

# SABC's 75th anniversary celebrations 'marred' by Nicholson lawsuit

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The South African Broadcasting Corporation (SABC) is this week celebrating 75 years of (lately problematic) existence - 58 years of state broadcaster and 17 years of public broadcaster, as board member Lumko Mtimde wrote on its Facebook page. But, the celebrations are likely to be marred by the news that former acting CEO [Robin Nicholson](#) is about to start his legal action against the public broadcaster for unfair dismissal.



The *Mail & Guardian* reported on [Friday, 29 July 2011](#), that Nicholson has issued a summons against the public broadcaster and is claiming R2.8 million, plus interest and the cost of his lawsuit. The claim includes R1.5 million in terms of the six-month fixed-term contract offered to him and a restraint payment of R1.3 million.

## Back to square one?

Asked whether Nicholson's lawsuit means back to square one for SABC, [SOS Coalition](#) spokesperson [Kate Skinner](#) said today, Monday 1 August, "I don't think it is back to square one, but it's very unfortunate that we have yet another lawsuit on our hands."

"We need to ask the question why the SABC hasn't got a permanent CEO in place. Why have we had a number of acting CEOs? This is a critical position and the board should have moved much more quickly on the issue."

"Also, it's unfortunate that the handling of the termination of Mr Nicholson's contract has opened up the SABC to legal action. It's imperative that the SABC board follows the letter and the spirit of the law to ensure that these appointments are beyond approach."

Nicholson's alleged undemocratic exit was made possible after communications minister Roy Padayachie came out of the blue to amend the SABC's articles of association without consultation.

**"Should be open to public scrutiny"**

Asked whether Padayachie's alleged dictatorial action is to blame for Nicholson's lawsuit, she replied: "In terms of the role of the minister, he's allowed to change the articles of association. This is certainly not illegal.

"Ideally, however, we believe that the articles of association should be open to public scrutiny. At the moment it's very difficult to get a copy of these articles. They should be on the SABC's website for all to see. As SOS, we are asking for the articles of association to be revised as part of the broadcasting policy review process."

Perhaps for the 800 employees targeted for [retrenchments](#), including the 55+-year-olds, and critics - including unions - who constantly lament Auckland Park's on-going sorry state of affairs (political interference, unending management crisis, poor and inefficient communication with stakeholders, nepotism, financial mess, back-stabbing, poor corporate governance and inadequate funding, among others), the public broadcaster's anniversary means nothing as there is nothing 'solid' to celebrate.

### Things to celebrate

But, Skinner said, despite various problems, there are a number of things to celebrate: "The SABC has certainly made some progress from a state to a public broadcaster.

"For instance the SABC's Charter, editorial policies, attempts to meet its language mandate, among others, do reflect the public broadcaster's public mandate to serve all South Africans. However, these policies need to be reviewed and updated.

"Also, it is very critical that the SABC's funding model is looked into. It's difficult for an institution to fill a public mandate when 80% of its funding is from commercial sources. But before the SABC gets any further public funding, it must get its financial affairs in order!"

### For more:

- The Presidency: [Message from the President on the 75th Anniversary of the SABC](#)

*For More list added at 1 August 2011.*

## ABOUT ISSA SIKITI DA SILVA: @SIKITIMEDIA

Issa Sikiti da Silva is a winner of the 2010 SADC Media Awards (print category). He freelances for various media outlets, local and foreign, and has travelled extensively across Africa. His work has been published both in French and English. He used to contribute to Bizcommunity.com as a senior news writer.

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