the Constitutionally enshrined right of all South Africans to receive education — in the official languages of their choice, where reasonably practicable. The SABC also aims to attain the goals set in the Independent Broadcasting Authority Act and the Broadcasting Act, and the relevant policies and regulations. In particular, we take into account the requirement of the Broadcasting Act that the SABC's public broadcasting services should:

"include significant amounts of educational programming, both curriculum-based and informal educative topics from a wide range of social, political and economic issues, including, but not limited to, human rights, health, early childhood development, agriculture, culture, justice and commerce and contributing to a shared South African consciousness and identity".

This Policy on Educational Broadcasting sets the framework within which the SABC implements this mandate and responds to the national literacy and skills development challenge.

OBJECTIVES

The SABC commits itself to the following objectives for educational broadcasting:

- To provide innovative educational programmes of excellent quality across our radio and television services, aimed at meeting the diverse formal and informal learning needs of all our audiences, including children, youth and adults. These include:
 - Programmes that support the curriculum-based activities of the education and training sectors and cover a wide range of subjects and fields
 - Programmes that promote public education on rural development and urban renewal, human resources development, citizens' rights and responsibilities, healthy living, innovative solutions to personal, family and community challenges, national identity, culture and heritage
- To ensure that the radio and television services in the SABC's public broadcasting portfolio devote adequate air time to educational programmes, and schedule them at times that are appropriate for the target audiences
- To ensure that the radio and television services in the commercial portfolio support a culture of lifelong learning through informal knowledge-building initiatives that are relevant to their format and target audience

- To provide educational programmes in various of the official languages and, in selected genres, Sign Language, taking into account the language needs of each target audience
- To broadcast a significant amount of locally produced educational programming, recognising that such programmes are often best for meeting the educational needs for South Africans. However, the SABC also recognises that it is important to expand audiences' knowledge of the African continent and the rest of the world, and accordingly will ensure that internationally acquired programmes satisfy these goals
- To enhance the effectiveness of educational programmes by implementing a coherent education methodology that incorporates multimedia strategies such as the use of print, the Internet, satellite, fixed and mobile telephone networks and SMS
- To supplement educational methodologies through outreach programmes, where appropriate, in the form of training and support for users of materials aimed at deepening the educational impact of the content
- To ensure that sufficient resources are apportioned for implementing the educational mandate. To this end the SABC secures financial and other resources from a variety of sources, including the government and licence fees, private and international donors, advertising and sponsorship, co-productions and related programme partnerships with a range of national, continental and international institutions.

KEY PRINCIPLES

The SABC is guided by the following principles:

- The SABC ensures that educational broadcasting is relevant and appealing to targeted audiences and with sensitivity reflects the diverse experiences and needs of all South Africans
- The SABC ensures that its educational programmes address imbalances in the historical provision of education, especially, but not exclusively, those based on race, gender and disability
- The SABC links its educational broadcasting to national priorities and needs, supporting the achievement of outcomes-based education, lifelong learning, and the association of educational and life experiences
- The SABC builds strategic partnerships that enable it to provide an effective educational broadcasting intervention.

SCOPE OF THE POLICY

The SABC radio stations and channels are required to comply with any legislation, regulations and licence conditions that are relevant to educational programmes. The Policy on Educational Broadcasting is also to be read together with the other relevant editorial policies including the Programming Policy, the Language Broadcasting Policy, and the Universal Service and Access Policy.

This Policy on Educational Broadcasting is considered when the SABC:

- Develops strategic plans and budgets for the Corporation to meet its educational mandate
- Produces or commissions educational programmes or multimedia content
- Develops schedules for channels and stations
- Procures international educational material.

Every independent producer and consultant contracted to produce educational material for the SABC should be made aware of this policy.

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GUIDELINES FOR IMPLEMENTATION

- The SABC ensures that its services, in combination, air a significant amount of educational programming that complies with the objectives outlined in this policy
- At least one of the SABC's television channels screens programmes specifically in support of the primary and secondary school curricula. This is supplemented by programmes on public broadcasting radio stations
- The SABC ensures that educational programmes are scheduled at times that are suitable for the target audiences
- All the educational programmes have clear goals. Such goals and expected outcomes are established before the production, commissioning or acquisition of any educational programme
- The SABC's educational broadcasting business unit, together with the commissioning editors and executive producers responsible, is tasked with ensuring that these outcomes are achieved through creative and innovative programming.

PROGRAMMING GUIDELINES

- Educational programmes should conform to the highest broadcasting standards. They should utilise a wide range of programme formats designed to ensure that the aim of the programme is achieved creatively and is appropriate to the subject matter and target audience
- Educational programmes should utilise innovative technologies and techniques (including dubbing, multilingual programming and subtitling) in order to increase the effectiveness and comprehensibility of programmes in different language communities
- All the educational programmes should be challenging and informative, aim to promote a culture of learning and teaching, and support the drive for life-long learning. The basic tenet of all the educational programmes is to seek to impart knowledge and problem-solving skills, promote critical thinking and, when necessary, assist in changing attitudes and behaviour
- Educational programmes should relate to the personal circumstances of the viewers and listeners, and seek to impart the knowledge and skills that would help them to change their circumstances for the better
- Educational programming should, if appropriate, assist in fostering a harmonious relationship between South Africans and the environment, and promote sustainable development
- Educational programmes comply with all the SABC editorial policies, including those on portrayal and stereotyping of people, violence, and the classification and scheduling of programmes. Educational programmes should seek not only to avoid stereotypes based, for example, on race, ethnicity and disability, but to challenge proactively any stereotype or bias, and so assist in changing attitudes
- Educational programming should utilise a range of subject experts and interviewees, who, for example, are of different races, genders and physical abilities, and hold differing views, in order to reflect our diverse society.

ADVERTISING IN RELATION TO EDUCATIONAL PROGRAMMES

The SABC will use every possible source of funding to meet its obligations in terms of this policy, including commercial sponsorship, subject to the following:

- When a programme is required to be presented - wholly, or in part - in a setting that simulates a place of business (for example, a supermarket), care should be taken in

EDUCATIONAL BROADCASTING

designing the setting, and the props used, to reduce identification with particular companies or proprietors

- Programmes or programme material produced externally, or in created settings, may not be used to carry indirect commercial advertising
- Care should be taken to avoid the exposure of advertising signs or other commercial identification in programme content. Where this is impossible, it is the responsibility of the producer, or the director, or both, to play down as much as possible such extraneous commercial exposure.

EDUCATIONAL MANDATE AREAS

Arising from the Broadcasting Act, the SABC has identified the following educational programme areas:

- Early Childhood Development
- Children at Home
- Formal Education
- Youth Development
- Adult and Human Resources Development
- Public Education.

EARLY CHILDHOOD DEVELOPMENT

Programmes for early childhood development are aimed at supporting the holistic development of young children (from 0 - 7). The SABC recognises that as relatively few South African children have access to any structured early childhood education, these programmes assist in preparing young children "to be ready to learn". Educational programming also supports the implementation of the national Grade R (Reception Year) curriculum. Moreover, this programming will equip caregivers with the knowledge and skills to facilitate and support the growth and development of young children.

Early childhood development programmes should meet the following standards:

- Be entertaining and actively engage the audience
- Develop children's self-esteem
- Enhance listeners' and viewers' imagination
- Reflect the personal experiences and cultures of the audience
- Affirm children's sense of self and place
- Take account of language needs and the needs of learners with disabilities
- Be focused primarily on health, nutrition and safety.

CHILDREN AT HOME

Educational programming for children at home is aimed at children of school going age who are not at school, and seeks to create the space for children to engage and express their thoughts and opinions on issues that affect them.

Educational programming for children at home is required to meet the following standards:

- Be entertaining, enabling children to learn, have fun and interact with others
- Take account of language needs and the needs of learners with disabilities
- Promote healthy living, social awareness, self-esteem and an understanding of human rights
- Be focused primarily on science, technology, mathematics, economics and communication.

FORMAL EDUCATION

Formal educational programmes affirm and support the development of Foundation Phase learners (ages 5-9) and Intermediate Phase learners (ages 9-13).

Formal education programming is required to meet the following standards:

- It should support the implementation of the national school curriculum by providing resources of excellent quality developed specifically to assist both teachers and learners to achieve nationally set outcomes

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- It should enhance learning in all the learning areas of the curriculum: literacy, numeracy and life skills (Foundation Phase), languages, mathematics, social sciences, arts and culture, life orientation, natural sciences and technology (Intermediate Phase)
- Educational programming should also take account of learners' language needs, including the language needs of deaf learners.

YOUTH DEVELOPMENT

Youth development educational programmes are aimed at promoting a culture of life-long learning among young people, both at and after school.

Youth educational programming is required to meet the following standards:

- It should aim to develop self-esteem among listeners and viewers and provide a platform for expression
- It should contextualise young people's realities, fears, concerns and needs
- It should showcase youth solving problems, thinking critically, acting independently, developing creatively — intellectually, socially, cognitively and emotionally — and addressing, overcoming and transforming their future
- It should create an awareness of the rights and responsibilities of all citizens, including the youth, as contained in the Bill of Rights of the Constitution.

ADULT AND HUMAN RESOURCES DEVELOPMENT

Adult and human resources development programmes affirm the concept of life-long learning, and support development of the skills and knowledge needed for survival in a competitive and ever-evolving world. Programmes are aimed at meeting the formal and informal skills development needs of both the employed and the unemployed, and support South Africans in their occupational endeavours. Programmes include adult literacy, skills development, educator development and entrepreneurial skills development.

PUBLIC EDUCATION

Public educational programmes are aimed at offering the information, knowledge and skills South Africans need for effective participation and interaction in society. They promote the drive for life-long learning, and foster tolerance and understanding of one another and all our cultures. Such programmes enable people to take informed decisions, encourage critical thinking, and impart problem solving skills.

RESEARCH

The SABC evaluates the impact of its educational programmes continually. Research is done to assess audience needs and to evaluate the effectiveness of the programmes. This includes audience research (e.g. to establish people's needs) and formative and summative research which enables understanding of the contribution of programming to audiences development.

MONITORING AND IMPLEMENTATION

The SABC submits to the Board an annual action plan that identifies educational priorities for each of the educational mandate areas (outlined above). When necessary, these strategies are drafted in consultation with educational stakeholders. Implementation of these strategic plans is evaluated annually.

REVIEW

This policy is reviewed by the SABC Board every five years.

PM 002

**Report of Commission of Inquiry into Interference
in the Decision-making in the Newsroom of the
South African Broadcasting Corporation**

**By Joe Thloloe
and
Stephen Tawana (MMM INC)**

Date: February 25, 2019

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EPIGRAPH

"Every single one of us is entitled to feel fulfilled by the work we do, to wake up feeling inspired to go to work, to feel safe when we're there and to return home with a sense that we contributed to something larger than ourselves..."

"For those who hold a leadership position, creating an environment in which the people in your charge feel like they are a part of something bigger than themselves is your responsibility as a leader..."

"For those who work for an organisation that does not leave you feeling inspired at the beginning and end of every day, you must become the leader you wish you had..."

"Regardless of our rank in the organisation, every single one of us has at least one colleague, client or vendor for whom we can take some responsibility for how they feel when they work with us. The goal is not to focus on what's standing in your way; it is to take steps that will have a positive and lasting effect on everyone around us."¹

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- ¹ Sinek, Simon; Mead, David; and Docker, Peter. *Find Your Why: A Practical Guide for Discovering Purpose for You and Your Team* (p. vii). Penguin Publishing Group. Kindle Edition.

EXECUTIVE SUMMARY

FINDINGS

1. The Commission finds that the SABC suffered from the capricious use of authority and power to terrorise staff and to deflect the Corporation from its mandate and its Editorial Policies.
2. The Inquiry found an organisation crippled by pain, anger and fear; by frustration, anxiety and apathy; and by inattentiveness, detachment and helplessness.
3. A witch-hunt for “enforcers” will not heal the Corporation; it will divide an already fractured institution.
4. No evidence of a direct line between decisions at ANC headquarters, Luthuli House, and decisions in the newsroom, but the spectre of the ANC hovered over the newsroom.
5. The evidence shows that from the year 2012 up until the year 2017, SABC Executives took instructions from people with no authority in the newsroom, for example, members of the SABC Board (Ellen Tshabalala) and the Minister for Communication (Faith Muthambi). The Executives thus failed to execute their duties in terms of the Editorial Policies. The Commission further found that Nothando Maseko, Sebolelo Ditlhakanyane and Nyana Molete were pivotal to the execution of instructions from Hlaudi Motsoeneng, Jimi Matthews and Simon Tebele. They succumbed because of threats of dismissal from their immediate superiors.
6. Lastly, the designation of the GCEO or COO as Editor-In-Chief is not appropriate for the SABC because the circumstances of the Corporation are different from those of the BBC, the model for the current structure.

