

broadcasting  
standards  
*commission*

*the* **bulletin**

**No40**

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As an independent organisation, the Broadcasting Standards Commission considers the portrayal of violence, sexual conduct and matters of taste and decency in television and radio programmes and advertisements. It also provides redress for people who believe they have been unfairly treated or subjected to an unwarranted infringement of privacy.

### **Complaints about standards and fairness**

To consider and adjudicate on complaints the Commission has the power to:

- require recordings of broadcast material;
- call for written statements;
- hold hearings about the detail of what has been broadcast.

All the Commission's findings are reported in this regular bulletin. An on-line version is available on [www.bsc.org.uk](http://www.bsc.org.uk)

The Commission can also require broadcasters to publish summaries of its decisions either on-air or in a newspaper or magazine and report on any action they might have taken as a result.

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#### *The Commissioners*

The Lord Dubs of Battersea (*Chairman*)

The Lady Warner (*Deputy Chairman*)

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# fairness

Complaints about unjust or unfair treatment can only be made by participants in programmes who were the subject of the treatment or by those who had a direct interest in the treatment's subject matter. Complaints of unwarranted infringement can only be made by those whose privacy was infringed. In considering the facts of the case, the Commission always studies written exchanges of evidence and usually holds a hearing with both the complainant and the broadcasters present.

**Copies of full adjudications on all the following complaints - whether upheld or not - are available from The Broadcasting Standards Commission, 7 The Sanctuary, London SW1P 3JS. Please enclose a stamped addressed envelope. Alternatively you can email your request to [adj@bsc.org.uk](mailto:adj@bsc.org.uk)**

## Upheld complaints

### Panorama: Sick and Tired

BBC1, 8 November 1999

The Broadcasting Standards Commission has upheld a complaint of unjust and unfair treatment by Dr Michael Prendergast about Panorama: Sick and Tired, broadcast on BBC1 on 8 November 1999.

Dr Prendergast, consultant child and adolescent psychiatrist, contributed to the programme, which featured his treatment of children with chronic fatigue syndrome at Great Ormond Street Hospital For Children NHS Trust and the Institute of Child Health. Dr Prendergast complained that he had been treated unjustly or unfairly in the programme.

The Commission found no unfairness in the BBC's dealings with Dr Prendergast concerning the obtaining of his contribution. Nor did it find any unfairness in another contributor's comments on a lecture he had given, or in the conduct of the programme's interview with a child patient.

However, the Commission did find unfairness in Panorama's representation of Dr Prendergast's treatment as "psychological", particularly in its failure to use his recorded responses on this point; in the inaccurate portrayal of his ward as having been "locked"; in an unlabelled dramatic reconstruction; in the use of a survey without an indication of its limitations; and in a decision not to refer to Dr Prendergast's claimed success rate.

Accordingly, overall, the complaint was upheld.

*Upheld*

### Panorama: Sick and Tired

BBC1, 8 November 1999

The Broadcasting Standards Commission has upheld a complaint of unjust and unfair treatment by Great Ormond Street Hospital for Children NHS Trust and the Institute of Child Health ("GOSH") about Panorama: Sick and Tired, broadcast on BBC1 on 8 and 11 November 1999.

Panorama featured GOSH's treatment of children with chronic fatigue syndrome. GOSH complained that they had been treated unjustly or unfairly in the programme.

The Commission found no unfairness in the programme's reporting of GOSH's involvement in court proceedings concerning their care of a child, or the status of a former GOSH consultant.

However, the Commission did find unfairness in that Panorama contained no reflection that GOSH's rehabilitative approach was generally employed as a treatment for chronic fatigue syndrome. It also found unfairness in the programme's suggestion that GOSH's treatment of children with chronic fatigue syndrome was potentially detrimental, without seeking any response from GOSH, or referring to GOSH's success rates.

Accordingly, overall, the complaint was upheld.

*Upheld*

### **Dispatches: The Sex Slave Trade**

Channel 4, 29 April 1999

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The Broadcasting Standards Commission has upheld a complaint of unjust or unfair treatment and unwarranted infringement of privacy from Ms Sudarat Sereewat on her own behalf, on behalf of the Coalition to Fight Against Child Exploitation (“FACE”) and on behalf of “Noi”, “Duan” and “Lek” about Dispatches: The Sex Slave Trade, broadcast on Channel 4 on 29 April 1999.

The programme investigated the illegal trade by which Thai women were “exported” to become workers in the sex trade in Britain. Ms Sereewat, Secretary General of FACE, appeared in the programme and arranged for interviews with three Thai women (referred to in the programme as “Noi”, “Duan” and “Lek”) to be included. Ms Sereewat complained that she and FACE had been treated unjustly or unfairly in the programme and that the privacy of Noi, Duan and Lek, victims of the trade, had been unwarrantably infringed.

The Commission acknowledged the difficulties for broadcasters in dealing with contributors through interpreters, but took the view that, given the sensitivity of the interviews, it was the responsibility of the programme-makers to ensure that Ms Sereewat fully understood how the women would appear. The failure to do so resulted in unfairness to Ms Sereewat and to FACE.

