

broadcasting
standards
commission

the **bulletin**

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As an independent organisation representing the interests of the consumer, 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 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 decisions are reported in this regular bulletin.

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 Lady Howe *Chairman*

Jane Leighton *Deputy*

Suzanne Warner *Deputy*

Danielle Barr

David Boulton

Dame Fiona Caldicott DBE

Strachan Heppell CB

Rev. Rose Hudson-Wilkin

Robert Kernohan OBE

Susan Lloyd

Sally O'Sullivan

Sioned Wyn Thomas

For information contact:

Andrew Ketteringham 0171 233 0398

Shivaun Meehan 0171 233 0402

fairness

Complaints about fairness (unjust or unfair treatment or the unwarranted infringement of privacy) can only be made by those people directly affected by the broadcast. 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.

Upheld complaints

News

Channel 4, 15 January 1998

The Commission has upheld a complaint from the North Wales Police Federation of unfair or unjust treatment in Channel 4 News.

A Channel 4 News item about police corruption reported that the North Wales Police Force had “the unenviable record of being amongst the worst forces in the country for receiving and handling complaints”.

The Federation complained that this was inaccurate and a slur on its members. The Federation also complained that the programme had mistakenly attributed to North Wales Police the total number of complaints received by the police throughout England and Wales in 1996 - 35,000 - whereas North Wales Police had received 400 complaints.

The Commission considered that Channel 4 News had insufficient evidence to support the allegation that the Force was amongst the worst in the country.

The Commission also noted that the statistics relied upon by Channel 4 established that the number of complaints against the Force were in fact falling and that Her Majesty’s Inspectorate of Constabulary had acknowledged that the Force had an effective system for the investigation of complaints. Consequently, the Commission found that the statement was inaccurate and unfair.

The Commission also found that in these circumstances an apology for the statistical error, broadcast in the following night’s programme, was inadequate and unfair to the members of the North Wales Police Federation.

Accordingly, the complaint was upheld.

Upheld

North of Westminster

BBC2, 22 February 1998

The Commission has upheld a complaint by the Reverend Roger Holmes about an edition of North of Westminster, broadcast by BBC2.

The programme considered whether proposals to incorporate the European Convention on Human Rights into UK law would prevent journalists from investigating the personal affairs of private individuals. It included an interview with Mr Holmes whose private life had been the subject of a Sunday newspaper story.

Mr Holmes complained that, against his express wishes, the programme broadcast photographs and further unnecessary details taken from the original newspaper story.

The Commission found that, due to misunderstandings within the programme production team, the BBC broadcast the headlines and photographs of the original pages of the story and that this unwarrantably infringed Mr Holmes' privacy.

Accordingly, the complaint was upheld.

Upheld

Look North

BBC1 (North), 4 December 1997

The Commission has upheld in part a complaint of unfairness by Mr Rod Ryall about a news item on Look North. The item concerned the arrest and suspension of a Calderdale Borough Council employee following allegations of sexual abuse at a children's home over a twenty-year period. The item, which was illustrated by a photograph of Mr Ryall, stated that he had been convicted in 1988 of abusing "boys in care".

The Commission noted that the allegations in the item related to a period when Mr Ryall had occupied a senior management post as the Council's Director of Social Services. It considered that it was legitimate, therefore, in the context of the arrest reported in the item, for a local news programme to refer to Mr Ryall's convictions, to name him and to show his photograph briefly. The

The Cook Report Update

Carlton Television, 4 June 1996 & 16 December 1997

The Commission has upheld a complaint of unfair treatment and unwarranted infringement of privacy by Mr Russell Hoskins about editions of Carlton's The Cook Report Update.

The programmes repeated material from an edition of The Cook Report originally broadcast on 15 December 1994 in which it was claimed that Mr Hoskins was a stalker. The edition of The Cook Report Update broadcast on 4 June 1996 also made allegations of continued stalking.

Although Mr Hoskins had been convicted in January 1994 of making obscene telephone calls to a woman featured in the programmes, the Commission considered that there were insufficient grounds on which to repeat the material used in the 1994 programme or to make fresh allegations against Mr Hoskins. The Commission also considered that Mr Hoskins should have been given an opportunity to respond to the allegations. Therefore, the Commission found that the programmes were both unfair and an unwarranted infringement of Mr Hoskins' privacy.