RECOMMENDATIONS

1. That the Group Executive: News and Current Affairs should be designated as Chair of the Editorial Policies and Ethics Committee of the Group Executive. He or she should chair the Committee that would include all the Group Executives of information programming – Radio, Television, Sport, Education, etc. The Committee would be the highest point of upward referral by editorial line managers and would uphold the Editorial Policies and the highest editorial and ethical standards. Structurally the chair would report to the GCEO.
2. The creation of a News and Current Affairs Advisory Committee consisting of at least three members – for example, a retired editor, a person who is or was teaching journalism ethics at a tertiary institution, and a retired judge. This Committee would do what the BBC's Editorial Policy Team under the Director Editorial Policy does – advising journalists, editors, and producers on editorial issues throughout the production process, with final decisions resting with the line management.
3. All newsroom staff, from the most junior to the most senior, to attend at least one workshop a year on the Editorial Policies, editorial ethics, the most recent rulings of the BCCSA, ICASA, the Press Council and the reports of the News and Current Affairs Advisory Committee.
4. In as much as the Corporation needs healing from the scourge of the “enforcers”, it needs to attend to team building, where members focus on the common good. The process will include deep conversations among managers and staff in which the frustration, pain, and anger that still linger are surfaced and worked through. Staff who held on in difficult circumstances need to be lauded for being the quiet centre of the tornado, keeping the broadcaster on air and on the internet, bringing news and current affairs programmes to viewers, listeners and online audiences every day and on time.
5. Motsoeneng's instructions to Human Resources to institute disciplinary hearings against employees, or to dismiss, promote or appoint others must be reviewed. Also, Human Resources must do an audit of the appointments, promotions or sideways shifts of senior news management, particularly Nothando Maseko, Sebolelo Ditlhakanyane and Charles Matlou. Where the records are found to be incomplete and the gap is not explained, the

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appointment/promotion must be reversed and the position re-advertised, with the person currently occupying it being invited to reapply.

6. A review of the contracts of freelance workers is needed urgently, as these workers need to be a healthy window into the Corporation. It is not good public relations to have these workers walking around long-faced because they are unhappy with their working conditions and remuneration.
7. Improved performance management - at the level of individuals as well as at that of programmes - is vital for the future health of the Corporation. This we recommend after a number of witnesses told us how their programmes were arbitrarily canned, shortened or changed - e.g. the TV programmes *Question Time* and *Rights and Recourse* were taken off air, or current affairs programming on SAfm was reduced from six hours a day to two, or the way the format of Lotus FM, was changed without satisfactory engagement with the people involved in the productions.

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CHAPTER 1

INTRODUCTION

1. For five months this Commission examined the innards of an Organisation crippled by pain, anger and fear; by frustration, anxiety and apathy; and by inattentiveness, detachment and helplessness.
2. The Commission heard from people who were not feeling fulfilled by their work, weren't inspired to go to work, didn't feel safe when they were there and didn't return home with a sense that they had contributed to something larger than themselves.
3. This Commission follows a series of inquiries - starting with the Public Protector,² to the Parliamentary Ad Hoc Committee on the SABC,³ all the way to the Independent Communications Authority of SA (ICASA)⁴ – that has shown that the SABC and therefore its newsroom are falling far short of the ideal organisation described in the epigraph to this report.
4. On May 31, 2018, the SABC's then Acting Group Chief Executive, Ms Nomsa Philiso, announced the establishment of the Commission of Inquiry and a parallel one on Sexual Harassment. The two members of this Commission were journalist Joe Thlolo and Stephen Tawana, a Director at MMM Attorneys. The task of this Commission was to deliver recommendations that would help heal the Corporation, contribute to the multi-pronged efforts by Parliament and its Portfolio Committee on Communications and the SABC's Board and management to turn the Corporation into a broadcaster that serves the nation and that helps South Africans become active participants in and beneficiaries of their democracy.

² When Governance and Ethics Fail: Investigation into allegation of maladministration, systemic corporate governance deficiencies, abuse of power and irregular appointment of Mr Hlaudi Motsoeneng by the SABC

³ Final report of the Ad Hoc Committee on the SABC Board Inquiry into the fitness of the SABC Board, dated 24 February 2017

⁴ The Complaints and Compliance Committee at the Independent Communications Authority of South Africa 24 June 2016 CASE NUMBER: 195/2016

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5. The Terms of Reference of the Commission included, but were not limited to:
- 5.1 Investigating the nature, prevalence, the merits and veracity of all the allegations and/or grievance(s) and/or complaints of editorial, political, business and commercial interference;
 - 5.2 Establishing the factors and/or mechanisms that enabled the editorial, political, business and commercial interference and/or transgressions;
 - 5.3 Establishing whether there was evidence to substantiate the allegations made;
 - 5.4 Evaluating the substance of all the allegations and/or grievance(s) and/or complaints;
 - 5.5 Reviewing any/or all submissions made before by any person(s) in respect to the allegation(s) and/or grievance(s) and/or complaints lodged by the Employees;
 - 5.6 Making factual findings and conclusions based on the evidence/testimony presented;
 - 5.7 Conducting interviews, a review of submissions, and a review of applicable supporting documents;
 - 5.8 Interviewing all SABC employees and/or any other person(s) that is mentioned in the allegation(s) and/or grievance(s) and/or complaints lodged by the Employees;
 - 5.9 Making recommendations on the appropriate corrective institutional/structural measures to be considered and to be instituted and to address control deficiencies;
 - 5.10 Advising the SABC Board on what steps need to be undertaken;

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- 5.11 Recommending appropriate corrective action which may include disciplinary action where there is misconduct; and
 - 5.12 Preparing a written report setting out in detail the methodology adopted, the findings, conclusions and recommendations.
6. The Commission's first hearings were in June 27, 2018 and our mandate was to investigate the period from 2012 to now.
 7. The testimony of witnesses was made under oath, except for news management who started our process by explaining the mechanics of editorial decision-making in the SABC.
 8. It was explained to the witnesses that their identity would be kept confidential unless they did not object to their names being mentioned in the report.

BACKGROUND

9. Formal interviews were conducted with persons who voluntarily submitted statements to the Commission as well as with those that were identified as likely to provide information relevant to our investigation. As the investigation unfolded some witnesses were recalled to give further testimony and explanation.
10. In addition to the written submissions, the Commission heard oral evidence in 58 hearings – face-to-face, by teleconference and via Skype. The people and organisations that made the submissions are attached as Appendix A. The full written submissions and the transcripts of the oral submissions are available on request.
11. This report gives the texture of life during Hlaudi Motsoeneng's reign, a feel of what it was like in the SABC newsroom. It also gives a feel of the emotional charge during the hearings. We have refrained from a line-by-line analysis of the evidence.

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12. Noteworthy in this process was that major players in this drama – former SABC COO Hlaudi Motsoeneng, Acting Group CEO Jimi Matthews and Group Executive: News Simon Tebele – declined the invitations to tell their side of the story.
13. On this, it is important that we quote the lawyers representing Motsoeneng fully:

"We have noted from your letter of 15 August 2018 that the SABC Commission of Inquiry was appointed by the office of the SABC Group Chief Executive following the recommendation of the Parliamentary Ad Hoc Committee on the Board of the SABC.

"As the SABC is fully aware, our client was denied an opportunity by the Ad Hoc Committee to put his side of the story despite the fact that several people who testified at their hearings in Parliament implicated him in one way or another. Ultimately the report of the Ad Hoc Committee mentioned our client no less than 44 times but was produced without him having been given an opportunity to be heard. Leaders of the United Democratic Movement ("UDM") and African People's Convention ("APC") publicly denounced the failure of the Ad Hoc Committee to allow our client to put his side of the story in response to the allegations made against him. So did the SABC in its contribution to the Ad Hoc Committee.

"In the above regard, as our client was not allowed to put his side of the story which would have no doubt influenced the report (inclusive of its findings and recommendations) of the Ad Hoc Committee, our client does not see the point of participating at this late stage in the SABC Commission of Inquiry as it was necessitated by the same report of the Ad Hoc Committee.

"However, with regard to the questions posed in paragraphs 4.1 to 4.3 of your letter of 21 August 2018, please note that our client's answers are in the negative. (The Commission had asked him if he had personally observed any political, commercial and other interference in the Corporation; if he had ever personally interfered unduly in the decision-making of the newsroom; and if he had ever given instructions that are in conflict with the SABC's 2004 Editorial Policies.)

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"We hope that this letter has put paid to any expectation on your part that our client will participate in the SABC Commission of Inquiry."

14. It is ironic that a person who had been screaming for a chance to be heard thinks it is logical that he skips it and instead offers a blanket denial. The Commission is wondering what he and his legal advisors thought the value of this denial would be.
15. Hlaudi's right-hand man during the drama, Jimi Matthews, told us in a telephonic conversation that he didn't want to "relive the worst time" of his life through a submission to the Commission.
16. Matthews resigned from the SABC dramatically in a midnight tweet on June 27, 2016. In a letter posted in the tweet and addressed to the then Chairperson of the SABC Board, Professor Mbulaheni Maguvhe, he wrote:

"For many months I have compromised the values that I hold dear under the mistaken belief that I could be more effective inside the SABC than outside, passing comment from the sidelines."

"In the process the prevailing corrosive atmosphere has impacted negatively on my moral judgement and has made me complicit in many decisions which I am not proud of."

"I wish also to apologise to the many people who I've let down by remaining silent when my voice needed to be heard."

"What is happening at the SABC is wrong and I can no longer be a part of it."

17. Again, the apology rings hollow when he chooses to remain silent now when his voice needs to be heard to help us to get to the bottom of this matter.

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18. The man on the other side of Hlaudi, Simon Tebele, also refused to talk to the Commission, saying he was scared he might be assassinated if he talked. He has barricaded himself and his family in his home and is under constant security guard. He points to the murder of his friend and former Head of SABC Legal Services, Sizwe Vilakazi, in November 2017 and believes Vilakazi was killed because of the things he had uncovered in the course of his work in the SABC.
19. Vilakazi was shot dead by three gunmen, who ran out to a waiting car without taking anything from the store, his private business premises on the East Rand.
20. The police hasn't solved Vilakazi's murder yet, so the Commission is not in a position to pronounce on it, but it is worrying that a former Head of the biggest news Organisation in the country is living in fear that isn't easy to dismiss as paranoia.

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CHAPTER 2

EVIDENCE AND ANALYSIS

21. The evidence we have heard ranges from a listener complaining that some producers have blocked him from expressing his views on SABC radio talk shows, a reader who was aggrieved that Morning Live interviewed a University of South Africa professor on *#feesmustfall* without inviting a student to balance the information, to journalists who say they were ordered to cover stories not because they were newsworthy, but rather to promote some personalities, right up to instructions not to cover protest marches to SABC offices by media freedom organisations and political parties.
22. Fingers have been pointed at Cabinet Ministers, SABC Board members and senior executives, as well as at mid-level executives who “enforced” the instructions from the top.
23. To start, we depict a few scenarios to take the reader to the heart of the evidence we read and heard.

EPISODE 1: The story meeting from hell⁵

24. Zolisa Sigabi, National Editor for Radio News bulletins and newsgathering in Auckland Park, is chairing a planning meeting at 08:30 and all the SABC offices across the country are represented in this “Line Talk”, the audio conference. Port Elizabeth say they have the Right2Know, SOS Support Public Broadcasting and other media freedom activists and the Democratic Alliance, marching to their offices to protest against the SABC’s ban on the use of visuals that show service delivery protesters destroying public property.
25. Zolisa says it appears to be a big national story as there are similar marches to all SABC offices. Who will collate the story to make it a big one with inputs from all the SABC offices? What will each office contribute? As the excitement in the conference mounts, Simon Tebele, then Head of news, pours cold water over it: “We are not covering that story.”