In the Commission’s view, Noi was not effectively disguised, contrary to the agreement between Ms Sereewat and the programme-makers that she would not be identified. As regards Duan and Lek, the Commission noted that, apart from changing their names, no other steps had been taken to conceal their identities. The Commission found that the privacy of all three women was infringed. While there was a legitimate public interest in the story of the trafficking of women, there was no overriding public interest in identifying the women. The Commission therefore found that their privacy had been unwarrantably infringed.

Accordingly, the complaint was upheld.

*Upheld*

### **Channel 4 News**

Channel 4, 20 October 1999

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The Broadcasting Standards Commission has upheld overall a complaint of unfair treatment from the British Medical Association on behalf of Professor David Southall about Channel Four News, broadcast by Channel Four on 20 October 1999. The programme included a report on the use of continuous negative extra-thoracic pressure (“CNEP”) ventilation in the treatment of bronchiolitis in children, and an interview with Professor Southall.

The Commission considered that a misunderstanding had occurred between Professor Southall and the programme-makers as to the nature and purpose of the report and that Channel Four had not set out to mislead him. It therefore found no unfairness in this regard.

However, the Commission took the view that the programme-makers’ failure to brief Professor Southall in detail on the report meant that he was not able to respond fully because of patient confidentiality. It found that this had been unfair to Professor Southall.

The Commission also considered that by failing to provide sufficient detail about the circumstances surrounding a particular patient, the programme-makers had given an inaccurate impression of her medical condition when admitted to the North Staffordshire Hospital. It found unfairness in this regard.

The Commission regarded the matters which were upheld as being of particular importance to the reputation of Professor Southall. Accordingly, overall, the complaint is upheld.

*Upheld*

# Statement

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## Spotlight: The Final Straw

BBC 2 (Northern Ireland), 15 February 2000.

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The Commission has upheld in part a complaint of unjust or unfair treatment and unwarranted infringement of privacy concerning Spotlight: The Final Straw, broadcast on 15 February 2000.

# Resolved complaint

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## Jon Gaunt Breakfast Show

BBC Three Counties Radio, 28 August 2000

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The Broadcasting Standards Commission has received a complaint of unjust or unfair treatment from Mr Patrick Smith about the Jon Gaunt Breakfast Show, broadcast by BBC Three Counties Radio on 28 August 2000. Mr Smith did not participate in the programme, but a letter he had written to a local newspaper about the presenter, Mr Jon Gaunt, was read out. Mr Smith complained to the Commission that he was verbally abused by Mr Gaunt throughout the three hour programme and that Mr Gaunt had referred to him as a “moron” and had threatened to “come ’round...with a baseball bat”.

On 18 December 2000, the BBC broadcast an apology, in which Mr Gaunt admitted that he had “overstepped the mark” in commenting on Mr Smith’s letter. Mr Gaunt said that although he disagreed with the contents of the letter, he had been “unnecessarily rude and aggressive” and had caused Mr Smith understandable distress and offence. He apologised to Mr Smith for his behaviour on 28 August 2000.

### Outcome

The Commission took note of the broadcaster’s on-air apology and Mr Smith’s comments on it. Although it considered Mr Gaunt’s behaviour to be unfortunate and ill-judged, it took the view that the apology responded to the points made in the complaint and that it provided sufficient redress in the circumstances. The Commission therefore decided that it was inappropriate to proceed with further consideration of Mr Smith’s complaint.

# Not upheld complaints

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<i>Broadcast</i>	<i>Programme</i>	<i>Date of complaint/Complainant</i>	<i>Nature of complaint</i>
07.04.00 Granada	<b>This Morning</b>	29.06.00 Dr John Whale	Unfair or unjust treatment
18.02.00 BBC1	<b>Trail of Guilt: Under Suspicion</b>	30.05.00 Mr Siôn Jenkins	Unfair or unjust treatment
01.11.99 Channel 4	<b>Pet Rescue</b>	24.01.00 Mrs Sarah Geary on behalf of Ms Caroline Gatheral and Ms Mary Gatheral	Unfair or unjust treatment and unwarranted infringement of privacy
01.05.00 02.05.00 03.05.00 HTV Wales	<b>HTV News</b>	23.05.00 University of Wales, Bangor Students’ Union	Unfair or unjust treatment and unwarranted infringement of privacy

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# standards

Complaints about standards (violence, sex, or issues of taste and decency such as bad language or the treatment of disasters) can be made by anyone who has seen or heard the broadcast. In reaching a decision to uphold or not uphold a complaint, the code and research into public attitudes are considered alongside the material and its context. In certain circumstances the Commission may also hold a hearing. Standards complaints are considered by a Standards Panel in the first instance, and can be referred to the Standards Committee.

## Upheld complaints

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### **The Cops**

BBC 2, 19 September 2000, 2100-2150

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#### *The Complaint*

A viewer complained that the pre-transmission warning concerning strong language was insufficient.

#### *The Broadcaster's Statement*

The BBC said that the use of strong language was one aspect of the drama's semi-documentary approach in reflecting the pressures and frustrations of inner-city policing. They believed that most viewers would feel that the kind of language used was dramatically justifiable in the circumstances. The formulation of the pre-transmission announcement that the programme contained "very strong" language was appropriate for a post-Watershed drama.

#### *The Commission's Finding*

A Standards Panel watched the programme. It took the view that, although the language was used in a moment of dramatic intensity, the use of the 'c' word was beyond acceptable boundaries for broadcast immediately after the Watershed on a minority channel. The complaint was upheld.

