

10. Cultivating a culture of consumer rights

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This is an opportunity to share some random personal experiences in the media industry, both print and electronic, for over 45 years. Respect for or infringements of rights, eventually, impact on consumers as end-users. “Consumer” has been used interchangeably with “audience/s”, “listener/s”, and “viewer/s”. I have been involved at different levels of consumer rights and responsibilities in my career. These have ranged from advocacy through radio and print media to defending allegations of consumer rights being trampled on at various regulatory bodies.



Legislative protection for all South Africans, and, more importantly, awareness of such rights and obligations only came about post the first democratic elections in 1994. The Consumer Protection Act of 2008 took effect when it was signed on 24 April 2009. Prior to that, there was very little awareness created about consumerism for the majority of South Africans, which led to the African component of the black community being most exploited. There were some disjointed efforts at educating consumers pre-1994. Among them was a quasi-state Consumer Council with information officers selected by racial category to conduct education programmes about consumer rights in the respective communities to which they belonged. In the early 1980s, one such officer was Kishore Bedhesi who was tasked to spread word about consumer rights in the Indian community. At the time, I was presenting programmes on the still-fledgling Radio Lotus (now Lotus FM). The other radio informational service for the Indian community at the time was the weekly *Saturday Mirror* show hosted by Jughadeesen Devar. Both were broadcast from the Durban studios of the South African Broadcasting Corporation (SABC). Together with Kishore, we ran a series of short informational talks about the rights of consumers. The impact the series might have had was hard to tell as it was in an era of strict control when live radio interaction was still prohibited by the SABC. There was a limitation on landline telephones as imposed by the monopolistic national carrier, now known as Telkom. With the advancement in technology, any radio service today that does not have interactive listener participation is likely to lose ground rapidly to competitors. I did receive a special commendation from the Consumer Council for

the informational talks though!

My next official trysts with consumer rights through radio came as democracy dawned in 1994. The newly-appointed chief executive of radio, Govin Reddy recalled me to SABC headquarters in Johannesburg from my decade of service at Radio Lotus in Durban. I was identified to head up a new Educational Radio Division as Govin embarked on the transformation of the public service broadcaster. Initially, I protested my lack of qualifications for the position, but Reddy felt that my four years of teaching in the early 1970s coupled with my then 14 years of radio experience qualified me for the job from among the existing management. The new position would turn out to be daunting and challenging. The right to equal education, with radio as a support medium for both children of all ages and adults, was the basic brief that I received. My television counterpart Nicola Galombik and I set about engaging the Department of Education which was revamping its structures to a national entity combining the education departments that were previously segregated on racial lines. Until then, only the African indigenous language stations had been broadcasting the programmes which had become known to two generations as *Skoolradio*. It was designed by almost exclusively Afrikaans-speaking producers at the SABC to further the aims of the apartheid-consumed government of selective education for the black community.

Reverend Hawu Mbatha, the regional manager of the SABC in Durban, was also brought to Johannesburg at about the same time as head of radio. His first brief to me was, “If you can shut down *Skoolradio* tomorrow, I will lick your boots.” I quickly realised what he meant as I went about the task, which did take more than a day!

There was resistance from some producers, and joyful acceptance from others whose hands had been tied in trying to reform the process. There was also the issue of over a million rands worth of programmes on tape ready to be sent to the stations in the regions for the next few months, as well as contracts with producers and voice artists. But the programmes were stopped immediately as we prepared new ones for the changed environment. Buoyed by support and funding from the Department of Education, we set about the task, and introduced, among others, adult education programmes, which included awareness about consumer rights. Those early days saw us getting a huge amount of consumer complaints, which eventually translated into a host of programmes on both the radio and television services of the SABC.