⁵ Title lifted from *Storytelling and the Anima Factor* by Tim Knight, Broadcast Press, Toronto, 1995.

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Zolisa asks why not, and he replies: *"No, it's about us."*

Zolisa says the SABC has covered stories about the Corporation before so what is unique about this one. Tebele closes the discussion: *"No, we're not doing it."*

26. The participants in the conference were quiet until about 10 minutes later when Thandeka Gqubule-Mbeki, the Economics Editor, says: "Look, I don't want my name to be associated with the decision." And Foeta Krige, Executive Producer of RSG Current Affairs, and Suna Venter, an RSG producer, echo her.
27. Then, according to the evidence from Sebolelo Ditlhakanyane, General Manager, Radio News and Current Affairs, a series of hasty meetings followed, and these culminated in the dismissal of the SABC 8 - Suna Venter, Foeta Krige, Krivani Pillay, Thandeka Gqubule-Mbeki, Busisiwe Ntuli, Lukhanyo Calata, Vuyo Mvoko and Jacques Steenkamp. All because they said they didn't want their names associated with that decision.
28. Ditlhakanyane told the Commission: *"The decision that was taken to dismiss the eight had my name on it. I wasn't there...I was attending an AIDS conference in Durban. I never attended a single meeting to dismiss those journalists... I remember quite well, they never said they were not going to implement the decision or the policy.... They said they objected to it."*

"Whoever told Hlaudi said the people in the Radio Editorial meeting said they're not going to implement".

29. Sebolelo Ditlhakanyane: *"HR was instructed to suspend them, without my knowledge. I got to know (about it) when Sihle, a Human Resources Department lady who was responsible for Radio News, forwarded the suspension letters to me to check if the contents were okay, factual and so on."*
30. Ditlhakanyane says she called Sihle to find out what the letters were all about.

"Our Human Resources offices are on the 4th Floor, so I ran to her office and

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found there was already an initiator (for a disciplinary hearing) who had actually signed the letters.... I objected".

"The initiator was supposed to deliver those letters to them."

And what was the outcome of this flurry of meetings that involved Hlaudi, Aguma, Tebele, Kobus from Employee Relations, Anton Heunis, Ditlhakanyane and others?

31. Ditlhakanyane said Simon Tebele called her to his office and called them (the eight) one-by-one to give them the suspension letters. *"It was painful,"* Ditlhakanyane told the Commission. *"This is not how you treat people."*
32. A few days later, while Ditlhakanyane and Nothando Maseko were at an AIDS conference in Durban they were called by Human Resources Manager Mannie Alho and told to check letters in their inboxes that they had to sign, dismissing the eight.
33. Sebolelo and Nothando told Mannie they were not going to do that, *"the person who wants to dismiss those people must do it themselves - just remove our names from them. They didn't - they went ahead and Tebele signed for us, as if with our authority, pp'd, and the letters of dismissal were delivered."*

EPISODE 2: Turning the blind eye

34. Ditlhakanyane woke up on a morning in 2016 to see that media generally, but not the SABC, were carrying stories that the SABC would no longer be showing visuals of the destruction of public property during service delivery protests.
35. She describes the events of that day: *"When I got to work I got a call from Hlaudi asking why I hadn't run the story."*

36. Hlaudi refused to accept her version that SABC Radio didn't get the Press release and he shouted at her over the phone. *"He summoned us to a meeting – myself; Angie Kapelianis, the National Editor, Radio Current Affairs; Foeta Krige, the Executive Producer RSG; and, I think, Krivani Pillay as well. He was with Jimi, the Acting CEO at the time. Krige's notes of the meeting are illuminating:*

31/05/16 (Tue) Radio Park 27 floor:

Present: Anton Heunis (advisor to Hlaudi Motsoeneng), Hlaudi, Simon Tebele (Acting Head of News), Jimi Matthews (Acting CEO), Krivani Pillay (Executive producer SAfm Current Affairs), Sebolelo Ditlhakanyane (Head of Radio news), Foeta Krige: Executive producer: RSG Current Affairs; later joined by Kaizer Kganyago, (SABC's spokesperson) & two ladies (from SABC Communications).

Summary of meeting:

***Hlaudi:** We are cleaning up the organisation. People are doing their own stuff. There are many journalists outside that want to work for the SABC. The environment outside is bad. No person is independent. The SABC is independent. This is a new SABC. You must adapt or find a job somewhere else. Tim du Plessis (a guest on The Editors) is from a rival organisation. We cannot allow people from outside to say anything negative about the SABC. We asked Franz (Kruger, another guest) leading questions. Editors' forum must go. It is advertising for rival newspapers.*

***Anton Heunis:** I am an RSG listener. I know I am not a journalist. You misunderstand editorial freedom. Asking leading questions. Why didn't you do an insert on research that shows that the presence of cameras leads to violence?*

***Foeta:** If you liaise with your editors and warn us beforehand of such decisions, and maybe give insight into the research on which the decision was based, we could have been forewarned.*

***Hlaudi:** I do not believe in research.*

Hlaudi: You must defend the organisation. No journalist is independent. The COO has the final responsibility for news.

Hlaudi: Simon, if people do not adhere, get rid of them. We cannot have people who question management.... this is the last time that we have a meeting of this kind. From now on you handle things on your level.

Jimi: It is cold outside. If you don't like it you can go. You've got two choices: the door or the window.

37. Dithakanyane says as they were walking back to their offices she told Krivani not to remove The Editors "for now", but about a week later Tebele told her to get rid of the programme and the review of the newspaper headlines – "otherwise you're going to lose your job. I've been instructed to fire you."
38. "I'm a single mother, there's just no way I can lose my job because of that," Dithakanyane told the Commission. "So I spoke to Krivani, and then she notified the staff."

EPISODE 3: And the winning party is...

39. Mokonyanya Molete, known as Nyana Molete, National Television News Editor told the Commission about an editorial workshop in Kempton Park meant to get staff ready for the 2014 National Elections. Jimi Matthews, who was head of news then, was also present.
40. "At the workshop - and I was chairing this session - some of our journalists were of the opinion that the things we were discussing and the approach that we were taking to the elections was a good one, but we needed to get top management to walk this path with us.
41. "We agreed that they would arrange a meeting where we would call Hlaudi in order to make him understand what decisions we had taken... basically reinforcing what our own Editorial Policies were saying, and what the

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ICASA Regulations around elections were saying. That is all. But while we were sitting in that meeting some interpreted the discussion to be anti-Hlaudi. I guess some of his people told him that, and my suspicion is that this information was being relayed to him as we were discussing issues."

42. *Back at the ranch on the Tuesday they invited Hlaudi to a meeting. "Basically he wanted to give us some kind of lecture. Quite a few people stood up to him, but the meeting ended with him saying that he was aware that some managers were conniving with workers, with employees, to destabilise the SABC - that kind of thing. People stood up and said: 'No, but here we are all journalists, there's no management, there's no staff here; we are all equal and we are discussing editorial issues.'*
43. *"After the meeting he called us one-by-one into Jimi's office and accused us of trying to destabilise the SABC. Again we made the point that he should actually thank us for having done this thing, and having done it the way we did it, because what we decided is what actually should happen: it's what the Editorial Policies say, and it's what ICASA says about coverage of elections.*
44. *"At Kempton Park we had decided that two people would basically write up the conclusions of the conference. Mahlatse Gallens - now Mahlatse Mahlase - and Thandeka were going to write up the minutes. A week or less after that meeting with Hlaudi, he called us into Jimi's office in Radio Park - myself and Sebolelo Ditlhakanyane - to meet a gentleman who has subsequently died, whose name was Mohlolo, and who was head of HR, and Keobokile Mosweu.*
45. *"These guys basically gave us an instruction to suspend Mahlatse and Thandeka. And it was clear that that instruction must have come from Hlaudi even though he wasn't present in that meeting. We refused to suspend them.*
46. *"In a follow-up meeting they brought in a gentleman from Employee Relations to help us draft a letter to the two and even help us with the process. Again we stood our ground, and refused to suspend the two.*
47. *"These people had done no wrong: 'If you need to fire or suspend anyone you*

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must fire or suspend us, or fire or suspend everyone who attended that conference. You can't just decide on these two because they were asked to document what had happened.' "

EPISODE 4: Hello my baby⁶

48. KZN Provincial Editor, Busani Mthembu, tells the story of Hlaudi and a very ill uBaba Joseph "Mshengu" Shabalala of the Ladysmith Black Mambazo.
49. *"We were following up on Shabalala's health daily. I spoke to a family member who told me: 'At some stage we want uBaba to have some peace, you know. Maybe the media must just back off'. He was just saying let's give him space."*
50. On a rainy Thursday evening, the Johannesburg office called Mthembu telling him to send a team to Shabalala's house in Ladysmith because Hlaudi was going there. Mthembu tried to argue that the family had asked for privacy – they had said they didn't want the world to see Shabalala looking frail and on a wheelchair. Mthembu was ordered to send the team through the rain in the night because President Zuma would also be there.
51. When Mthembu phoned the Presidency, it confirmed that Zuma would be visiting Shabalala. Bongani Majola in the Presidency also advised that a team should not be sent because the family had asked for privacy. When Mthembu called Johannesburg to tell them what the Presidency had said, he was told those were instructions from Hlaudi, that he should send the team. *"It was raining, the visibility was very poor. Ladysmith is quite a distance from here (Durban), about three hours. There was fog; it was so bad. The team arrived there at about 10 in the evening."*
52. The family wouldn't talk to the team and it took *"Motsoeneng or someone who was with him"* to persuade them (to talk to us)."

⁶ Title of Ladysmith Black Mambazo song.

EPISODE 5: Me and my friends (1)...

53. Economics Editor Thandeka Gqubule-Mbeki was called back to the office one evening to meet Brian Molefe, former Transnet boss, urgently. Molefe was angry because during an interview anchor Francis Herd had asked him about the procurement of Chinese locomotives by Transnet. He felt he had been ambushed with this question.
54. In the meeting, also attended by Francis, Thabile Ngoato, Sebolelo and Sophie Mokoena (now Foreign Editor), Sophie, who was playing mediator, asked Thandeka to apologise to Molefe so that the matter could go away.
55. Thandeka refused, saying the SABC had no obligation to ask "sweetheart" questions and that Molefe's communications team should have anticipated the questions and prepared him to meet them.
56. At Molefe's insistence the meeting moved to the office of the Chairperson of the SABC Board, Ellen Tshabalala in Radio Park. Tshabalala was also on the Board of Transnet. In her office Jimi joined them. Molefe remained *"aggressive, belligerent and physically threatening"*, according to Thandeka, and accused Francis of racism.
57. Thandeka told the Commission that Tshabalala had taken sides, demanding that Thandeka act against Francis.
58. Thandeka says it got down to the level of Tshabalala saying: *"You can sleep with politicians outside, but here sisemsebenzini (we are at work)."* In the end, Jimi dictated an apology to Molefe to a typist, saying the SABC didn't mean to offend him, which Thandeka signed. She says: *"I was quite prepared to be fired, but I had to consider the positions of Francis and Jimi."*

EPISODE 6: Me and my friends (2)...

59. Mthembu remembers when he was asked by then COO Bessie Tugwana to send a team to cover the handing over of seven houses to employees of a company owned by friends of the Chairperson of the Board, Ellen Tshabalala.

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60. He narrates that they had a very full bulletin that weekend with very interesting stories. He said that when he looked at the event that they were told to cover, he realised that it was not a story. This guy is handing over seven houses. He had actually invited the Chairperson of the Board, Ms Ellen Tshabalala, and a host of other top guys from the SABC and actresses and actors and all to attend. So it was like a celebrity kind of a thing.

61. He talks about the incident:

"Come Saturday I realised that we couldn't do it because we didn't have the capacity. That morning I got a call at about 11 o'clock from the Chairperson of the Board, Ms Tshabalala, who told me they were waiting, you know. I explained to her that we wouldn't be able to do it because we didn't have capacity. And she told me the event would not start before our crew arrived. Then a second call came: 'We are waiting and I am giving you 20 minutes to do this'. I said: 'We are doing a story.' We were doing a very interesting story - it was an air show, a very colourful story, that involved something like 60 airplanes, some of them vintage - a very nice visual story. We had to drop that because I was under so much pressure and we went to KwaMashu.