*Upheld*

CN 5573

### **The Radio 1 Breakfast Show with Sara Cox**

BBC Radio 1, 17 October 2000, 0630-0900

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#### *The Complaint*

A viewer complained about violent content and sexual innuendo inappropriate for the time of transmission.

#### *The Broadcaster's Statement*

The BBC said that one of the features of this show was the presenter's offer to administer "disciplinary measures". This was all lighthearted, and was neither an incitement to violence nor an allusion to sexual practices. The broadcaster believed that the innocence of purpose was evident from the presenter's tone, which was boisterous rather than sexually suggestive.

#### *The Commission's Finding*

A Standards Panel listened to the programme. It took into consideration that the features were meant to be lighthearted, but took the view that the phrase used was likely to have exceeded audience expectations for a programme broadcast at a time when young children could be listening. The complaint was upheld in part.

*Upheld in part*

CN 5583

## Attachments

BBC2, 26 September - 1 December 2000,  
various times post-Watershed

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### *The Complaint*

20 viewers complained about the depiction of nudity, sexual content, drug abuse, swearing, offensive language and profanity in various episodes of this drama series.

### *The Broadcaster's Statement*

The BBC explained that this new series, set in an internet start-up company, was intensively trailed in advance and the trails made it plain that it would give a less than conventional depiction of office life.

The first episode, on 26 September 2000, opened with an intimate encounter between the pivotal characters. The sexual activity between the couple was more affectionate than physical. As well as setting the general tone, both the nudity and the intimacy were early indications of what was to be expected in terms of character, plot and action in a drama in which personal and professional behaviour were closely linked.

Throughout the series, the scenes of sexual activity were no more explicit than was necessary to establish the atmosphere of personal pressure, instability and risk, and to serve their dramatic purpose. The strength of the language, like the overall flux in relationships, mirrored the fierce pressures of this commercial environment and the personal pressures the characters faced. The scenes of sexual activity and the strong language were referred to in the announcements which preceded each episode.

Drugs were another source of instability but the open drug abuse which occurred in episode 5 was not depicted as an example to be followed. The shocked reaction to one of the character's drug-taking on the part of the rest of the team implied the very opposite of approval.

The broadcaster went on to say that they accepted that the explicitness of some of the shots included in episode 5, in a sub-plot concerning a pornographic "cybersquatter" invading the business' website, went beyond what was entirely necessary. If further transmission were planned, they would edit the sequence and remove the most prominent images.

### *The Commission's Finding*

A Standards Panel watched the series. It took the view that, generally, the content would not have exceeded the expectations of the majority of the audience to a drama series aimed at adults and broadcast post-Watershed on a minority channel. However, it considered that the opening scene of episode 1, containing nudity and sexual activity, shown immediately after the 9.00 p.m. Watershed, had gone beyond acceptable boundaries for the time of transmission. That aspect of the complaints was upheld. In respect of the "cybersquatter" sequence, the Panel noted the broadcaster's acknowledgement of error and proposed action in the event of future transmission. It considered that, in the light of this response, it was inappropriate to proceed further with this aspect of the complaints.

### *Upheld in part/Resolved*

CN 5444.6/5551.2/  
5607/5643.4/5735.3/  
5780/5788/5820.2

### **Sally Jessy Raphael**

Sky One, 22 November 2000, 1000-1055

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#### *The Complaint*

A viewer complained that a programme about badly behaved teenagers was offensive and amounted to the humiliation and abuse of disturbed children.

#### *The Broadcaster's Statement*

Sky said that the programme, in which teenagers were sent to boot camps, had been carefully considered before transmission and was in keeping with the style of American talk shows to which UK viewers were accustomed. In the episode concerned, the teenagers appeared with their parents, who were exasperated by the behaviour and tough attitude of their children. The broadcaster said that the teenagers were boastful of their wrong-doings, generally abusive and disrespectful to their parents. They were confrontational and had held their own in the face of questioning or condemnation by the presenter and the audience.

The broadcaster went on to say that it was customary in such shows for the studio audience to have its say and that the concerns and indignation of the audience were justifiable and understandable. They said that viewers were aware that daytime talk shows tackled tough, provocative and controversial modern day topics.

#### *The Commission's Finding*

A Standards Panel watched the programme. It considered that the teenagers it featured were exposed to unacceptable humiliation. It believed that the youngsters, while clearly not easy to handle, came from difficult family backgrounds and were not entirely to blame for their behaviour. The Panel took the view that the treatment of the teenagers had breached the boundaries of acceptability by opening the teenagers up to humiliation rather than care. The complaint was upheld.

*Upheld*

CN 5828

### **Buffy the Vampire Slayer**

BBC2, 12 October 2000, 1845-1930

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#### *The Complaint*

Five viewers complained about a scene that included swearing and offensive language. Complaints were also made about violence and the sexually explicit nature of the episode which they felt was inappropriate for the time of broadcast.

#### *The Broadcaster's Statement*

The BBC said that for some years BBC2 programmes shown on weekdays at this time of the evening were mainly intended to appeal to teenagers and young adults. Buffy, a series set in high school in New Mexico, combined teenage romance and extra-terrestrial fantasy. One of its strengths in dramatic terms lay in the tension between the attempts of the young characters to lead ordinary lives in small-town America while at the same time facing extraordinary threats and challenges.

