

Sanef and the CFE fight SABC's closed door hearing of Magopeni

Lawyers for South African National Editors' Forum (Sanef) and the Campaign for Free Expression (CFE) have written to the chair of the SABC's disciplinary action against Phathiswa Magopeni, the public broadcaster's head of news, Advocate Nazeer Cassim, to ask that the media be allowed to attend the proceedings.



Source: © SABC [SABC](#)

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.

Open and transparent

Sanef and the CFE are taking action to ensure that the hearing takes place openly and transparently.

Cassim has asked the Sanef and CFE legal team to argue the case for openness when the hearing begins on 17 December.

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 argue. "The public broadcaster plays a unique role in South Africa's deliberative democracy, which it can either foster or undermine ... 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," says the two organisations.

"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," says Sbu Ngalwa, the chairperson of Sanef.

"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," adds Ngalwa.

Resisted political interference

The CFE's executive director Anton Harber says there is too much at stake for this to happen behind closed doors.

"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," says Harber.

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.

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

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