EPISODE 7: I can fire you! and I can fire your boss too!

62. An SABC crew from Durban arrived for a function that then Minister of Communications (Faith Muthambi) had near Pietermaritzburg as part of her constituency work for the ANC. According to Mthembu, she and the Johannesburg newsroom insisted that all her constituency visits to Willowfontein outside Pietermaritzburg be covered. *"On one occasion she was going to hand over a house or something. She had been there some three, four weeks before and then she went back to hand over a house, so we had to be there."*

63. Mthembu testified that their team got delayed somewhere and were about 20 minutes late. When they arrived at the house Ms Muthambi was not there yet. *"She had gone down to a stream where there was a Government campaign to clean up rivers, removing plastic bags and weeds*

and, you know. So she had gone to this river with some locals. Our team decided to wait for her at the house that she was going to hand over to a family.

64. *"She sent someone to check if the SABC team had arrived - other journalists from the print media had gone down to the river with her. As the team arrived at the river, in front of everybody she told them how stupid they were, how fat they were, how bad they were. 'I can fire you and fire your boss as well... you are SABC, you are my people and you are not listening. I will fire you and I will fire your bosses as well,' she said.*
65. *"So they filmed her doing whatever she was doing there and then they went up to the house."*
66. *Because TV crews have to pack all their equipment - mikes, tripods, cameras, etc., the team were slower than everybody else in getting back to the house. "When the crew caught up Muthambi told them to be fast - 'or I will fire you, I will really fire you'. Then she picked on this young lady and told her she looked fat and that she wasn't dressed appropriately. The journalist was wearing a nice shirt and a nice skirt.*
67. *Mthembu explained that he was so angry that he wrote a letter of complaint. He said that he "" addressed the letter to Nyana Moletse, who is the National Editor; I copied Nothando Maseko, and a whole lot of other people, you know. Not one response came - not even an acknowledgement of receipt."*

Capricious use of authority and power

68. *These seven episodes, culled from the evidence, illustrate the affliction of the SABC in the years covered by the Commission in its work. The Corporation suffered from the capricious use of authority and power to terrorise staff and to deflect the Corporation from its mandate.*
69. *The people who were in the middle of this world described it to the Commission:*

Sigabi: *"The atmosphere was not good, morale was low and fear was really dominant at the time, because there were people who were fired for insignificant reasons."*

Ditlhakanyane says: *"The level of pressure that we would be put under and with the kind of attitude along with that, like: You are nothing and you will do this whether you like it or not. Those kinds of things would influence us and sometimes we would end up implementing whatever we were supposed to..."*

"I ended up with depression and was admitted (to hospital for two weeks.)"

70. When he resigned Jimi described it as a "corrosive atmosphere".
71. Thandeka Gqubule-Mbeki calls it "egregious abuse of power" and describes her state then: *"You know, I'm like on automatic; like I'm a robot. I'm just going through the motions. I get up at 4:30 every day, go to the gym, go to work, do everything that I'm supposed to, but there's no me anymore. There's just this automaton. This person, you can call it a robot, Thandi, but this is what I've become."*
72. Nyana Molete says: *"When you're dealing with individuals like that (Jimi Mathews, Hlaudi Motsoeneng), individuals who are all powerful, and individuals who at any turn would threaten to fire people, you do get demoralised. You just feel you come to work to basically earn your keep. Apart from just the bullying and that kind of thing, there was also a decline in the quality of the work we were doing. To a degree I think people just came to work, people didn't want to challenge, people didn't want to apply themselves. As a result, no matter what we were trying to do in terms of improving the quality of work and that kind of thing, it was a very terrible situation. It was very demoralising."*
73. Molete adds: *"I think it was a combination of a huge ego gone crazy and power and the sense that you made decisions for a lot of people and you were in contact with very powerful people. You would make a call to the President and he would take your call. That makes you feel really powerful..."*

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"I'm sure that he (Hlaudi) was put under a lot of political pressure to do things in a particular way. Unfortunately, I don't think he had the integrity to make a judgment as to whether the direction that they wanted him to take was the correct one or incorrect one. I think he just basked in this whole power thing."

The Newsroom

74. The pictures above don't square up with what a newsroom should be - an inspired, creative space in which journalists joyfully bounce ideas off each other. This is a space where the question uppermost in everyone's mind is: What story should we tell our listeners, viewers or readers today, this hour, this minute to help them make their lives better?
75. The answers emerge at "Line Talk" - radio at 08:30; online, 09:00; or television at 10:00 - when news executives decide on their diaries for the day. The diary is the outcome of input from all news staff - rural, urban; from leafy suburbs or the shantytowns; from different religions and other persuasions - staff in their diversity. The journalists are from nine regional offices throughout the country, as well as from satellite offices in Bisho and Umtata, in Washington, East Africa, Zimbabwe and Lesotho.
76. Present at the conference are the National Editor, the Executive Producers of bulletins and of current affair shows, bulletin editors, the Head of Radio News, a representative from Digital News, the Editors of Specialist Desks - i.e. Parliament, economics, politics and sports - and Provincial Editors. Ideas go into this crucible, and the best survive to benefit audiences - they reflect who we, as South Africans and as citizens of the world, are.
77. The participants are guided by the Corporation's Editorial Policies⁷, which are "intended to help the editorial staff negotiate difficult editorial issues and decisions so that distinctive and compelling — and sometimes controversial — programmes can be made, while maintaining the highest ethical and editorial standards".

⁷ http://web.sabc.co.za/digital/stage/editorialpolicies/Policies/Editorialpolicies_rev.pdf

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78. "Through this policy, the SABC is well positioned - and unmatched in the market - to meet the challenge of telling the South African story with compassion, determination and resolution, while creating forums where South Africans from every walk of life can communicate ideas about their common future."

The evidence, its meaning and analysis

79. The evidence we heard and read confirmed overwhelmingly that there was capricious use of authority and power to terrorise staff and to deflect the Corporation from its mandate. The terrain covered in the following paragraphs will cover:
- a. The abuse of power, the violence, threats and fear;
 - b. The role of the so-called "enforcers";
 - c. Relations among staff;
 - d. Recruitment, exits, upwards and sideways movements;
 - e. Political and other interference in editorial decision-making; and
 - f. Other issues.

The abuse of power, the violence, threats and fear

80. First, we look at the big picture and then zoom in on the specifics; each time we start with a review the evidence of the coordinator of a staff forum, Busisiwe Ntuli, and then we look at some of the individual evidence.
81. Busisiwe told the Commission she *"felt compelled to forward this submission following my unsuccessful efforts to persuade the people who are directly impacted by the incidences below to forward their submissions because of the continued existence of fear in the newsroom"*.
82. She testified: *"People are bruised from their past experiences where they previously attempted to report certain incidents but were either met with complete silence and inaction from the powers that be, or were victimised."*
83. She told us about the scepticism among staff about the independence of this Commission because the email address we were using was on the SABC server.

84. Her evidence was a bird's-eye view after she collated the stories from staff nationally at regular Tuesday staff forums, linking SABC offices across the country, during which SABC issues were raised.

a. Staff members in Kwa-Zulu Natal say that the various factions of the ANC had used their connections to force them to cover their events. In some instances, they would not even call them directly but staff would receive calls from Motsoeneng to go and cover certain events, regardless of whether they were newsworthy or not.

In her oral evidence, Busisiwe said that when Sihle Zikalala was the Chairperson of the Province, Hlaudi would force staff to cover almost every ANC story and almost every event that the ANC was hosting, newsworthy or not, especially the Youth League of the ANC. They would call the office to a briefing, and sometimes they would make them wait for up to five hours. When other media houses left, the ANC Youth League would boast that SABC journalists had no choice but to serve them.

"At some point the Women's League demanded that an SABC crew go to Nkandla to cover them protecting Zuma's home. And throughout their four-hour drive, the journalists were shouted at and harassed by women who were calling them throughout their drive, ordering them to hurry.

"And I'm told among these women was the current Free State Premier, Sisi Ntombela."

Busisiwe told us that the ban on the use of protest pictures showing the destruction of property also affected Durban because when the city was on fire with ANC members protesting against Councillors, who, they alleged, were imposed on them, the story was not aired.

b. *Interference by traditional leaders*

"The SABC staff in Limpopo were prevented from covering the conflict in the Venda royal family in a manner that they as professionals saw fit," Busisiwe told the Inquiry.

"At the height of the fight for kingship between King Toni Mphephu Ramabulana and Princess Masindi, who believes she is the rightful heir to the throne, staff was barred from interviewing certain people.

"At least one journalist received death threats for doing his job without fear or favour. During this time, senior news managers including Nothando Maseko and Sebolelo Ditlhakanyane travelled to Polokwane to mediate between the royal family and SABC staff.

"We were told that these managers prevented staff from opening criminal cases following the death threats, saying that they would negotiate with the royal family."

Zooming in to the granular...

85. Kgaogelo Magolego, a former SABC employee, told the Inquiry that he was dismissed at the instigation of Communications Minister Faith Muthambi. He says he was interviewing her in Lephalale in Limpopo.

"I asked her to explain DTT (Digital Terrestrial Television) in layman's terms, and once she had finished responding in English, I politely requested - and this is common practice in the SABC - that she repeat the same answer in her mother tongue. She was trying to find her words. It happens with people that say something in English, but can't immediately translate it into their mother tongue".

"At that stage she said: No, no, no, I don't want to talk about it. I want to talk about something else. This is boring. At that time she grabbed her handbag and people were laughing at me.

"She took her things and said: I'm not even going to do this interview. I can't believe you drove all the way from Polokwane to ask such a boring question. That's how she abandoned the story."

86. Kgaogelo says he then started to get phone calls from the SABC, saying he had insulted the Minister. *"I didn't. Neither did the cameraman or the radio journalist. We didn't."*
87. He says he appeared at a disciplinary hearing chaired by Simon Tebele, against whom he had previously laid a grievance that was not processed by the Corporation. Tebele overruled his objections to his chairmanship.
88. He was found guilty of leaking information to the press because the Sunday Times had run a story that he was going to be fired because Muthambi wanted him fired. The other charge was that of refusing to carry out a reasonable instruction by a manager.

"They said I refused to cover the Minister's imbizo."

89. He said: *"The radio journalist could not continue with the story either. He was not charged. The cameraperson also brought up the little that we had covered. He was not charged. The video editor could not send anything to Johannesburg because we simply did not have enough material. The radio journalist even came to testify at the hearing to say that the Minister actually kicked us off, that she mistreated us, and told us she wanted to have nothing further to do with us."*

And why didn't he broadcast the English version?

90. He says his seniors in Polokwane would not feed it to Johannesburg because although the English version explained DTT, it also showed the Minister saying she didn't even want this bit on air.
91. He was found guilty and dismissed, even though he had no previous records of misconduct at the SABC. Kgaogelo went to the CCMA, which ruled he should not have been dismissed and ordered the SABC to pay him two months' salary as compensation.

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92. He says he could not afford to take the matter to the Labour Court on review and so he remains unemployed.

Back to Busisiwe...

93. *"In Mafikeng, for instance, there was interference in how the murder of businessman Wandile Bozwana was covered. Staff at that office allege that there was interference with the coverage, that one of the stories was pulled because the reporter had interviewed business people opposed to the premier."*

Setsokotsane

94. *"A reporter from Motsweding current affairs was allocated to the North West premier's so-called rural area revival programme called Setsokotsane. This journalist followed the premier in the same way a presidential correspondent would follow the president."*

Zooming in...

95. Western Cape Provincial Editor Kenneth Makatees, who was at one time Acting Group Executive: News, illustrated the chaotic decision-making at the time:
96. *"On one of his visits to Parliament Hlaudi met SABC staff in Parliament and told them they were not reporting to me anymore, but directly to Johannesburg."*
97. Makatees says he raised this in a meeting attended by Hlaudi and Jimi. *"Jimi then said they would come back to me. They never did."*
98. Makatees also tells the story of how the reporting lines of the provincial editors were suddenly changed and they had to report to the regional general managers: *"I reported to the Heads of the Radio and of TV News in Johannesburg - part of the problem is that a lot of these things were never written out or didn't come in writing."*

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99. "We then queried it with our line managers, that's now the Heads of Radio and TV. They said they didn't know about it, they were never consulted."
100. Makatees also tells the story of how the News HR Manager, Mannie Alho, was threatened by another HR Manager for not appointing a Hlaudi nominee to be Executive Producer of Morning Live.
101. Mannie sent him the following email:

"Dear Kenneth

"I would like to bring to your attention a situation that happened to me yesterday afternoon (30 August 2017) in the Radio Park car park as I was about to leave for home which makes me feel very uncomfortable. The issue involves Mr Rabosana Maliehe.