There was a sexual aspect to scenes in this episode but, in all these sequences, sexual activity was implied rather than depicted and more comic than erotic. The current Mr Evil's dastardliness was reflected in every aspect of his behaviour, including his language and general turn of phrase. However, none of the terms he used was among those which, according to the Commission's own research, are regarded as particularly strong by most viewers.

The broadcaster went on to say that, while episodes of Buffy did not usually feature scenes like these, the tone of the portrayal was consistent with the well-established atmosphere of the series. It did not believe this episode was unsuitable for the time of transmission; indeed it was edited specifically with this slot in mind.

#### *The Commission's Finding*

A Standards Panel watched this episode of the well-established cult series aimed at teenagers. It took the view that, although the material might not have been to everyone's taste, the offensive language and swear words would not have caused offence to the majority of the audience for this programme. This aspect of the complaints was not upheld. In relation to the sex scene, it considered that it had exceeded acceptable boundaries for broadcast at a time when young children could be watching. This aspect of the complaint was upheld.

*Upheld in part*

CN 5548.5

**The O'Show**

BBC Radio 4, 23 November 2000, 2300-2330

*The Complaint*

Two listeners complained about tasteless and offensive jokes concerning Anne Frank.

*The Broadcaster's Statement*

The BBC apologised for the offence caused by the series of sketches about Anne Frank. The intended target of the humour was the vein of exaggeration and self-dramatisation which characterised the Irish style of story-telling. The broadcaster believed this was a legitimate intention in a series where Irish character and manners were the main source of the essentially affectionate humour. Unfortunately, the intention misfired and this was acknowledged by the programme-makers and the network.

*The Commission's Finding*

A Standards Panel listened to the programme and noted three jokes concerning "another typical day in the Anne Frank house." One in which her grandfather rebuilt a loud siren, another when Anne's sister introduced her Nazi stormtrooper boyfriend and a third which was based on a misunderstanding about a man from the gas depot and a man from the Gestapo. The Panel took the view that the events of the Holocaust were still too close in time and in tragic dimension to be suitable for comic material of this nature and considered that the jokes had exceeded acceptable boundaries for broadcast. The complaints were upheld.

*Upheld*

CN 5843.2

## Not upheld complaints

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**You've Been Framed - Again**

ITV, 22 September 2000, 1705-1730

*The Complaint*

A viewer complained about a clip of a dangerous situation.

*The Broadcaster's Statement*

Granada said that the programme did not show clips of people being harmed. The inclusion of a clip of a race marshal being catapulted into the air by a car had been reviewed following a similar recent foreign tragedy. However, the marshal had been completely unhurt, and had consented to the use of the clip.

*The Commission's Finding*

A Standards Panel watched the programme. It took the view that, in the context of a programme of humorous clips, the use of the film, in which the marshal was seen to have come to no harm, had not exceeded acceptable boundaries for broadcast. The complaint was not upheld.

*Not upheld*

CN 5392

**Too Much Sun**

BBC1, 3 November 2000, 2235-2305

*The Complaint*

Two viewers complained about racist remarks.

*The Broadcaster's Statement*

The BBC said that the remarks had been unpleasant, but so had been the character who had made them. The humour had depended on exaggeration for its effect. The character, a caricature of the "upper-class twit", had been prepared to adopt any mindless prejudice if he thought this would advance his cause. He had used racism to ingratiate himself. The laughter had been entirely at his expense.

*The Commission's Finding*

A Standards Panel watched the programme. It considered that, in the context of an adult sit-com, the references had illustrated the character's unpleasant nature and had not exceeded acceptable boundaries for broadcast. The complaints were not upheld.

*Not upheld*

CN 5687.2

### Live and Kicking

BBC1/2, 11 November 2000, 0900-1050 & 1050-1210

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#### *The Complaint*

Three viewers complained about different aspects of this programme. The first about a guest wearing a jacket advertising a tobacco product; the second about a competition in which children were encouraged to talk in an aggressive and threatening manner and the third about the presenter's emphatic encouragement to viewers to switch channels and to continue watching the programme rather than observe the Remembrance Day two minute silence.

#### *The Broadcaster's Statement*

The BBC accepted that it was unfortunate that a member of the pop group 'Point Break' was shown wearing a jacket with an advertisement for a tobacco product on it, and as soon as the error was realised he was told to replace the jacket with acceptable clothing. All members of the production team had been instructed to check with senior staff if in doubt in the future.

The "fighting talk" sequence was connected with the appearance in the show of a well-known WWF/WCW wrestler. This wrestling is a cartoon-like form of entertainment and the wrestlers are known for uttering dire threats in an attempt to undermine their opponent's morale. None of these threats are ever carried out and the phone-in should be assessed in that context.

The 'countdown' to 'switch over' from one channel to another was simply a way of getting the message home to regular viewers of Live and Kicking that, for the first

time ever in the programme's history, there was a change of channel mid-way through.

#### *The Commission's Finding*

A Standards Panel watched the programme. It noted the broadcaster's recognition of the error and subsequent action over the tobacco advert on the group member's jacket. It considered that, in the light of that response, it was inappropriate to proceed further with that aspect of the complaints.

