Sunday Times: How the SABC lied to us

By Megan Power

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Paying your TV licence may be "the right thing to do", but for eight years the SABC has been lying to us, according to the *Sunday Times*.

Letters of demand, text messages and calls to customers from the public broadcaster's debt collectors have threatened blacklisting, even though credit bureaus stopped listing TV licence debt at the end of 2004.

Yesterday, the *Sunday Times* revealed that the SABC is under investigation by the National Consumer Commission.

Although the SABC says its statutory TV licence fee is exempt from the Consumer Protection Act (CPA), that claim has yet to be tested.

Outraged consumer and justice groups described the debt collection *modus operandi* as "tantamount to extortion" and racketeering.

The *Sunday Times* has documents showing that at least four of the SABC's debt collectors have:

• Claimed to place "trace locators" (indicating that individuals are wanted for unsettled debt) on people's credit profiles;
• Threatened that judgments will be listed against a consumer's name for 30 years (judgments are listed for five years); and
• Warned that a listed judgment would make it "virtually impossible" to get credit.

The SABC's own renewal reminders have threatened to list individuals at "major credit bureaus".

Unreasonable demands by the SABC on consumers have included:

• A mentally disabled woman in Pretoria, who never owned a TV, being told to pay 25 years of licence fees that were "in arrears"; and
• A 22-year-old first-time TV licence-holder who, immediately after getting a licence, was back-billed for arrears to the age

of 18.

The SABC failed to respond to detailed questions this week, citing other priorities. When it was pointed out that similar queries, including debt-collection concerns, had been unanswered since July, the broadcaster sent a backdated reply, which it purported to have sent at the time.

It referred to one letter from a collector as not having been approved. It said the letter had been withdrawn and corrected.

Questions about widespread use of credit-listing threats, including on its own renewal notices, went unanswered.

Charmaine Grobler has vowed the SABC will not get a cent of the TV licence fees claimed from her and has warned the broadcaster that if it and its debt collectors continue threatening her, she will lay a complaint of harassment.

The 49-year-old from Vereeniging has battled to defend an overdue licence claim of R250 since November. Despite providing letters and affidavits to the SABC and collectors Shapiro Shaik Defries & Associates, saying the TV had been sold, she receives threatening letters and the debt grows as monthly penalties are charged.

"I went to the SAPS to obtain a written affidavit, and yet they persist in harassing me," she said in an e-mail.

Threatening letters 'a mistake'

Shapiro Shaik Defries & Associates director Yaron Shapiro said the firm's letters containing listing threats were "a mistake".

Shapiro had "no idea" how many such letters had gone out and apologised to consumers.

Krause Botha, compliance officer for VVM, one of the SABC's long-serving collectors, said it had received instructions from the SABC in August to delete all references to credit listings from future correspondence.

"However, for some unknown reason, the relevant manager did not follow instructions. He is no longer in the employ of VVM," said Botha.

He denied VVM had misled or intimidated customers by false representation, but failed to answer questions as to why the inaccurate information had been given.

The vice-chairman of the SA National Consumer Union, Clif Johnston, said: "[The SABC's] approach is certainly against the principles enshrined in the CPA, if not against the act itself."

The national chairman of Justice Project SA, Howard Dembovsky, said: "To threaten people with dire consequences in order to extract money is racketeering."

In 2004, the Credit Bureau Association instructed its members to stop listing SABC debt and remove any previous listings. That followed concerns that consumers were being "incorrectly" billed and listed.

The acting commissioner of the NCC, Ebrahim Mohamed, asked that complaints and documentary proof be provided to the commission. Under the CPA, a supplier or his agent may not use coercion, undue influence, pressure, duress, harassment or unfair tactics to demand or collect payment.

Source: *Sunday Times* via I-Net Bridge

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