"Mr Keobokile Mosweu greeted me and wanted to know why I was blocking or being a stumbling block with the implementation of the appointment of Mr Maliehe as Executive Producer at Morning Live.

"This is the second time that Mr Mosweu has raised this with me. This undue pressure makes me feel uncomfortable and feel that I could be victimised should I not make it happen. There seems to be obvious pressure from other quarters to ensure that this employee be appointed as Executive Producer at Morning Live.

"May I request for you to please intervene or give guidance in this regard."

102. At the time Makatees was Acting GE: News. He told the Inquiry: "I was very disturbed about it. I phoned the COO Bessie Tugwana about it and I also wrote an email about it.
103. "And that's when I realised that this is much bigger than I and it is not as innocent. It is clearly a network controlling this. And that sort of confirmed

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my suspicion there was a structure to whom the Head of TV News was reporting."

104. The Inquiry heard more evidence of violence and threats of violence...
105. Thandeka Gqubule-Mbeki tells the story of herself, an intern and a cameraperson being pursued by a strange vehicle, which she reported to the police and the SABC.
106. She concludes: *"R22 000 later and they (the SABC) never even sought to compensate me. Here I am, trying to find out who was chasing (us) SABC employees; we were carrying an SABC satellite, we were carrying the equipment, the cameras, we were with SABC interns, and a representative from the SABC Cameras Department when this incident occurred. The SABC was completely apathetic to their obligations to the equipment and the financial loss that could have ensued if we had lost the equipment; and let alone the human capital, that they tell us is so important. So that indifference tells you everything you need to know about the incident. "*
107. Executive Producer of SAfm Current Affairs, Krivani Pillay, told the Inquiry: *"At first I didn't believe Suna's (Venter) claims that she was being followed and attacked. I thought that she was over-exaggerating.*
108. *"The afternoon of her death was when things - I try not to think about it...Suna and I weren't friends. Sometimes I challenged her on some of these bizarre claims she used to make, but when she died I realised how naive I was and how I wasn't willing to give her the benefit of the doubt. I think the stress eventually killed her.*
109. *"I don't like to think about the SABC 8. I actually don't even like being referred to as someone who belongs to the SABC 8, because it was a very scary time.*
110. *"I worried about my parents' safety, because they live alone on a farm. So I thought if people were tapping my phone, could they know my parents are alone?*

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111. *"I worried about my husband. I never left my home unless it was necessary. The thing I love about radio is people don't recognise you. But then in the two to three weeks we were on the newspapers' front pages almost every day. People in the supermarket used to come up to me, and I was very uncomfortable, I didn't know who to trust, who not to trust, who was on our side or wasn't. It's something that I haven't fully dealt with and I just want it to go away."*
112. *"My psychologist says I suffer from post-traumatic stress disorder and I seem to – I don't like being called a hero. I hate that word and then they say: You should be so proud of yourself. And I know that what we did was a good thing and we exposed something big, but leave it at that. I don't want to talk about it anymore."*
113. Krivani says even as the SABC 8 arrived at Parliament (to give evidence to the Portfolio Committee on Communications), they got a text message: *You must turn around, don't you dare go into Parliament and speak.*
114. *"We were thinking: Who are these people? How serious are their threats?"*
115. The chaos in the decision-making filters down to the level of programme production. For example, the evidence from Business News anchor Francis Herd: *"At one point I was told to cancel interviews with opposition finance people. It was the run-up to budget and we were speaking to the EFF and the DA. We had called them in order to give us their expectations."*
116. *"Sophie Mokoena walked past and about half an hour later I got a call from Nyana Molete saying I needed to cancel those interviews. He didn't give me a reason. I said: What on earth must I tell these people? They were already on their way to the SABC. He didn't tell me to lie or anything, he just said: I'm sorry."*
117. She explained that she knew that Molete was reluctantly telling her to cancel. *"I suspect that he had been told to tell me to cancel them."*
118. TV Current Affairs Executive Producer Mwaba Phiri gave the Inquiry another perspective on the chaos. He said the weekly meetings of current

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affairs Executive Producers limped on after the head of current affairs retired three years ago.

119. They continued to meet and rotated the chairing of the meeting among themselves, until Nothando Maseko told them she would chair them.
120. Phiri testified that Maseko has not called a single meeting since then and each EP is left to his or her own devices: *"The destruction of that structure makes it easy for anyone to control the newsroom, because they would meet you in the corridor and tell you: From now on you must not do political stories."*
121. Phiri says he got such an instruction from Maseko. She said he could do political stories only if the Political Editor approved.
122. He also gave evidence about him or members of his team receiving calls to stop a programme that was already running on air.
123. He said: *"On one occasion, for example, Nyana Molete came into the studio and told me: The COO wants to speak to you. (At that time) on air we were discussing the issue of the Venda king being challenged for the throne by Princess Malindi. (Mwaba told us the Venda king and Hlaudi were good friends.)"*
124. Phiri explained that the call he was asked to answer was prompted when Hlaudi saw Malindi on screen challenging the king, Toni Mphephu Ramabulana. Hlaudi called Molete, who came to the studio to call him (Phiri).
125. *"When I reached his Molete's office he told me there were three people in the COO's office - Hlaudi, Nothando, who later denied she was there although I was told she was, and Tebele, who was Acting GE News."*
126. Phiri said it was Tebele that spoke to him on the phone and asked him why he had Malindi in the studio. Tebele ordered him to stop the programme immediately.

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127. *"I said I couldn't stop it because if I did I would put the SABC into more problems. It would be very good fodder for sensation in the media because they will say: Here is a programme that's on air, and suddenly it disappeared.*
128. *"I left Nyana Molete talking to them and I ran back to the studio to supervise the discussion. He phoned me again, in the studio, and again instructed me to stop the programme. I refused and was expecting some kind of suspension the next day, but I wasn't (suspended)."*
129. Phiri also told the Commission of an attempt to foist Hlaudi praise-singer Mzwakhe Mbuli as a guest on his programme while it was on air. Again he resisted.
130. Phiri's programme was canned without explanation, his staff were told to find openings elsewhere in the SABC, and he is now left twiddling his thumbs. He reports for duty every day and hangs around until it's time to go home in the afternoon.

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Enforcers

131. The one subject at the SABC today that is loaded with emotions it is that of "Enforcers."

Sebolelo Ditlhakanyane:

132. Earlier in this report, we saw a version of Hlaudi, Jimi and Tebele in a meeting railing against Sebolelo Ditlhakanyane (Head of Radio News), Krivani Pillay (Executive Producer SAfm Current Affairs), and Foeta Krige: Executive producer: RSG Current Affairs. Hlaudi was attacking the programme The Editors and the slot where newspaper headlines were reviewed. He ordered them to remove these programmes immediately.
133. Ditlhakanyane said as they were walking back to their offices she told Krivani not to remove The Editors "for now", but about a week later Tebele told her to get rid of the programme and the review of the newspaper headlines – *"otherwise you're going to lose your job. I've been instructed to fire you."*
134. *"I'm a single mother, there's just no way I can lose my job because of that,"* Ditlhakanyane told the Commission. *"So I spoke to Krivani, and then she notified the staff."*
135. Fast forward to the Parliamentary Ad Hoc Committee hearings in Parliament where Krivani fingered Ditlhakanyane as an "enforcer"....
136. Was Sebolelo an enforcer or a victim? When she stalled for a week, with Krivani's concurrence, was she an enforcer? When Krivani notified her staff, was she an enforcer? Where does one draw the line?
137. A large part of the evidence we heard related to relations between staff members and their movements within the organisation, fuelling anger and mistrust among peers and against the Corporation. Again culling stories from the evidence, we have:

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Sophie Mokoena

138. She has been described as an “enforcer”, which she denies. Here she gives her version of her role under Hlaudi. She starts by telling how she was moved from her position as Political Editor and then goes on to tell how she stood up to him on several occasions:

From Political Editor to Coordinator of News

139. *“Jimi came to me to say: ‘Sophie, you know when the SACP (South African Communist Party), when Blade Nzimande, when Vavi, when Gwede - when they hear your voice on television they don’t even listen to what you’re saying, and then they start calling and complaining that your story is biased. I think you need a break from this political pressure’.*
140. *“That’s when he appointed me as the National Coordinator of General News and moved me from the Political Desk....*
141. *“When the contracts of Eusebius and Sakina, Metro FM, were not renewed - it had nothing to do with content: it was about a leader, or manager, or news editor, or other senior who couldn’t defend the foot soldiers and say: ‘Okay, you are saying Sophie is biased? Let’s listen to her story. Let’s see where the bias is.’ That was allowed to continue, and all politicians now tend to do the same, because they know this thing has happened. If they’re not comfortable with a particular journalist they always call senior managers and put pressure on them. And senior managers will find a way to do it, consciously or unconsciously, I don’t know.”*

Standing up to Hlaudi after Kempton Park meeting and threats to Thandeka and Mahlatse:

142. *“It was a heated meeting, I stood up alone until Jimi, Nyana Moletse, Sebolelo Ditlhakanyane, said: ‘Yes, as management we did support this memorandum’.*
143. *“The then COO said: ‘Okay, let’s adjourn this meeting’.*

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144. *"Then he called me to Jimi's office to say: 'What's happening here?' I said: 'Hlaudi, SABC cannot punish junior staff members for just compiling a collective contribution of the team in terms of their concerns. If you have a problem with this, and the process that led to it, speak to your seniors, the senior management. Let them explain how it happened. How did they allow a workshop that was meant to prepare for election coverage to come up with this document that management is not comfortable with? Start there'.*
145. *"At that time both Nyana Molete and Sebolelo had been given instructions to suspend the four journalists. I stood up. It didn't make newspaper headlines, because that's how I operate, I stand up, I fight, and that's it. It's not about glory and grandstanding. Finally they were not suspended because I was able to tell the COO that this is not correct and it can't be done. Because I used to stand up firmly when I didn't agree with him.*
146. On service delivery protests...
147. *"There was this issue of the visuals, not using the protest visuals. When that memo was issued as a Press release, it was 23h00, almost midnight. I normally look on social media to check whatever is happening around the country and internationally. Then I saw that memo at 23h00, after it was released.*
148. *"Immediately that night I called my senior, Nothando Maseko, to say, 'I don't agree with the content of this memo or media release in terms of how protests should be covered. I understand fully that sometimes when protestors see journalists and they see cameras they get wild and they can sometimes burn things, because you will take pictures and their stories will be heard, or the little ones get excited. You have to be responsible when you cover these: you don't incite - you do the story. We can't ban the coverage of protesting individuals. We can't. We can act responsibly if there's a fire and if someone is setting fires - you know, it's a graphic picture.*
149. *"We can exercise caution but we're not going to stop covering protests. I told her that the next day we must go to Hlaudi and tell him this is not going to happen. And I did just that. When we arrived he said to us: 'No, I don't necessarily say you must stop covering them, I'm just saying be responsible'.*

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150. *"Then I said: 'Okay, retract this statement, because it's too harsh and it doesn't say what you are saying.' But they didn't and I told him that I would continue to cover protests if they are politically related.*
151. *"At the elections workshop I again asked Hlaudi about coverage of protests and the burning of buildings. He denied it again. He said: 'No, I don't say you mustn't cover it, I'm just saying you must be responsible.' But the technicality is that they didn't retract the memo. The memo was there, so I could do it, because I felt I can't subscribe to wrong things, but for some people the memo was still there. So, of course, if the memo is still there, some would be scared to do it, but I continued to assign the political team where I had to assign them in terms of protests."*

Nyana Molete

"I don't want to lose my job" cascades down the organisation.