It was also during my stint as head of Educational Radio at the SABC that I became involved with the novel idea by Advocate Robin Sewlal, head of the Department of Public Relations and Journalism at the then ML Sultan Technikon, to organise the

International Radiocracy Conference. He has a particular passion for radio as a primary medium for education, information and entertainment especially in developing and underdeveloped countries. The contacts made through the conference resulted in global cooperation in diverse broadcast areas, including education, from countries such as Australia, Canada and the United States.

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My next job at the SABC was to start up the Broadcast Compliance division of the newly-established Policy and Regulatory Affairs department at the SABC. The broadcasting regulatory environment was becoming vibrant with the Broadcasting Act taking effect and bodies such as the Independent Communications Authority of South Africa (Icasa), National Association of Broadcasters, Broadcasting Complaints Commission of South Africa (BCCSA) and others playing prominent roles. I was appointed as the official Complaints and Compliance Officer for all matters related to the SABC's services, as required by Icasa regulations. Suddenly, I was thrown into a completely new level of consumer education and awareness that none of us had previously given much thought to. But I should say that the last 13 years of my 35-year career at the SABC before retirement in this position were probably the most fulfilling. One of the first tasks was to highlight to audiences the rights and obligations which they had in terms of broadcast services. Gone were the days of banning programmes on television, complete prohibitions on anything remotely sounding blasphemous or offensive, censorship of any dissenting voices, and deciding which race group could watch which movies. It was the emergence of a new era where the rights of all had to be respected, and freedom of speech implemented across the board. As I led the consumer awareness campaign through adapting the existing classification

principles used for television internationally, the basic premise used was that there should be consumer education around the appropriate warnings on screen for all relevant programmes, as decreed by the BCCSA. A second premise was that the watershed broadcast hours stipulated by the BCCSA would allow for the screening of material previously considered inappropriate for various reasons.

Post-1994, the need arose for audience education on the electoral processes and rights championed by the Independent Electoral Commission of South Africa. The broadcast regulator was tasked with engaging the SABC as the public broadcaster to effect this. I was entrusted with the task of assisting the authority in developing regulations for the public service broadcasts that would become known as Party Election Broadcasts. Principles of equity and fairness amid the huge plethora of parties, with just a few dominating, posed a major challenge. Needless to say, the resultant complaints from both political parties and audiences, initially, came in fast and furiously, but it became a learning process for the SABC and the regulator as we refined the regulations to address loopholes for the ensuing elections.

With the establishment of the National Consumer Commission (NCC), I became the SABC representative for complaints received around alleged harassment for non-payment of television licences, which the NCC took on as a consumer-related issue rather than an actual broadcast content or signal distribution one, and which the BCCSA or Icasa respectively would deal with. Regular visits to the NCC offices in Pretoria would result in an officer there calling up the complainant in my presence to discuss the matter in an effort to find a resolution. This usually involved an explanation of the legislation relating to ownership of equipment that is capable of receiving a television signal.

In conclusion, a personal anecdote: I handle bad customer service by store attendants or cashiers by asking the person in question when they will have a day off again because I want to invite them to free classes of just five minutes each. They can choose from How to Say Please and Thank You to Customers; How to Avoid Talking to Your Friends While Attending to Customers; and How Not to Discuss Personal Matters on Your Mobile Phone While Trying to Serve Customers. It works without attending any such course, because the next time in the store, I get a huge smile and great service from the person, and, hopefully, they remember it for others too.



Fakir Hassen, a freelance photojournalist and author, has been instrumental in supporting numerous community development projects across South Africa through his work in the print and electronic media. He worked for 35 years at the South African Broadcasting Corporation in various capacities, including that of station manager, head of educational radio, and head of broadcast compliance. Fakir has published 23 books that reflect a wide range of community achievements and successes. He has received several accolades, most prized ones being the Indian of the Year for promoting culture among all communities, Nelson Mandela Leadership Award, and Lifetime Community Service Awards from the Tamil Business Warriors and Mahatma Gandhi Remembrance Organisation. Fakir has been inducted into the prestigious Liberty Radio Awards Hall of Fame.