The Panel also noted the part of the programme that contained the "fighting talk" sequence. It concluded that the segment was within the context of that morning's programme and would not have caused offence to the majority of the audience. That aspect of the complaints was not upheld.

The Panel considered that the BBC had not encouraged viewers to ignore the 2 minute silence, merely suggested to viewers that the option of continuing to watch the programme on BBC2 was available. That aspect of the complaints was also not upheld.

*Not upheld/Resolved*

CN 5756.3

### Nick Ferrari Show

LBC Newstalk, 10 August 2000, 1200-1315

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#### *The Complaint*

A viewer complained that the presenter had sought to incite racial hatred on his show.

#### *The Broadcaster's Statement*

LBC said that the show had a daily phone-in element aimed at creating a forum for lively topical debate on current issues, and it was often confrontational. The presenter put forward a view and listeners responded. On this occasion, strong arguments against his stance were made by a caller with whom the presenter had a long conversation, thereby allowing her to fully express the opposing view. One of the programme's regular contributors also challenged the presenter's perspective. The debate had been allowed to develop with all viewpoints adequately represented.

#### *The Commission's Finding*

A Standards Panel listened to this edition of the well established programme. While it recognised that some listeners may have felt that the presenter went further than was wise, it took the view that the subject under discussion was legitimate for a talk-show which sought to encourage comments from listeners with different viewpoints on topical news items. It considered that the discussion had been seriously intentioned and had not exceeded acceptable boundaries for broadcasting. The complaint was not upheld.

*Not upheld*

CN 5222

**Nuts**

BBC2, 24 July 2000, 2220-2230

*The Complaint*

A viewer complained that a programme featuring people suffering from bipolar affective disorder (manic depression) was demeaning to sufferers, was likely to reinforce stereotypes and failed to recognise the suffering of people with the illness.

*The Broadcaster's Statement*

The BBC said that one of the clearest points to emerge from the moving personal testimonies in the programme had been that the people taking part were individuals first and sufferers second. The unpleasant nature of their suffering had been clear, as had the fact that each had different ways of coping, rooted in their own individuality. The BBC said that media coverage of mental illness was often dominated by mental health professionals or academics and that the programme had sought to redress the balance by giving a voice to the sufferers.

The broadcaster went on to say that the title of the programme, as one of the many slang labels applied to people suffering from mental health problems, had been ironic and defiant. The ironic contrast between the title and the content of the programme had demonstrated the emptiness of such terminology, as the contributors had emerged as intelligent and articulate.

*The Commission's Finding*

A Standards Panel watched the programme. It took the view that the personal accounts given in the programme by sufferers were not only moving but also likely to be informative to viewers unfamiliar with the realities of the condition. The Panel noted the complainant's concern about the title of the programme, but took the view that its use had been justified by the programme's content. It considered that the programme handled its subject matter in a sensitive manner and was unlikely to have caused offence to the majority of viewers. The complaint was not upheld.

*Not upheld*

CN 5178

**Late Night Live**

BBC Radio 5 Live, 16 June 2000, 2200-0100

*The Complaint*

A listener complained about anti-Welsh content.

*The Broadcaster's Statement*

The BBC said that the remark: "Everybody in the world hates the Welsh" had been a humorous, and possibly facetious, contribution to a serious debate about hatred. The contributor had not primarily expressed personal prejudice, but had ascribed such views to others, and had demonstrated the vacuity of such attitudes.

The BBC acknowledged that, given the sensitivity of the subject, the remark had been ill-judged, but any offence had been mitigated by an immediate and firm challenge by the presenter; another contributor had clearly indicated the unacceptability of this kind of prejudice; and a caller had an immediate opportunity to give a Welsh reaction. The caller's measured and cogent comments had given a more effective rebuttal of anti-Welsh prejudice than any formal apology.

*The Commission's Finding*

A Standards Panel listened to the programme. It noted that the remark, which the broadcaster regretted, had been made in the context of a seriously-intentioned discussion and had not gone unchallenged. It took the view that, in these circumstances, the sequence would have been unlikely to have offended the majority of the audience. The complaint was not upheld.

*Not upheld*

CN 4981

### **A Life of Grime**

BBC1, 2 October 2000, 2130-2200

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#### *The Complaint*

A viewer complained about scenes in this programme which showed a mortuary technician handling a corpse in an irreverent manner, also that the corpse was visible on-screen. The complainant also questioned the detail given about the process of the decomposing of the body.

#### *The Broadcaster's Statement*

The BBC said that prior to broadcast a pre-transmission announcement had been made that warned viewers of the presence of "scenes from inside a mortuary which you may find disturbing", the Radio Times also carried a similar warning. The broadcaster went on to say that there was a big difference between doing an unpleasant job with good humour and making fun of the dead. What the attendant said, and the way he said it, fell firmly into the first category. They believed that this whole sequence was handled with proper restraint.

#### *The Commission's Finding*

A Standards Panel watched this edition of the long running series. It acknowledged the concerns of the complainant but concluded that the programme had not exceeded acceptable limits for broadcast, and that the scenes shown were unlikely to have caused widespread offence to the majority of the audience. The complaint was not upheld.

*Not upheld*

CN 5526

### **One Foot in the Grave**

BBC 1, 23 October 2000, 2100-2130

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#### *The Complaints*

Five viewers complained about tasteless content.