152. Molete confesses that what Calata told the Parliamentary Ad Hoc Committee about him is true. He explains that when Jimi stormed into his office one day complaining about the frequent usage of EFF pay-back-the-money visuals and said, *"Look, man, you're going to make me lose my job. Why do you keep using these pictures?"*
153. *"I knew that Jimi was under pressure from his boss to stop this stuff," Molete says. "I called Calata and tried to have a discussion with him, but we didn't agree. He was right, the pictures were relevant and he had to use them.*
154. *"Instead of saying, 'Jimi says we want him to lose his job,' I said: 'Hey, my bra, my kids are coloured, they don't eat pap and vleis, I don't want to lose my job.' Even that in itself was editorial interference.*
155. *"We have the right journalists to do this job and we have the resources to do what we can do. Then something happens, you put someone with a personality disorder there and then everything goes haywire.*

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156. *"He (Hlaudi) had this kind of all powerful presence and certain things would be done because he wanted them to happen, not because they were in the best interests of the organisation."*

Zolisa Sigabi

Jobs, jobs, jobs

157. *"I suppose we were all worried about losing our jobs. If you are then called before a DC because you have defied an instruction, it doesn't matter that the instruction was not legal, and we could prove that - of course you can always prove that the instruction was not legal, it was unlawful, unreasonable etc. But at that moment I don't think we thought of that - the majority of people, I suppose."*
158. *"He (Tebele or Hlaudi) would call and say: 'That story does not sound good, etc.,' and then we defended the stories and the lines or angles that we pursued. This would be largely if it was about Zuma and all the things that he was doing, that we would broadcast. But we also knew that somebody must have called him. He did not listen to the bulletins, because if he had he would have called there and then, saying: 'I have just heard this story.' They would come hours after the story was aired."*

Nothando Maseko:

159. Maseko seems to be the only news manager who sees nothing wrong in all she did during Hlaudi's reign as the COO.
160. She testified that she did not see anything wrong or sinister with Hlaudi's instructions or directive on violent protests. She elaborated that he was only urging SABC staff to exercise caution when covering the stories of violent protests.

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Muddled discussions:

161. Two events have muddled the discussions around the “enforcers” – the first was a staff meeting called by the SABC’s recent Interim Board and the other was a petition signed by 116 “key” news staff members.
162. Izak Minnaar explains the second event, the Interim Board meeting: *“At some stage during the meeting, while the Board members had stepped out, there was a vote of no confidence in a number of specific individuals. The MC then, who I think was one of the SABC 8 if I’m not mistaken, just accepted it.”*
163. In the petition to management staff say: *“We are yet to see the end of impunity where those who were responsible for violating our editorial standing in society through their unlawful conduct and enforcement of political instructions, are held to account.”*
164. Ntuli, of the Staff Forum, said: *“We’re not saying people must be fired. We’re saying how do we move forward? And this is what we’ve raised. How do we move forward when the same people continue to do the same thing? At some point we were saying we’re coming up with a new strategy, a new this and a new that. How can the same people drive the same new strategy when they are the ones that brought us to the current position that we are in, where the newsroom was compromised and SABC journalists are seen as a laughing stock out there - we’re not taken seriously, we are Government spokespersons, because of these managers.”*
165. The evidence on personnel shows the extent to which the mismanagement in the C-suite affected staff below: staff lost trust in each other and in the Corporation, they were at each other’s throats, accusing each other of being Hlaudi’s lackeys and enforcing his edicts.
166. Some of the witnesses said they expected the Commission to recommend disciplinary action against the “enforcers”, while those accused of being enforcers argue that they pushed against Hlaudi to the extent that they could and gave in only when they couldn’t fight any more. They claim they actually defended their juniors.

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167. If we recommended that “enforcers” should be face disciplinary action, we move into murky waters. We would have to define the management levels of enforcers; define their motives; and we would have to define what enforcement really meant. Is this a case that can stand scrutiny by our courts?
168. If a manager conveyed his or her fears of losing a job with the instruction he had himself been given, was she as culpable as the person who gave the original instruction? Would the conversation between the “enforcers” and Hlaudi, or Jimi, or Tebele be considered before the label of “enforcer” was slapped on them?
169. Also, were the people who carried out the instruction innocent victims? Why did they not use the Corporation’s Grievance Procedures? Was anybody who worked at the SABC, who didn’t object to what was happening, innocent? Why were the trade unions silent?
170. The guilt does not just stop at the C-suite: why was the Board silent? Where was the Portfolio Committee on Communications? Where were the listeners, viewers and readers of the SABC, where was the South African public, the true owners of the Corporation?
171. The courageous SABC 8 brought matters to the boil, and made South Africans aware of the crisis. That point could have come earlier if staff had filed labour grievances, walked out, toyitoyi-ed, written memos to the Board and to the Portfolio Committee on Communications, to the ANC, and to ICASA. (Courage is one of the distinguishing characteristics of good journalists.)

Relations among staff

172. The irony of abuse of any form is that the victims turn vicisouly against each other - in the case of SABC, staff are angry not only with the C-suite and the enforcers, but they carry deep resentments against each other – one finding fault with the other. Some very strong language came through as people were testifying. An example is that of a witness talking about her immediate senior – “her skillset *when it comes to news and*

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management leaves much to be desired. And she is well aware of where I stand on the issue."

173. At the other end of the scale is political journalist Mzwandile Mbeje, who believes there's a campaign in the newsroom to discredit him, labelling him as part of the Zuma administration simply because he was the presidential correspondent.
174. *"Unbeknown to me there is a petition drafted by my own colleagues which basically says: This presidential correspondent must be removed immediately because he is politically compromised."* He believes the rumours muttered behind his back have effectively stopped his career dead. *"No one is talking about my qualifications, my experience. No one is talking about that."*
175. Former SABC journalist, Kgaogelo Magolego, who is still hoping to get his job back, is convinced that in the years he was in the Polokwane office, colleagues would tell tales about him to influential people outside the SABC. For example, if a story suggestion was dropped at the diary conference, word would go out to people outside the SABC blaming him for the story being dropped.
176. The finger pointing extends to allegations that some of the freelance workers use SABC platforms to promote their other businesses, e.g. as public relations practitioners.

Recruitment, exits, upwards and sideways movements

Ntuli on Regional Editors:

177. *"In my discussions with staff at the Mafikeng and Northern Cape offices, I was informed that Motsoeneng appointed provincial editors who were not qualified for the job. It is important for this inquiry to investigate how these appointments were made and what impact they've had on the editorial standing of these offices."*

178. She alleges at least one of them catapulted from scale 40-something to scale 120 or 125 after he was made provincial editor.
179. News HR manager Mannie Alho told the Inquiry about the pressure from both inside and outside the SABC to manipulate the appointment of a Provincial News Editor in Limpopo. While the interviewing panel was dealing with internal applicants, they started receiving phone calls telling them who to appoint.
180. He believes that one of the panellist got a call from Mohlolo, who was the Group Executive of HR at the time. *"He has now passed on, but I know that he personally called one of the panellists."*
181. Mannie testified that because of this interference, the panel halted the internal process and advertised externally. The matter ended up at the CCMA with one of the internal candidates saying the recruitment process was flawed because he should have been appointed.
182. Other witnesses also spoke about external influences on appointments, promotions, and lateral movements of staff. Mbeje recalls how he was moved from his role as acting Political Editor by Acting COO Bessie Tugwana months before his acting mandate was due to expire. *"She thanked me for a job well done and said I could now revert to my old position."*
183. When he got back to the newsroom his line managers, Nothando, Nyana and Sebolelo were surprised – Bessie had not discussed this with them.
184. Jonathan Tekiso, Group: HR told the Commission that Human Resources document and keep records of:
- the motivation that confirms that the vacancy exists;
 - the motivation that confirms that the budget exists;
 - a copy of the advertisement;
 - copies of the interview panel's scoring sheets; and
 - copies of CVs for all the candidates.

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185. It should therefore be easy to audit the records of newsroom personnel, particularly management, to check the credibility of their appointments.
186. The Commission looked at the personnel files of some of the people who were fingered. Nothando Maseko, Sebolelo Ditlhakanyane, Hlaudi Motsoeneng and Charles Matlou.

Nothando Maseko

187. All recruitment processes appear to have been followed except for one flaw: there is no satisfactory explanation why Maseko was considered over another candidate, who scored higher.
188. The report states that the other candidate's interview was not considered because a different panel interviewed him.

Sebolelo Ditlhakanyane

189. She joined the SABC as a Radio journalist in the Free State and was later appointed as Regional Editor in the Northern Cape.
190. In her HR file, there is no copy of the advertisement for the Regional Editor post, no interview report, no application by her for the post, and no memorandum of the establishment of the post.
191. In her HR file, there is no verification of her qualifications for the post.

Hlaudi Motsoeneng

192. He was employed by the SABC in the Free State as journalist in 1995. At the time he did not submit a Matric Certificate as required and promised to submit it. Despite numerous requests from HR since 1996, he did not submit the matric certificate.

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193. His appointment as the COO was irregular as all the SABC recruitment processes were not followed. Most of all he did not qualify as there was no record that he possessed the matric certificate. It appears that his name was submitted to the Board, then the Board convened a special meeting to approve his appointment.

Charles Matlou

194. All the recruitment processes were followed, except the verification. He was appointed without the verification of his qualifications. There were also outstanding documents.
195. It is not clear in the file if the verification was done in the end or whether the required documents were finally submitted.

Freelancers

196. Elvis Presslin told the Inquiry that freelancers at the SABC are ill-treated and are not constructively engaged by TV news management: they have no way of ventilating their concerns.
197. *"TV news management has a blasé attitude towards our concerns as freelancers. They act unilaterally and with impunity in removing freelancers from presenting rosters, without formal written Commission or communication or even a meeting to discuss their problems."*
198. He told the Inquiry that his remuneration has remained the same since 2013.

Editorial Independence and the ANC

199. Among the SABC's values in the extant Editorial Policies is Editorial Independence:
200. *"The SABC is governed by the Charter of the Corporation, which enshrines the journalistic, creative and programming independence of the staff of the Corporation, and the constitutionally protected freedom of expression"; and*
201. *"The principle of editorial independence is therefore fundamental to the operations of the public broadcaster and especially important to the functions of the SABC's news division."*
202. The Commission did not hear evidence alleging a meeting or meetings in smoke-filled rooms from which participants emerged with a plot to capture the SABC newsroom and with assigned roles in the plot. There were no email or sms trails we could follow.
203. We could not delineate a direct path from decisions at Luthuli House to editorial decisions in the SABC's newsroom. However, Nyana Molete sketched a possibility: *"When it comes to politicians - remember, you also have the SABC reporting to a Minister. That Minister would be a member of a particular political party. Since 1994 all these Ministers that the SABC reported to were ANC deployees."*
204. *"Those people would communicate with people in the SABC. Whether it's people on the Board or Senior Executives in the SABC, those people would communicate with them. The structure of this whole thing allowed them to do that. Then you also find senior executives who actually enjoy being in the company of those types of people, so in the company of Ministers, maybe even in the company of the President and before long they actually lose their identity. They don't know whether they work for the SABC or they work for the Minister, and in some cases whether they work for the ANC or work for the SABC."*
205. A similar picture emerged when Zizi Kodwa and Pule Mabe, for the ANC, proposed to the Commission that the SABC must employ people qualified for their jobs. *"Our sense is that the Corporation comes from a period where*

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because of the notion that somebody reports to Luthuli House, nobody questioned anything, and therefore wrong things went on underneath.

206. *"We emphasise qualified people because our sense is that less qualified people are braggarts and name droppers, and they don't understand the concepts of independence and impartiality... they create this ANC which somebody would call a gogga...feared by people. There mustn't be a possibility of an individual so powerful that...people can't even think of disagreeing with him or her. There mustn't be fear at the SABC."*
207. This statement might not have been intended as such, but it is a huge concession by the ANC, that there could have been people at the SABC using the organisation's name to intimidate others. It is hard to believe that the ANC woke up to the crisis at the SABC only after Jimi resigned, after the SABC 8 saga, and "after widespread condemnation of policy decisions at the public broadcaster". Was it convenient for the party to turn a blind eye to the mounting crisis at the corporation?
208. The confusion of roles was demonstrated earlier in this report: for example, the chairperson of the SABC Board wore ANC regalia at an SABC Corporate social investment event and was angry when SABC journalists asked her about it; Faith Muthambi insisted on coverage while doing ANC work; and Hlaudi Motsoaneng scrapped The Editors radio programme because guests were *"always lambasting the ANC"*.
209. Furthermore, it is not clear who was pulling the strings behind Motsoeneng, however his utterances to the executives who attempted to resist his manipulation - *"I will go to Pretoria and see the President"*; *"All events attended by the President must be covered by the SABC irrespective of their news-worthiness"*; or *"I will call the president now"* - speak volumes that he was linked to the office of former President Jacob Zuma.
210. And if ever there were doubts about the relationship between the SABC and the ANC leadership, Muthambi and Hlaudi, even after their removal from the SABC, travelled to Durban earlier last year to show support for President Zuma when he appeared in court.
211. Press Statement

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212. By the middle of 2016 the chaos at the SABC was obvious to everyone, including the ANC, whose secretary-general at the time, Gwede Mantashe, issued a Press statement that in all fairness we quote in full:

"The African National Congress (ANC) has noted with grave concern recent developments at the South African Broadcasting Corporation (SABC) which have led to the resignation of the Acting Group Chief Executive Officer, the suspension of several senior journalists and widespread condemnation of policy decisions at the public broadcaster which border on censorship.

