



## SANEF and CFE fight SABC's bid to hold Magopeni's disciplinary action behind closed doors

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The South African National Editors' Forum (Sanef) and the Campaign for Free Expression (CFE) are taking action to ensure that the SABC's disciplinary action against Phathiswa Magopeni, the public broadcaster's head of news, takes place openly and transparently.

Sbu Ngalwa, the chairperson of Sanef, said: "An open and transparent process will not only assist the public to make up its mind on the case, but it will also aid the SABC to dispel the perception that the process is part of a political witch-hunt.

"Sanef reiterates its respect for the SABC's internal processes and being able to hold staff accountable - hence we are not calling for the disciplinary action to be abandoned but rather for it to be open to the public as the issues at hand are a matter of great public interest," said Ngalwa.

The CFE's executive director Anton Harber, CFE said: "Too much is at stake for this to happen behind closed doors. Ms Magopeni has said that she is being hounded out because she has resisted political interference. We need the public to see if this is a return to the days when factional politics dominated the SABC and buried its public service mandate".

Lawyers for Sanef and CFE have written to the chair of the hearing, Advocate Nazeer Cassim, to ask that the media be allowed to attend the proceedings. Cassim has asked the Sanef and CFE legal team to argue the case for openness when the hearing begins on December 17. The SABC has already refused a Sanef request to open the hearings, so they are expected to oppose it.

"The SABC is no ordinary employer," Sanef and CFE argued. "The public broadcaster plays a unique role in South Africa's deliberative democracy, which it can either foster or undermine ... Ms Magopeni's grievance ... squarely impugns the SABC's impartiality and independence. "Whether she indeed acted negligently in breaching a court order is a matter of public interest," the two organisations said.

Magopeni has been charged with negligence and bringing the SABC into disrepute after the broadcaster ran an episode of its investigative programme *Special Assignment* in contravention of a court order.

In a formal grievance, Magopeni argued that she is being held to account for a decision that was not hers, as it was made four levels below her.

She alleges she is being targeted because she resisted attempts by the SABC chair and Group CEO to force her to carry an unscheduled interview with President Cyril Ramaphosa during the recent local government election campaign.

The action against Magopeni came just days after Fikile Mbalula, the ANC's head of elections, blamed the SABC for his party's election performance and pointed a finger at Magopeni personally.

The SABC has been on the right course to restore its public service values and to reverse the damage caused by years of political interference and manipulation. As a society we must be vigilant to prevent this from happening again.

\*CFE is a non-profit body dedicated to defending and expanding the right to free expression for all in southern Africa.

\*SANEF is a non-profit organisation whose members are editors, senior journalists and journalism trainers from all areas of the South African media. SANEF is committed to championing South Africa's hard-won freedom of expression and promoting quality, ethics and diversity in the South African media.

Contacts:

For CFE: Anton Harber, 0833039497, [anton@harber.co.za](mailto:anton@harber.co.za)

For Sanef: Sbu Ngalwa, 0734041415