#### *The Broadcaster's Statement*

The BBC said that the series had always had a "dark tinge", but the unpleasant nature of events were often defused by the surreal nature of what actually happened. In this episode, Victor Meldrew's perennial grumpiness and complete lack of sympathy for a man who had lost his voice through illness and was using a voice synthesiser were the object of the humour. They said that when the Meldrews discovered a woman's legs dangling outside the drawing-room window, it was unclear how she had come to be in that position. The emphasis of the humour was again on Victor's selfishness and not the woman's death.

#### *The Commission's Finding*

A Standards Panel watched this episode of the well-established situation comedy series. It considered that the reference to a man with a voice synthesiser and the depiction of suicide had not gone beyond acceptable boundaries. The Panel recognised that there is a natural distaste for jokes about disabilities and suicide, but took the view that in this context the content had not exceeded acceptable boundaries for broadcast. The complaints were not upheld.

*Not upheld*

CN 5599.5

### **Celebrity**

ITV, 23 October 2000, 1705-1730

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#### *The Complaint*

Three viewers complained about pre-Watershed sexual content, two of whom also believed the programme ridiculed government policy on teenage sex.

#### *The Broadcaster's Statement*

Carlton said that the programme was not children's programming. Its mix of celebrity interviews, entertainment news and gossip appealed to an older audience. They were mindful of scheduling programmes when children were available to view in significant numbers and the mild and inexplicit sexual references had not been unsuitable. The broadcaster went on to say that the humorous references to virginity, which had been taken from a comedy programme, had not been critical.

#### *The Commission's Finding*

A Standards Panel watched the programme. It took the view that on balance, the humorous references to virginity had robbed them of offence and that, in the context of a programme about the entertainment world, the brief and inexplicit sexual references had not exceeded acceptable boundaries for the time of transmission. The complaints were not upheld.

*Not upheld*

CN 5630.3

**Lily Live!**

ITV, 9 &amp; 23 September 2000, 2100-2150 &amp; 2130-2220

*The Complaint*

Six viewers complained about profane and offensive language and content, the inadequacy of the pre-transmission warnings and the irreverent depiction of a religious organisation.

*The Broadcaster's Statement*

Carlton Television said that the tarty and acerbic nature of Lily Savage's style of comedy was her trademark, and that this persona enabled her to make outrageous comments that were defused of any potential to cause offence.

The broadcaster said that explicit pre-transmission warnings were made before the episodes of the live show, signalling that some strong language would follow. The use of the strongest language occurred only once during the show. There was some use of less strong language throughout and all usage was intrinsically part of Lily Savage's comic style.

Carlton Television said that the routine involving Lily singing with a choir and dressed as a Salvation Army nurse was not intended to be disrespectful to either the Salvation Army or the Church, and they did not think it would have caused offence to the majority of viewers. They stated that a reference to Ann Widdecombe was intended to be humorous, the object being to entertain rather than offend.

*The Commission's Finding*

A Standards Panel watched these episodes of the live comedy show, acknowledging the clear pre-transmission warnings as to content. It took into account the host's established reputation for irreverent and risqué humour, and considered that it would not have exceeded the expectations of the majority of the audience to the programmes, broadcast after the Watershed. The complaints were not upheld.

*Not upheld*

CN 5362.3/5533/5572.2

**F1: Italian Grand Prix - Live**

ITV, 10 September 2000, 1215-1455

*The Complaint*

Three viewers complained about the intrusive nature of the filming of a track side marshal, injured by flying debris from a multi-car collision, during the course of the race. A helicopter continued to film as the marshal received heart massage at the side of the circuit. One viewer also complained about the commentator's tasteless remark.

*The Broadcaster's Statement*

London Weekend Television said that delivery of picture coverage of a grand prix falls to the local network concerned, in this instance RAI Television. With regard to the suggestion that they should have moved to a commercial break, they commented that technically this was very difficult to achieve at a few seconds' notice.

The broadcaster said that at the time of this accident, the identity of the injured person and the seriousness of the injury was not known. When the helicopter camera picked up the fire marshal being treated at the trackside, the producers took the view that as the shot was not in close up, and as the injured man could not be seen (someone was holding up a sheet to protect him from the view of cameras generally), the shot was not so intrusive as to require an immediate move to a commercial break.

The broadcaster refuted the suggestion that during Murray Walker's commentary he said that it was 'only' a marshal who was injured. They said he was reacting spontaneously to events and a reasonable immediate reaction to a racing accident, where an unknown person may have been injured, is to speculate that a driver was involved.

*The Commission's Finding*

A Standards Panel watched this grand prix, part of the Formula One season. It considered that, in the circumstances, the footage had not exceeded acceptable boundaries for broadcast, nor had the commentary suggested a lack of respect for the injured marshal. The complaint was not upheld.

*Not upheld*

CN 5351.3

### **Have I Got News For You**

BBC1/2, 20 & 22 October 2000,  
2100-2130 & 2230-2300

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#### *The Complaint*

Six viewers complained about offensive remarks concerning the Queen and one viewer complained about disturbing footage.

#### *The Broadcaster's Statement*

The BBC were sorry that the complainants were offended by Richard Blackwood's remarks about the Queen, but did not think his use of the word "bitch" carried the force usually associated with the slang use of the term. Richard Blackwood was using the term as it is currently used, for example, in British and American Rap Music simply to mean "woman", and not as a term of abuse.