"Over the last few days, the ANC (and correctly so) has referred all matters relating to the developments at the SABC to the SABC Board of Directors and the Minister responsible for Communications – who are best placed to deal with matters involving the SABC. We emphasised that the SABC does not report to the ANC. It was our hope that by now these issues would have been attended to and resolved. We still believe it is not too late for them to do so; we are of the view however that the ANC must clarify its position on these matters.

"The African National Congress has throughout its history steadfastly upheld the principle of media freedom and freedom of expression. This unambiguous position of the ANC is enshrined in the Constitution of the Republic of South Africa and all policy articulations of the movement over many decades. We have jealously guarded the right to freedom of expression and have never hesitated to speak in favour of media freedom wherever and whenever allegations of media censorship of any kind were raised. The people of this country, led by the ANC, fought for freedom of expression, for the freedoms enjoyed by the media today and the right of any person to access any information.

"Therefore any policy changes or editorial decisions by the SABC that in anyway limit these freedoms can never be sanctioned by the ANC nor do they represent the policy views and aspirations of the African National Congress. The ANC stands opposed to any actions that infringe on our people's rights to hear and see what they want to hear and see. The ANC also stands opposed to any infringement of journalists' rights to practice their craft.

"While the ANC does not glorify violence, the decision of the SABC to desist from showing images of the destruction of property has not been consulted with or condoned by the African National Congress. This is worrying as it amounts to a change in a policy position of the governing party – without any due engagement on its merits and reasoning. Further, significant policy changes such as this in South Africa undergo an extensive public participation process, to canvas opinions of the South African people and to build consensus on a matter – this too has not been done

"Owing to the SABC's unique place in society as well as its public mandate, it is particularly important that the public broadcaster is free of political interference of any kind. Successive administrations have been accused of political interference of some kind at the SABC – and this is nearly always said to be in the name of the ANC.

"To date, no evidence has been produced to substantiate such claims. The latest controversy surrounding editorial practices at the SABC, unfortunately being made by an individual who has fallen out of favor with his employer, have also regretfully once again drawn the ANC into the fray.

"The ANC categorically rejects any allegation to have connived with members of the SABC staff or management to undermine any political party and change any editorial decisions.

"They are a consequence of a lack of leadership at the institution. Vacancies at the most senior and critical positions within the institution as well as ongoing court challenges facing the COO serve to weaken general managerial control and have led to a collapse of corporate governance within the organisation. The role of the Board in the ongoing challenges leaves much to be desired and should be strengthened to allow the public broadcaster to effectively deliver on its mandate.

"The African National Congress has sought a meeting with the Minister of Communications, Comrade Faith Muthambi, to receive a briefing on matters related to the SABC including some of the reported decisions being taken within the institution. We will also

be calling for an urgent enquiry into the very serious allegations being made that tarnish the image of the ANC in respect of the current developments at the SABC.

"The extremely unfortunate developments at the public broadcaster cannot be allowed to continue any further and can definitely not continue in the name of the African National Congress and the countless South Africans who paid the highest price for the constitutionally enshrined freedoms we enjoy today."

213. S-l-o-w-l-y now: *"Successive administrations have been accused of political interference of some kind at the SABC – and this is nearly always said to be in the name of the ANC.*
214. "To date, no evidence has been produced to substantiate such claims."
215. This doesn't tell us why the ANC has done nothing to reassure staff at the SABC that those who take the party's name in vain should be exposed and that the party fully supports full compliance with the Editorial Code. Staff needed this assurance much, much earlier.
216. A-g-a-in: *"The African National Congress has sought a meeting with the Minister of Communications, Comrade Faith Muthambi, to receive a briefing on matters related to the SABC including some of the reported decisions being taken within the institution. We will also be calling for an urgent enquiry into the very serious allegations being made that tarnish the image of the ANC in respect of the current developments at the SABC.*
217. Why was this briefing not sought when governance at the SABC started unravelling? Why was the ANC last in the queue in "the widespread condemnation of policy decisions at the public broadcaster which border on censorship"?
218. Zizi Kodwa explains the ANC's interventions, but sidesteps the question of the timing: *"Not only did we make public statements, we made attempts to meet one or two people on official meetings. We can make reference to the meeting we had with the COO at the time, to express this concern. So nobody would have done anything claiming to act on behalf of the African*

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National Congress, because when we met with the COO, we said: 'Some of the issues that are happening under your leadership and everybody else, undermine the very same public mandate of the SABC, including decisions, that in our view sought to undermine the Editorial Policy of the SABC'."

219. The ANC's message to the COO did not reach the newsroom and did not help staff resist bullying. For example, Ditlhakanyane told the Commission: *"There was a pattern, but mostly it was to protect the ANC. I may not have been instructed by a politician myself but I think it was more for the benefit of the ANC."*
220. The Commission accepts that any person, organisation or institution in the country has the right to influence coverage by the SABC, but the decision on what to cover and how to cover it rests with the editorial staff.

Editorial Policies

221. The latest draft of the Policies states:

"To sustain and deepen the trust the public have in the SABC, we have to maintain the highest standards of performance. In this regard, the SABC requires its editorial staff to understand that with the legislated and constitutional protection of the Corporation's independence comes the responsibility to serve the public with the highest standards of excellence and integrity."

222. *"Accordingly, the onus is on individual Executive Producers, Editors and Commissioning Editors to ensure that they understand and uphold the provisions of the Broadcasting Act, including the Charter of the SABC; the Editorial Code, the BCCSA Code of Conduct for Broadcasters as outlined in the Broadcasting Complaints Commission of South Africa (BCCSA), the Independent Communications Authority of South Africa (ICASA) regulations and the Press Council of South Africa (PCSA) Code. As a rule, and as a matter of policy, the authority for editorial decisions is vested in the editorial staff."*

223. *"In this regard, subject to standard management and editorial controls, Executive Producers, Editors and Commissioning Editors are responsible for the production of the programme including editorial control. Should any difficulty arise during programme production and/or editorial control, or the programme producer or Commissioning editor be unsure of anything, they should consult their supervisor for guidance.*

224. The Policies document goes on to say:

"This process of voluntary upward referral could extend as far as the Group Chief Executive Officer in his capacity as editor-in-chief. The GE: News reports to the Chief Executive Officer, who is accountable to the SABC Board for all content carried on all SABC platforms. The role of editor-in-chief is one of many responsibilities that the GCEO assumes and should not be confused with the functions of the Group Executives of News, Radio, Television, Sport and Education or of the other editors and channel and station managers employed by the SABC.

225. *"However, the Board of the SABC delegates responsibility, and holds accountable the GCEO for the performance of all news and other programmes, broadcast and presented on all SABC radio, television, internet and other multi-media platforms."*

Hlaudi as Editor-in-Chief

226. COO Hlaudi treated the Corporation's Editorial Policies in the same way that he treated the SABC and its staff - with disdain, except when he could use them to prove he was boss.

227. By 2015 a review team led by Graham Welch was finalising the amendments to the 2004 Policies document. By January 2015 the amendments were submitted to Group Executive for approval ahead of a Board Subcommittee meeting. On January 12, an instruction was issued by the COO's office to the Company Secretary to withdraw it, and to ask all Group Executive members who had received copies of the submission and copies of the revised Editorial Policies to destroy them. Four days later Hlaudi called the review team into a meeting and said that because the

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underlying legislation was likely to be changed in the short-term the review was no longer appropriate and would stop and the team would be re-deployed.

228. Welch says in 2016 he was instructed by the CEO's office to go to a meeting somewhere around Muldersdrift on the West Rand to brief the then Acting CEO, Jimi Matthews; the CFO, James Aguma; and the COO, Hlaudi Motsoeneng, about the status of the Editorial Policies.
229. *"Anton Heunis, who at that stage, I think, was no longer a permanent employee of the SABC, but was described as the COO's commercial advisor, was also in attendance."*
230. *The two most vocal participants were Heunis and Motsoeneng. "They were complaining that I was taking up too much time by arguing about the changes that they wanted because they needed to get them to the Minister. So I think they took that presentation directly through to the Minister and said that these are the new Editorial Policies."*
231. A critical part in what was taken to the Minister was the change of Editor-in-Chief from the GCEO to the COO, thus paving the way for Motsoeneng to climb into the newsroom with his edicts. The 2016 – the "Hlaudi" – Editorial Policies were struck down by ICASA on March 2, 2017 because the public was not fully involved in writing them and the SABC was instructed to revert back to the 2004 document, the one still in operation, with the GCEO as Editor-in-Chief.
232. However, a closer look at the issue of the policies further reveals the extent of the chaos at the Corporation. One of the people key to implementing the Editorial Policies, Ditlhakanyane, General Manager: Radio News and Current Affairs, told the Commission: *"I've never seen it (the 2016 Editorial Policies), but we were told that it was there. And I think in March 2016, we saw a Press release, where it was stated that the Editorial Policies had been amended. But we have never seen that particular document."*

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233. *"How we also got to know about it was at a rediffusion - a video staff meeting - where we connect with all the provinces. Hlaudi announced that the COO was now the Editor-in-Chief."*
234. Sigabi, National Editor: Radio Bulletins and Inputs, told the Commission: *"He (Hlaudi) was introducing the new Group CEO, Lulama Mokhobo, to staff when he announced it and I think it must have shocked the new GCEO. Hlaudi said as Head of Operations of the SABC the COO was now Editor-in-Chief."*
235. Several witnesses argued against the GCEO's designation as Editor-in-Chief, saying that this confusion about the title Editor-in-Chief provided the window for Hlaudi to sneak into the newsroom and take control.
236. The Commission recommends that the Group Executive: News should be designated as Chair of Editorial Policies and Ethics Committee of the Group Executive he or she should chair the committee that would include all the Group Executives of information programming – Radio, Television, Sport, Education, etc. The committee would be the highest point of upward referral for editorial line managers and would uphold the Editorial Policies and the highest editorial and ethical standards.
237. Structurally he/she reports to the GCEO. He or she and her committee will be responsible for upholding the Editorial Policies and the highest editorial and ethical standards.
238. The model of the GCEO as editor-in-chief is derived from the BBC, where the Director-General is designated as editor-in-chief, but a quick examination of the BBC model shows that the directors-general have risen through the ranks in television and radio journalism.
239. Experience and training in journalism is not a requirement for appointment to GCEO position at the SABC. The recommendation confirms the Editorial Policies that already state: *"As a rule, and as a matter of policy, the authority for editorial decisions is vested in the editorial staff."*

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Editorial Forum and Internal Ombud – view from staff

240. Many of the witnesses saw the revised Editorial Policies as one way to help heal the SABC. For example, in their submission to the Commission and to the committee that is reviewing the Policies, staff say:
241. *"The SABC's newsroom has over the years experienced serious challenges of lack of integrity and credibility as a result of editorial interferences. This has eroded our public trust and our ability to meet our mandate in our young democracy.*
242. *"As part of the mechanisms to ensure newsroom democracy and avoid future interferences, the SABC newsroom shall appoint an editorial forum to guard against any erosion of freedom of expression and adjudicate disputes on matters that threaten to compromise our editorial standing in the eyes of the public to which we have to remain accountable.*
243. *"The forum shall be constituted by editorial managers and staff."* This suggestion stems from a visit to Germany by the SABC 8. The public broadcaster they visited had a 12-member editorial forum comprising six editors/managers and six journalists. It convened immediately when there were large differences in the newsroom and made recommendations to the editors involved.
244. There were also suggestions, first made by the SABC 8 to the Parliamentary Ad Hoc Committee, that an internal Ombud be appointed to adjudicate in editorial complaints from both outside the SABC and from staff.
245. The Policies review committee seems to lean to the idea of an Ombud. In the recommended amendments there is a section on an SABC News Ombudsman:

