

Journalism Dept
Wits University
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The SABC editorial policy review team
SABC

Dear colleagues

Submission on draft editorial policies

Thank you for the opportunity to make submissions on the SABC's draft editorial policies. Please note that I make this submission in a personal capacity.

1. In general, the SABC is to be congratulated on a set of policies that are well suited to playing the role of public broadcaster in present-day South Africa. The few points being made should not detract from the point that they have much to commend them.

However, it should be noted that much work needs to be done to make sure the spirit of these policies – of independent public service – become a reality. Unhappily, the recent history of the corporation show that fine words and policies are not enough. A great deal needs to be done to change the often toxic atmosphere in the SABC's newsroom. For too long, editorial decisions have been made on the basis of fear, and this has led to self-censorship even when there was no overt interference. For the SABC to become a truly creative organisation that leads the national discussion, its staff need to learn to trust that they can take risks. The new leadership has shown that it wants to move in this direction, but this is no easy task. It will take considerable work beyond formulating policy.

2. **New & social media:** The main gap I see is that the draft policies do not pay nearly enough attention to the new opportunities and issues arising from new media platforms. The following is not an exhaustive proposal for such a policy, but simply identifies some areas that need to be covered:
 - a. New and social media offer an additional opportunity for the broadcaster to reach its audiences. A public broadcaster needs to be where its audience is, and that is increasingly on these other platforms. A new policy should state the SABC's commitment to innovation in this area – the SABC should be leading the way. Significantly, some pioneering work has been done by SABC

news, such as creating Facebook outlets for news in African languages. This kind of work should be supported.

- b. These new platforms also provide an opportunity for new forms of audience engagement. SABC channels and radio stations are using these opportunities. However, the corporation should, by way of policy, set out to deepen the national discussion by using them. This also means establishing some principles for the use of user-generated content (UGC) on air.
 - c. The policy should cover the ways in which official SABC accounts on various platforms should be used.
 - d. The policy should set out some rules governing the private use of social media accounts by staff, particularly where the individual either expressly or by known reputation is associated with the SABC.
 - e. Information on new and social media is often used in the reporting process. It needs to be clear that such information must be subjected to the same verification processes as other information before it can be used.
 - f. The policy should address some particular issues arising when online content needs to be corrected. For instance, there is a generally accepted practice that content is only very rarely removed entirely. Rather corrections are made visible.
3. **Public interest definition:** The policies refer repeatedly to “the public interest” it would be useful to define the term early on. I recommend a definition similar to the one used in the Press Code:
- “public interest (is) understood to describe information of legitimate interest or importance to citizens”.
4. **Phone-in programmes:** In general, the provisions in this section (p33) are sensible. However, the requirement that callers adhere to SABC policy goes too far. Callers cannot be expected to know, and are not obliged to adhere to, SABC policy, which only binds the organisation itself. For instance, the SABC policy requires the corporation to be even-handed and not to comment on government policies. (p14) Evidently, it would be ridiculous to require callers to follow that approach. It is sufficient to require them to stay within the bounds of the law.
5. **Upward referral:** This issue has caused considerable debate, and the present version of the policies retains an approach which suggests that programme makers

and journalists should seek approval from higher up in the organisation in controversial or tricky cases. In a lengthy argument (pp 15 – 17), the policies say the approach is designed to assist staff, and to make sure that the best possible decisions are taken to safeguard the SABC’s credibility. It refers to voluntary upward referral, and says it could extend to the GCEO as editor-in-chief, on the basis that s/he is ultimately responsible to the board for all content. This section has been left largely unchanged from the 2004 version of the policies, although a list of issues subject to mandatory upward referral has been dropped.

There is no doubt that it is good practice for journalists to seek advice when confronted with a difficult issue. The first port of call in such a situation is the journalist’s immediate context: the team they belong to, including particularly the leadership of that team, who are generally more experienced.

In addition, public broadcasters have a legitimate interest in safeguarding their reputation, and so will seek to prevent the broadcasting of material that might harm their reputation. (It should be noted, though, that the SABC’s reputation has been more harmed by the prevention of broadcasts for apparent political reasons than from using risky material.)