The footage used was from the annual "wave watching" festival at the Qiantang River in China. On this occasion,

the waves were higher than usual and 30 visitors were swept away. The broadcaster was assured, however, that all those involved were rescued however, and none sustained serious injury.

#### *The Commission's Finding*

A Standards Panel watched this edition and its repeat of the well-established topical satirical news quiz. It took the view that the remarks about the Queen, which were non-aggressive in manner, and the inclusion of the footage would have been unlikely to have caused widespread offence. The complaints were not upheld.

*Not upheld*

CN 5651/5662.5/5858

## Resolved complaints

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### **Newsround**

BBC1, 7 November 2000, 1700-1710

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Two viewers complained about swearing. The BBC said that a technical hitch, in which a sound "feed" from an outside broadcast van working for another programme had accidentally been switched into Newsround's live output, had enabled viewer to hear the sounds from the van. These had included the word "shit". The presenter had not been aware of what had happened. The BBC apologised for the "interference", over which they had had no control.

#### *Outcome*

The Commission watched the programme. It took into account the broadcaster's action, and considered that, in the light of the response, it was inappropriate to proceed further with this complaint. CN 5779.2

### **CD:UK**

ITV, 2 December 2000, 1130-1230

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A viewer complained about the inclusion of swearing and offensive language inappropriate for time of transmission. ITV said they regretted the use of a swear word said in a live interview with the rock guitarist, Slash. They fully understood and accepted that due to its Saturday morning transmission time CD:UK was considered a children's programme. Consequently, all of its content must be suitable for family viewing. The interview was carefully considered for suitability and the artist had been briefed on the demographic of the audience and appropriate language for the time of broadcast. There had been an immediate on-air apology after the live interview and the programme had subsequently reviewed its procedures.

#### *Outcome*

A Standards Panel watched the programme. It took into account the broadcaster's recognition of error and subsequent action. It considered that, in the light of the response, it was inappropriate to proceed further with this complaint.

CN 5918

**Advertisement for Reef Vodka**

ITV, various times and dates

Two viewers complained that this advertisement depicted women performing the traditional Maori Haka. The BACC said that they had received a number of complaints about the advertisement which showed a group of women in a beach front bar performing the Haka, a religious dance performed by the Maoris. They acknowledged that the advertisement had the potential to offend and had therefore decided not to broadcast it again.

*Outcome*

A Standards Panel watched the advertisement, noting the recognition of the error and subsequent action taken. It considered that, in the light of this response, it was inappropriate to proceed further with the complaints.

CN 5885/5886

**Sports Personality of the Year,**

BBC1, 10 December 2000, 1900-2100

Nine viewers complained that wheelchair access to the stage was not provided for a disabled athlete, thus preventing her from collecting her award. The BBC explained that it had publicly apologised to the athlete for failing to provide ramp access within the studio. The Director of BBC Sport accepted that failing to meet her needs was an error from which the BBC would learn. The broadcaster very much regretted the impression of discrimination but assured the Commission this was not intentional.

*Outcome*

A Standards Panel watched the programme, noting the broadcaster's recognition of error and subsequent apology. It considered that, in the light of this response, it was inappropriate to proceed further with these complaints. CN 5933.9

**Playboy TV Freeview,**

Playboy TV, 10 August 2000, 2000

A viewer complained about the depiction of nudity. Playboy TV accepted that there was a brief glimpse of full frontal nudity in the freeview on a monitor behind two main performers on the set. It said that this had been an oversight and had taken steps to ensure that the clip was not used again.

*Outcome*

A Standards Panel watched the broadcast, noting the broadcaster's recognition of the mistake and subsequent action. It considered that, in the light of this response, it was inappropriate to proceed further with this complaint. CN 5270

**Attachments**

BBC2, 26 September - 1 December 2000, various times (see page 5)

**Live and Kicking**

BBC1/2, 11 November 2000 0900-1050 and 1050-1210 (see page 8)

## Complaints concerning standards

The complaints summarised below were not upheld and no statement was required from the broadcaster. Complaints may not be upheld because the content was considered likely to be within the expectations of the audience for the type of programme; or the programme was appropriately labelled or scheduled, or the content was deemed acceptable within the context in which it was broadcast.