Accordingly, the complaint was upheld.

Upheld

Commission did not consider that the coverage of Mr Ryall was either extensive or excessive, nor that it linked him with the new allegations. In these respects, the Commission found no unfairness and no unwarranted infringement of privacy.

The Commission noted the BBC's acknowledgement that the reference to Mr Ryall's convictions was inaccurate. The term "boys in care" implied that he had been convicted of abusing boys in the Council's residential care. This was inaccurate and unfair to Mr Ryall.

Accordingly, the complaint was upheld in part.

Upheld in part

The Big Story: Wanna Buy a Big Cat?

Carlton Television, 30 October 1997

The Commission has upheld in part a complaint from Mr Peter and Mrs Sue Drummond about an edition of *The Big Story* entitled “Wanna Buy a Big Cat?”, broadcast on ITV. The programme included details of the transporting by Mr Peter Drummond, formerly of Arenig Rescue Centre in North Wales, of monkeys and a jungle cat, for which he had been convicted of animal transport offences.

The Commission considered that the transporting arrangements had not all been made over the telephone, as the programme had stated; that the programme had implied that the offences were more serious than they were, and that the sanctuary to which Mr Drummond had delivered the animals had been incorrectly described as a garden centre. In these respects the Commission found unfairness.

With regard to the other parts of the complaint about unfairness, the Commission did not find any implication in the programme that Mr and Mrs Drummond sold animals. It did not consider it unfair to have said that the animals were “found” by the police and that Mr Drummond could not produce documents giving the required details of the journey. Nor did it find unfairness in the description of the condition of the animals during transportation.

The Commission considered the secret filming carried out at Arenig to be justified by concerns expressed by the RSPCA about Mr and Mrs Drummond’s involvement with transporting animals and about conditions there. It did not therefore find any unwarranted infringement of privacy in the making of the programme. It considered the references made to Arenig by the programme insufficiently intrusive to constitute an unwarranted infringement of privacy in the programme itself.

Accordingly, the complaint was upheld in part.

Upheld in part

The Big Story: Wanna Buy a Big Cat?

Carlton Television, 30 October 1997

The Commission has partly upheld a complaint of unfairness and unwarranted infringement of privacy by Mr Michael Reynolds and Paradise Park about an edition of Carlton’s current affairs series *The Big Story*. The programme looked at the way zoos dispose of surplus animals.

The Commission noted that the sale of a parrot by Paradise Park to a bogus company called Wildlife Direct, set up by the programme-makers, did not comply fully with the Zoo Federation’s voluntary guidelines. In the Commission’s view, it was not unfair of Carlton to draw attention to this. Paradise Park and Mr Reynolds were not portrayed as being greedy and solely commercially driven. In these respects, the Commission found no unfairness.

However, the Commission took the view that, although they may have acted naïvely, Paradise Park’s track record suggested that they were acting in good faith when selling the parrot. There was no suggestion of illegal behaviour or cruelty. It therefore found that the use of the bogus company resulted in unfairness to Paradise Park. The Commission did not consider that Paradise Park was given an adequate opportunity to respond to the criticisms in the programme. This was unfair.

Secret filming and recording of telephone conversations, in these circumstances, amounted to infringement of privacy. The Commission did not find that there was sufficient overriding public interest to justify that infringement.

Accordingly, the complaint was upheld in part.

Upheld in part

The Tommy Boyd Show

Talk Radio, 29 July 1998

The Commission has partly upheld a complaint from Mr Lionel Anthony of unjust or unfair treatment in an edition of the Tommy Boyd Show. The programme featured a phone-in discussion about driving instructors. Mr Anthony, a driving instructor, telephoned to participate.

The Commission noted that Mr Anthony's contribution was unusually long for a programme of this type. It considered that he was afforded a reasonable opportunity to respond to Mr Boyd's statements and that he did so clearly, sensibly and with dignity. The Commission found no unfairness in this respect.

However, the Commission noted that, unlike other contributors, Mr Anthony was insulted and abused by Mr Boyd. While recognising that the robust and confrontational nature of the programme was well-established and likely to be familiar to Mr Anthony, the level of aggression and personal abuse to which he was subjected was excessive. This was unfair.