It is also correct that upward referral is used by a number of public broadcasters, and also that the most senior manager of the relevant organisation (identified in different ways) is often identified as the editor-in-chief. However, some differences to the SABC model should be noted. The BBC’s approach, for instance, sets out in very specific terms the circumstances under which matters should be referred upwards, and which level of the organisation should be approached. In some circumstances it “advises” referral, in other cases it “mandates” referral. What is different to the SABC model, is that the circumstances are generally specified under which referral should take place. (The list is not exhaustive, though.)

(<https://www.bbc.co.uk/editorialguidelines/guidelines/using-the-guidelines/roles-and-responsibilities>)

At the Canadian Broadcasting Corporation, upward referral is limited to “senior editorial management”, and also in several instances specifies a level of management that a particular issue should be referred to. (<http://www.cbc.radio-canada.ca/en/reporting-to-canadians/acts-and-policies/programming/journalism/#introduction>)

The Australian Broadcasting Corporation takes a stricter approach, requiring upward referral when staff are in doubt. However, if the matter is to go as high as the

Managing Director of the ABC, it must first go to the Editorial Director.
(<https://edpols.abc.net.au/policies/1-independence-integrity-and-responsibility/>)

The above is not meant to be comprehensive, and due to a lack of time, admittedly lacks examples from the Global South. It is meant simply to note that other public broadcasters take a range of different approaches.

I argue that the corporation should specify that upward referral, even if it is voluntary, should remain within the news division. In other words, it should end with the head of news, because the background and particular history at the SABC must be borne in mind.

The criticism and debates that have taken place about editorial interference at the SABC have revolved around the role of non-editorial managers. In the time when Hlaudi Motsoeneng served as COO, his intervention in news matters harmed the SABC's reputation greatly. And there are various other examples, stretching back many years, where SABC managers themselves damaged the reputation of the SABC by interfering in the news process. This history can't be ignored. The new SABC leadership has made it very clear, in word and deed, that it is determined to regain public trust. Guaranteeing the ability of the news division to make decisions on professional grounds would be an important gesture to express trust in the SABC's journalists, and would assist the corporation to regain public trust.

I accept that there remains a line of accountability to the GCEO and to the board. However, this should be exercised through the formulation of policy, through making the correct appointments, through taking regular reports and in other ways. It should not be exercised at moments of crisis, on decisions of whether to broadcast particular items or not.

Senior editors are appointed, one assumes, on the basis of significant editorial experience. The corporation should trust these people to take the correct decisions. The GCEO is appointed with other criteria in mind, rightly so. Difficult editorial decisions should be left to those who have the expertise to handle them.

6. **News Ombud:** The proposal to set up an internal News Ombud is to be warmly welcomed. The establishment of such an office is in line with international best practice, and can make a very positive contribution to maintaining trust with audiences. It is to be welcomed that the office's independence is stated so clearly, with direct accountability to the board. Its functions are appropriately defined.

- a. However, the documents do not sufficiently clarify the relationship between this office and that of the Manager: Broadcast Compliance. As it stands, the sections dealing with the latter office still provide for it to deal with editorial complaints (chiefly on p 39). This should be changed so that complaints lodged with the SABC against news content should be referred directly to the News Ombud.
- b. Complaints lodged with the BCCSA against news content, however, need to be handled differently. These require the SABC to answer to the complaint, and this is not the function of the News Ombud. In those cases, the Manager: Compliance should continue to deal with the issue. That office should keep in touch with the News Ombud, however, to avoid situations where an issue is canvassed in two different fora.
- c. One additional function should be considered: the News Ombud should also be available to staff who feel they are required to act in a way that contradicts the editorial code. I have previously discussed the legacy of management interference in editorial decisions. The editorial policies must also help to address the perceptions that arise from this history. A measure such as this one would help to give staff an assurance that there is an office at the corporation where grievances of this kind can be heard, and it would help to provide a formal channel for such issues. Of course, it should not be used to delay or obstruct editorial processes.

Thank you for this opportunity. I am available for any further clarification or discussion, if necessary.

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