

THE SABC - NEW YEAR, SAME PROBLEMS

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Towards the end of 2018, the financially-troubled South African Broadcasting Corporation (SABC) was rocked by the resignation of four Board Members. This brought the number of vacant seats to eight, following four other resignations during the course of the year. The most recent resignations have rendered the Board inquorate and unable to take major decisions affecting the public broadcaster, as well as unable to hold the executive members of the Board and the Executive Committee accountable for their conduct.

The resignations dealt a final blow to a significantly tumultuous year at the Broadcaster, which closed the year with advertisements for replacements to fill the eight vacancies. Parliament's Portfolio Committee on Communications has indicated that it will be returning to work early in 2019 to allow for the interviewing of candidates and the filling of the positions because until such time that the posts are filled, the SABC is operating without any visible leadership.

There have been concerns raised (rightly so) regarding the limited time frame within which the appointments are intended to be made, as due diligence is necessary where public officials are appointed. At present, this is even more true for State-owned enterprises (SOEs) like the SABC, particularly in the wake of State capture and the history of maladministration at the public broadcaster itself. In the past, the appointments have taken well over a month, thus ensuring transparency and accountability, as well as public participation in the appointment process. The Committee is no doubt chasing deadlines, as 2019 is also an election year, meaning that Parliament will rise early to fulfil constituency duty leading up to May 2019. Regardless, a procedurally sound and open process must be carried out.

Of particular concern in the SABC's case, is the apparent reason behind the abrupt resignations from a Board that looked to be the saving grace of the embattled SOE. At the root of the mass exodus seems to be the relationship between the Board and newly-appointed Minister of Communications, Telecommunications and Postal Services, Minister Stella Ndabeni-Abrahams (the Minister). When the Board came to the decision to retrench close to 1 000 employees and slash up to 1 200 freelancers as part of its restructuring process - estimated to save the SABC in the region of R400 million per year - the Minister opposed the decision and reassured staff that their positions were safe. This was presumably done because the Minister believed that the Board was no longer acting in the interests of the SABC and that Treasury would grant the R3 billion bailout needed to keep the Broadcaster afloat. The Board and the Minister could not agree on a way forward and this led to the resignations.

It is common knowledge that the SABC has a history of over-involvement on the part of the Minister in the day-to-day running of its affairs. During Minister Faith Muthambi's tenure, which happened to coincide with that of former Chief Operations Officer, Hlaudi Motsoeneng, the South Gauteng High Court, in *S.O.S Support Public Broadcasting Coalition*



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and Others v South African Broadcasting Corporation and Others, declared that the Board, not the Minister, must control the affairs of the SABC. The judgment emphasised the oversight role of the Minister and ordered the office of the Minister to allow the Board to do its job with minimal interference. It is worth noting that since Muthambi, the position of Communications Minister has been held by three people, including Ndabeni-Abrahams, each with a differently composed Board (or Interim Board as the case may be). This game of musical chairs has not contributed to the bid to stabilise the beleaguered Broadcaster.

The Minister's involvement is reminiscent of previous political interference at the SABC, which has led to political and editorial interference being investigated via an inquiry in 2018. The SABC is a public broadcaster, not a State broadcaster and its corporate and political independence are imperative to its successful management. Allegations of sexual harassment and jobs for sexual favours were also investigated by an inquiry during 2018. Both inquiries showed that the rot at the SABC runs deeper than financial mismanagement. Each requires expedient solutions.

While it is clear that the financial woes are not the only battles being fought by the SABC, they are the most pertinent to keep it going in 2019. Without a cash injection from National Treasury, the SABC will most likely be unable to operate beyond March 2019. Due to the clear competition for funds from Treasury from other troubled SOEs like Eskom and South African Airways, it is highly unlikely that a bailout will be available. A further nail in the proverbial coffin is the notice issued in December 2018, by the Companies and Intellectual Property Commission (CIPC) asking the SABC for an explanation as to why it believed it was not trading recklessly under insolvent circumstances. The SABC was given 20 days to respond and those days are fast running out.

The SABC is currently running on its reserves. The Minister has very little time to help turn this sinking ship around or the Broadcaster may fail. The importance of the SABC cannot be overstated, as for many living in South Africa, it is the sole source of information. As stated earlier, this is an election year and in the build-up to May, the country cannot afford the collapse of the public broadcaster. Many of the troubles at the SABC have been lain at the feet of Motsoeneng but as time passes, it is clear that the culture of mismanagement remained at the Broadcaster, much like that of Ministerial overreach. If there is any hope of a true turnaround, all the players must abide by their mandates and operate transparently for the betterment of the SABC.