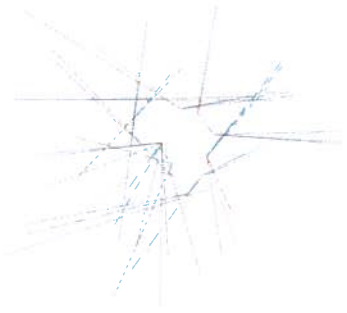


# WEBBER WENTZEL

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**The Board: South African Broadcasting Corporation SOC Ltd**  
**Att: Professor Mbulaheni Obert Maguvhe**  
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**Hlaudi Motsoeneng**  
**Chief Operating Officer: South African Broadcasting Corporation SOC Ltd**

**By Hand**

**By Fax: 011 714 4869; 011 714 3811; 011 714 4903**

**By email: [timanarn@sabc.co.za](mailto:timanarn@sabc.co.za); [info@sabc.co.za](mailto:info@sabc.co.za);  
[kganyagok@sabc.co.za](mailto:kganyagok@sabc.co.za)**

Your reference

Our reference

Date

V Movshovich / S McKenzie / P Dela /  
D Cron / D Rafferty / L Pillay  
3010866

28 June 2016

Dear Sirs

**South African Broadcasting Corporation SOC Ltd ("SABC"): coverage of protests in South Africa**

1. We represent the Helen Suzman Foundation ("HSF").
2. We refer to media statements of the SABC dated 26 and 27 May 2016, relating to the coverage by the SABC of protests in South Africa and the SABC's policy in this regard (collectively, "**the statements and policy**"). We also refer to the implementation, and expansion, of the statements and policy by the SABC since that time.
3. The statements and policy and SABC's implementation and expansion of the statements and policy have resulted in an impermissible restriction on access to information which is critical to the public. Further, the SABC's actions infringe, unjustifiably, upon numerous Constitutional rights, including but not limited to the right of freedom of expression.

**Senior Partner:** JC Els **Managing Partner:** SJ Hutton **Partners:** RB Africa NG Alp OA Ampofo-Anti RL Appelbaum AE Bennett DHL Booyesen AR Bowley PG Bradshaw EG Brandt JL Brink S Browne MS Burger T Cassim RS Coelho KL Collier KM Colman KE Coster K Couzyn CR Davidow JH Davies ME Davis PM Daya L de Bruyn JHB de Lange DW de Villiers BEC Dickinson MA Diemont DA Dingley KZ Dlothi G Driver HJ du Preez CP du Toit SK Edmundson AE Esterhuizen MJR Evans AA Felekis GA Fichardt JB Forman MM Gibson H Goolam CI Gouws JP Gouws PD Grealy A Harley VW Harrison JM Harvey MH Hathorn JS Henning KR Hillis XNC Hlatshwayo S Hockey CM Holfeld PM Holloway HF Human AV Ismail KA Jarvis ME Jarvis CM Jonker S Jooste LA Kahn M Kennedy A Keyser PN Kingston MD Kota J Lamb L Marais S McCafferty MC McIntosh M McLaren SI Meltzer SM Methula CS Meyer AJ Mills JA Milner D Milo NP Mngomezulu VM Movshovich M Mtshali SP Naicker RA Nelson BP Ngoepe ZN Ntshona MB Nzimande L Odendaal GJP Olivier N Paige AMT Pardini AS Parry S Patel GR Penfold SE Phajane MA Phillips HK Potgieter S Rajah D Ramjettan NJA Robb DC Rudman M Sader JW Scholtz KE Shepherd DMJ Simaan AJ Simpson J Simpson N Singh MP Spalding L Stein PS Stein LJ Swaine Z Swanepoel A Thakor A Toefy PZ Vanda SE van der Meulen M van der Walt N van Dyk A van Niekerk JE Veeran D Venter B Versfeld MG Versfeld TA Versfeld DM Visagie J Watson KL Williams K Wilson RH Wilson M Yudaken **Chief Operating Officer:** SA Boyd

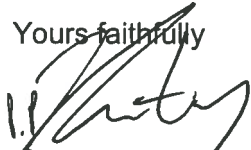
4. The HSF is of the view that the statements and policy, or adoption or giving effect to any decision, policy, guidelines or instruction which would require the following events (listed in 4.1.1 to 4.1.8 below) not to be broadcast, reported upon, covered, publicised, disseminated to the public or afforded media coverage (or to be covered only partially without visuals) ("**the relevant decisions**") are unconstitutional and unlawful:
  - 4.1.1 any peaceful or violent protest or demonstration which includes damage to public institutions and/or public or private property;
  - 4.1.2 any peaceful or violent protest or demonstration against service delivery;
  - 4.1.3 any peaceful or violent protest or demonstration against the statements and policy;
  - 4.1.4 any peaceful or violent protest or demonstration against government; any organ of state or a public body, at any level (local, municipal, provincial, regional or national);
  - 4.1.5 any protest, demonstration, commentary or news piece which portrays, or has the potential to portray:
    - 4.1.5.1 government and any organ of state (at any level); or
    - 4.1.5.2 any political leader or government employee or officer, including a member of the National Executivein a negative light;
  - 4.1.6 any politically motivated protest or demonstration (whether violent or peaceful);
  - 4.1.7 any events or actions (including violent or peaceful protest or demonstration) that reflects, or may reflect, any political party or politician in a negative light;
  - 4.1.8 any events or actions (including violent or peaceful protest or demonstration) that reflect, or may reflect, negatively upon the President of the Republic of South Africa.
5. The SABC is called upon to provide the HSF with a written undertaking, by no later than 16:00 on Thursday, 30 June 2016, that it will desist from implementing the statements and policy or the relevant decisions, failing which the HSF may be forced to exercise its rights in law without delay.

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Yours faithfully



**WEBBER WENTZEL**

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