CN 5121	<b>EastEnders</b> inappropriate violent content	BBC1	13.07.00	1930
CN 5268	<b>Jon Gaunt Breakfast Show</b> religious offence	BBC Three Counties	23.08.00	0700
CN 5387	<b>Tinsel Town</b> sexual content	BBC2	18.09.00	2320
CN 5410	<b>Castaway 2000</b> animal cruelty	BBC1	18.09.00	2040
CN 5478	<b>Advertisement for Golden Churn</b> violent content	ITV	20.09.00	2045
CN 5508	<b>The 11 o'Clock Show</b> sexual references and offensive language	Channel 4	05.10.00	2335
CN 5552	<b>Dicing With Debt</b> racist content	Channel 4	11.10.00	1800
CN 5569	<b>BBC News</b> violent content	BBC1	21.10.00	2100
CN 5578	<b>Ads Infinitum</b> swearing and offensive language	BBC2	02.10.00	2150
CN 5592	<b>Breakfast Show</b> sexual content	Galaxy 101 FM	19.10.00	0730
CN 5620	<b>Buffy the Vampire Slayer</b> sexual content and frightening imagery	BBC2	26.10.00	1845
CN 5653	<b>Trisha</b> inappropriate sexual content	ITV	19.10.00	0925
CN 5659	<b>Brookside</b> inappropriate sexual content	Channel 4	20.10.00	2000
CN 5665	<b>Hollyoaks</b> inappropriate sexual content	Channel 4	23.10.00	1830
CN 5674	<b>Steve Denyer</b> offensive remark	Galaxy 101 FM	25.10.00	1400
CN 5692	<b>Never Mind the Buzzcocks</b> insensitive remarks	BBC2	03.11.00	2200
CN 5721/ 5772	<b>Advertisement for Heinz 2 minute Soup</b> inappropriate sexual content	ITV	various	various
CN 5723	<b>Heartbeat</b> tasteless content	ITV	29.10.00	2000
CN 5744	<b>You've Been Framed - Again</b> tasteless content	ITV	13.09.00	1705

CN 5746	<b>Family Affairs</b> inappropriate content	Channel 5	06.11.00	1830
CN 5759	<b>Digital Sex</b> swearing and sexual content	Channel 4	05.11.00	0140
CN 5809	<b>Exploitica</b> sexual imagery	Channel 4	28.10.00	0230
CN 5813	<b>Esther</b> sexual content	BBC2	23.11.00	1530
CN 5822	<b>James Stannage</b> swearing	Piccadilly Key 103	29.11.00	2200
CN 5823	<b>Hollyoaks</b> male rape	Channel 4	19.10.00	1830
CN 5844	<b>Bam Bam Breakfast Show</b> sexual content	Kiss FM	21.11.00	0600
CN 5850	<b>Newsnight</b> child abuse	BBC2	21.11.00	2230
CN 5853	<b>Charlie Wolf</b> racist content	Talksport	04.11.00	2200
CN 5857	<b>Trailer for Take A Girl Like You</b> inappropriate sexual content	BBC1	29.11.00	1859
CN 5861	<b>Jonathon Ross</b> anti-semitic remarks	BBC Radio 2	18.11.00	1000
CN 5868	<b>Holby City</b> tasteless content	BBC1	16.11.00	2100
CN 5874	<b>Never Mind the Buzzcocks</b> offensive remarks	BBC2	10.11.00	2200
CN 5878	<b>Top Ten's 1980's</b> swearing	Channel 4	01.11.00	2100
CN 5880	<b>The Big Breakfast</b> tasteless remarks	Channel 4	30.11.00	0700
CN 5891/ 5948	<b>Emmerdale</b> sexual innuendo and tasteless content	ITV	30.11.00 06.12.00	1900
CN 5899	<b>BBC Wales News</b> homosexual content	BBC1	29.11.00	1300
CN 5908	<b>Clarissa and the Countryman</b> animal cruelty	BBC2	01.12.00	2000
CN 5911/ 5951	<b>Take a Girl Like You</b> sexual content	BBC1	03.12.00 10.12.00	2100 2100
CN 5920	<b>Amsterdam: City of Sin</b> sexual content	Channel 4	02.12.00	2235
CN 5925	<b>The Vicar of Dibley</b> Blasphemy	BBC2	02.12.00	2100

## Complaints concerning standards

CN 5928	<b>Trailer for Horror in the East</b> disturbing imagery	Channel 5	05.12.00	1759
CN 5929	<b>The 11 o'Clock Show</b> swearing and tasteless remarks	Channel 4	06.12.00	2335
CN 5931	<b>They Think It's All Over</b> offensive remark	BBC1	02.12.00	2340
CN 5935	<b>Top of the Pops</b> offensive to disabled people	BBC1	08.12.00	1930
CN 5941	<b>Buffy the Vampire Slayer</b> violent and sexual content	BBC2	17.12.00	1845
CN 5955	<b>The Stand Up Show</b> offensive remarks	BBC1	02.12.00	0010
CN 5960	<b>Advertisement for Miller Genuine Draft</b> encouragement to drink and drive	Channel 4	12.12.00	2120
CN 5977	<b>Top Gear</b> encouragement of irresponsible behaviour	BBC2	14.12.00	2030
CN 5984	<b>She's Gotta Have It</b> inappropriate sexual content	Channel 4	22.12.00	2030
CN 5985	<b>Rugrats</b> religious offence	BBC2	22.12.00	0835
CN 5986	<b>The Mask</b> inappropriate violent content	BBC1	20.12.00	2030
CN 5987	<b>EastEnders</b> racial offence	BBC1	21.12.00	1930
CN 6001	<b>Casualty</b> sexist and racist content	BBC1	23.12.00	2005
CN 6023	<b>Advertisement for Mars "5 little Ones" Chocolate</b> sexual content	various	various	various
CN 6056	<b>Wish You Were Here...Today?</b> inappropriate sexual innuendo	ITV	02.01.01	1410

# Publications

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1. Regulating for Changing Values. <i>Institute of Communication Studies; 1997</i>		£12.00
2. The Provision of Children's Television in Britain: 1992-1996 <i>Maire Messenger Davies/Beth Corbett; 1997</i>	1-872521-28-5	£20.00
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