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RATIONALE OF SABC NEWS OMBUDSMAN

- *To restore public trust in SABC News;*
- *Provide a platform for the public to register complaints and receive adequate attention on the grievances made against the broadcaster;*
- *To support News in providing assurance to the public on complaints pertaining to all News content.*

ROLE OF OMBUDSMAN

246. *The primary role of the SABC News Ombudsman is to provide impartial and expeditious assurance of all external complaints received of all news, current affairs content on radio, television and the internet; whether in-house or produced by a third party that falls within the scope of the Corporation's policies; as amended from time to time.*
247. *The SABC News Ombudsman ensures that the members of the public are well served by the news content and its presentation with respect to issues of disclosure, fairness and accuracy.*
248. *Responds timeously to complaints raised by members of the public.*
249. *Performs an assurance role on all external complaints and makes recommendations on the corrective actions regarding a complaint to SABC News Management and Board.*
250. *Prepares quarterly reports to the Board of Directors of the Corporation on how complaints were handled and review main issues handled by the Office of the Ombudsman.*
251. *When necessary, the SABC News Ombudsman identifies major public concerns as gleaned from complaints received by the Corporation and advises SABC News Management and journalists accordingly.*

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252. These two suggestions were presented to the Commission by various witnesses and after weighing the evidence we recommend the creation of a News and Current Affairs Advisory Committee consisting of three – for example, a retired editor, a person who is or was teaching journalism ethics at university, and a retired judge.
253. This committee would do what the BBC's Editorial Policy Team under the Director Editorial Policy does – advising journalists, editors, and producers on editorial issues throughout the production process, with final decisions resting with line management.
254. The Advisory Committee would convene when a staff member was unhappy with an editorial decision, an editor asked for guidance on an ethical issue and on any other ethical matter that had come to its attention.
255. This Advisory Committee would not adjudicate: merely advise staff and editors. Decision-making would remain firmly in the hands of the editorial staff.
256. However, unhappy staff would get an independent platform to vent their grievances about editorial decisions, managers would have the advantage of a fresh, independent look at issues. The Advisory Committee would publicise monthly reports on the issues they handled, and would provide quarterly and annual reports to the SABC Board. The reports would alert South Africans in time if there was a crisis looming at the Corporation.
257. This mechanism will not dilute the line authority in the newsroom – it would enhance it. A disgruntled reporter would perhaps understand better why her idea for a story was rejected if the explanation came from an independent Advisory Committee or, on the other hand, the editor might revise his opinion after a recommendation from the committee.
258. The Advisory Committee would thwart any regression to the era of Hlaudi, the era of fear and pain. The Commission did not embrace the idea of an Internal Ombud because the industry mechanisms for the public to complain about editorial output from the SABC are adequate. Members of the public can complain to the BCCSA, ICASA, or the Press

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Council and these are mechanisms that have garnered credibility over decades.

259. An Internal Ombud would clutter the chain of authority in the newsroom. The democratisation of the newsroom through an editorial forum would also blur the line of authority and possibly paralyse the newsroom.

A workshop a year to keep the doctor away

260. Instead, the Commission recommends that all newsroom staff, from the most junior to the most senior, to attend at least one workshop a year on the Editorial Policies, journalist ethics, the most recent rulings of the BCCSA, ICASA, and the Press Ombud, as well as the reports of the News and Current Affairs Advisory Committee. The various codes should be embedded in the daily language of all news staff when they argue for or against ideas in the creative space of the newsroom.

261. The one workshop a year would change the narrative from the newsroom from what we heard from Nyana Molete: *"It (the Editorial Policies) hasn't been socialised properly. It has not been made the bible of the editorial staff. I wouldn't be surprised if there are journalists and management in the News Department who last read this thing in 20-whatever. And also when we recruit people, when we get new journalists, we don't give them this stuff..."*

Other issues

262. Among other issues raised by witnesses:

The SABC-The New Age breakfast contract; and

Allegations that there's a plan to let Lotus FM collapse in order to privatise it and sell it to people who have already been identified.

The Commission saw these as more examples of the chaotic decision-making and the distrust fanned by it.

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CHAPTER 3

CONCLUSION, FINDINGS AND RECOMMENDATIONS

Conclusion

263. The real motives of those who abused power and authority are still unclear as the people who could have explained declined invitations to talk to the Commission. Was it sheer incompetence, personality disorders, or for monetary gain? We don't have the answers.
264. But we believe our recommendations address the issues raised in our hearings:
- a. A clear line of authority in the newsroom and channels to resolve issues before they grow to be damaging and unmanageable;
 - b. Clarification of the credentials and roles of all in the newsroom;
 - c. A chance at healing and starting afresh;
 - d. A shield against non-editorial interference in the decision-making in the newsroom.

Findings

265. The Commission finds that the SABC suffered from the capricious use of authority and power to terrorise staff and to deflect the Corporation from its mandate and its Editorial Policies.
266. The Inquiry found an organisation crippled by pain, anger and fear; by frustration, anxiety and apathy; and by inattentiveness, detachment and helplessness.

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267. A witch-hunt for “enforcers” will not heal the Corporation; it will divide an already fractured institution.
268. No evidence of a direct line between decisions at ANC headquarters, Luthuli House, and decisions in the newsroom, but the spectre of the ANC hovered over the newsroom.
269. The evidence shows that from the year 2012 up until the year 2017, SABC executives took instructions from people with no authority in the newsroom, for example, members of the SABC board (Ellen Tshabalala) and the Minister for Communication (Faith Muthambi). The executives thus failed to execute their duties in terms of the Editorial Policies. The Commission further found that Nothando Maseko, Sebolelo Ditlhakanyane and Nyana Molete were pivotal to the execution of instructions from Hlaudi Motsoeneng, Jimi Matthews and Simon Tebele. They succumbed because of threats of dismissal from their immediate superiors.
270. Lastly, the designation of the GCEO or COO as editor-in-chief is not appropriate for the SABC because the circumstances of the Corporation are different from those of the BBC, the model for the current structure.

Recommendations

271. That the Group Executive: News should be designated as Chair of the Editorial Policy and Ethics Committee of the Group Executive. He or she should chair the committee that would include all the Group Executives of information programming – Radio, Television, Sport, Education, etc. The committee would be the highest point of upward referral by editorial line managers and would uphold the Editorial Policies and the highest editorial and ethical standards. Structurally the chair would report to the GCEO.
272. The creation of a News and Current Affairs Advisory Committee consisting of at least three – for example, a retired editor, a person who is or was teaching journalism ethics at a tertiary institution, and a retired judge. This committee would do what the BBC’s Editorial Policy Team under the Director Editorial Policy does – advising journalists, editors,

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and producers on editorial issues throughout the production process, with final decisions resting with the line management.

273. All newsroom staff, from the most junior to the most senior, to attend at least one workshop a year on the Editorial Policies, editorial ethics, the most recent rulings of the BCCSA, ICASA, the Press Council and the reports of the News and Current Affairs Advisory Committee.
274. In as much as the Corporation needs healing from the scourge of the "enforcers", it needs to attend to team building, where members focus on the common good. The process will include deep conversations among managers and staff in which the frustration, pain, and anger that still linger are surfaced and worked through. Staff who held on in difficult circumstances need to be lauded for being the quiet centre of the tornado, keeping the broadcaster on air and on the internet, bringing news and current affairs programmes to viewers, listeners and online audiences.
275. Motsoeneng's instructions to Human Resources to institute disciplinary hearings against employees, or to dismiss, promote or appoint others must be reviewed. Also, Human Resources to do an audit of the appointments, promotions or sideways shifts of senior news management, particularly Nothando Maseko, Sebolelo Ditlhakanyane and Charles Matlou. Where the records are found to be incomplete and the gap is not explained, the appointment/promotion must be reversed and the position re-advertised, with the person currently occupying it being invited to reapply.
276. A review of the contracts of freelance workers is needed urgently, as these workers are a window into the health of the Corporation. It is not good public relations to have these workers bad-mouthing the Corporation because they are unhappy with their working conditions and remuneration.
277. Improved performance management - at the level of individuals as well as at that of programmes - is vital for the future health of the Corporation. This we recommend after a number of witnesses told us how their programmes were arbitrarily canned, shortened or changed - e.g. the TV programme Question Time was taken off air, or current affairs programming on SAfm was reduced from six hours a day to two, or the

way the format of Lotusfm, was changed without satisfactory engagement with the people involved in the productions.

JOE THLOLOE

AND

STEPHEN TAWANA

JOHANNESBURG

25 FEBRUARY 2019

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ANNEXURE A

The Commission acknowledges the contributions of the following individuals and organisations, and thanks them heartily:

1. Zolisa Sigabi, National Editor Radio News (x2)
2. Sebolelo Ditlhakanyane, GM Radio News (x2)
3. Nyana Molete, National News Editor, TV (x2)
4. Izak Minnaar, Digital News Editor (x2)
5. Nothando Maseko, GM TV News (x2)
6. Angie Kapelianis, National Editor Radio Current Affairs (x2)
7. Elvis Presslin, freelance anchor SAfm,
8. Lucas Masake, member of public
9. Zizi Kodwa, Pule Mabe (ANC)
10. Lucas Kgaphola, former news anchor and producer
11. Krivani Pillay, EP Current Affairs SAfm
12. Kgaugelo Magolegwa, former employee (producer Thobelafm)
13. Mzwandile Mbeje, political reporter and Presidential Corps (x2)
14. Francis Herd, SABC news anchor, Radio and TV.
15. Mwaba Phiri, EP Question Time
16. Thandeka Gqubule-Mbeki, Economic Editor TV (x2)
17. Stephen Kirker, freelance Weekend PMLive
18. Foeta Krige, EP RSG Current Affairs
19. EFF (Mbuyiseni Ndlozi)
20. Sophie Mokoena, Foreign Editor
21. DA (Phumuzile van Damme)
22. Busisiwe Ntuli, EP Special Assignment
23. Nadive Schraibman, Story Editor, Special Assignment
24. Richard Newton, former employee
25. Zolisa 2nd call

26. Izak Minnaar 2nd
27. Nyana Molete 2nd
28. Sebolelo Ditlhakanyana 2nd
29. Angie Kapilianis 2nd
30. Nothando 2nd
31. Portia Kobue, former employee was EP Morninglive
32. Dumile Mateza, producer SABC News, freelance
33. Aabra Bramdeo, EP Digital News
34. Thandeka Gqubule 2nd
35. Gerald Koning, radio listener
36. Mvusiwekhaya Sicwetsha, EC Provincial Government, Rural Development and Reform – member of public
37. Mosololi Mohapi, Specialist Producer Lesedifm
38. Sam Mochichila, EP Thobelafrn News Current Affairs
39. Mzwandile Mbeje 2nd
40. Graham Welch, Acting GM TV Strategy and Policy Development
41. Mann Alho, HR News
42. Kenneth Makatees, Regional Editor Western Cape, former Acting GE:News
43. Sophie Mokoena 2nd
44. Tebogo Alexander, EP Special Broadcasts National Events
45. Kaizer Kganyago, SABC spokesperson
46. Simon Mathebula, Avhasei Nemaguvuni, Mandlenkosi Thabethe – security office
47. Buti Motaung, EP Sesotho Desk, TV
48. Judy Sandison, retired Regional Editor KZN
49. Santosh Beharie, former Programme Manager Lotusfm
50. Busani Mthembu, KZN Provincial Editor: News
51. Motale Sebegu, Provincial News Editor, Bloemfontein
52. Linda Mgobozi, KZN Acting TV Assignment Editor
53. Bontle Motsoatsoe, EP SAfm
54. Tshepiso Makwetla, News Anchor SAfm
55. SANEF, MMA, SOS: William

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56. Naka Moloi, EP Lesedifm Current Affairs

57. Tuwani Gumani (MWASA)

58. Jonathan Tekiso (GE: HR)

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