Accordingly, the complaint was upheld in part.

Upheld in part

Not Upheld complaints

<i>Broadcast</i>	<i>Programme</i>	<i>Date of complaint/Complainant</i>	<i>Nature of complaint</i>
21.2 & 28.4.97 BBC1	Midlands Today	24.6.97 Mr Alan Mogg	Unwarranted infringement of privacy and unfair or unjust treatment
5.3.98 BBC1	Watchdog	5.6.98 Airtours Holidays Ltd	Unfair or unjust treatment
22.1.98 BBC2	Newsnight	4.3.98 Ms Elizabeth Ncube and Global Legal Immigration Consultancy	Unfair or unjust treatment
23.1.98 BBC1	News 24	4.3.98 Ms Elizabeth Ncube and Global Legal Immigration Consultancy	Unfair or unjust treatment
30.10.97 BBC2 (South)	Southern Eye	4.12.97 Mr Peter Bryce	Unwarranted infringement of privacy and unfair or unjust treatment
19 & 26.1.98 ITV	World in Action	20.4.98 Service Corporation International plc	Unfair or unjust treatment

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.

Statement

The Commission wishes to draw attention to its consideration of complaints made against a number of programmes within Channel 5's late night erotic strands which the Commission believes raise significant issues for public debate.

The Commission had the benefit of its latest research into attitudes towards sex on television which indicates further shifts in public acceptance of sexual portrayal but underlined the importance of such content being seen to be justified within a dramatic or informative context. In the Commission's judgement, the point of these programmes was clearly erotic.

The Commission acknowledges the arguments put forward by Channel 5 about the time of transmission of these programmes and the warnings that had been provided. Nevertheless, in the Commission's view, the inclusion, for its own sake, of erotic material in a free to air television service is a step change in the use of sex on British television and begins to erode the other difference, which research indicates that viewers themselves wish to see, between what is available on open access channels and that which is available through pay services.

The Commission also considers that their inclusion in a mainstream television service runs the risk of encouraging both the amount of such material and the erosion of standards generally. As required by the Broadcasting Act, the Commission will keep these issues under close review. But the Commission wishes to remind broadcasters that gratuitous scenes of violent or coercive sex are unacceptable.

Broadcasting Standards Commission
January 1999

Upheld complaints

Compromising Situations

Channel 5, 1 & 22 July 1998, 2300-0005

Hot Line

Channel 5, 23 July & 3 September 1998, 2330-0005
& 2345-0020

The Complaint

Four viewers complained about the sexual content of these programmes which they considered went beyond acceptable boundaries for transmission on free to air television.

The Broadcaster's Statement

Channel 5 said that every programme in Channel 5's series of erotic programmes had been carefully vetted to ensure that unacceptably explicit material was not broadcast and that the sexual encounters were consensual, tasteful and non-violent. Both series had been made specifically for television and were calculated to appeal to a mainstream audience. The sex shown was no more explicit than in many films transmitted on terrestrial television. The programmes had not endorsed ill-thought out casual sex.

In the first Hotline, a couple worked to improve their shared sex life to keep their relationship alive. In the second, a blind woman learnt to trust the love she found with a man who read to her. Compromising Situations featured a story of reconciliation after a court battle.

While the stories were not Baudelaire or Chaucer, they were programmes with high production values and cohesive storylines, designed to entertain in an entirely inoffensive manner.

The programmes had been broadcast late in the evening and were clearly labelled so as to attract an audience who would appreciate their subject matter.

The BSC's Finding

The full Commission watched the programmes and held a prolonged discussion about their nature and content.

The Commission had the benefit of its latest research into attitudes towards sex on television which indicates further shifts in public acceptance of sexual portrayal but underlined the importance of such content being seen to be justified within a dramatic or informative context. However, in the Commission's judgement, the point of these programmes was clearly erotic.

The Commission acknowledges the arguments put forward by Channel 5 about the time of transmission of these programmes and the warnings that had been provided. Nevertheless, in its view, the inclusion, for its own sake, of erotic material in a free to air television service is a step change in the use of sex on British television and begins to erode the other difference, which research indicates that viewers themselves wish to see, between what is available on open access channels and that which is available through pay services.

The Commission also considers that their inclusion in a mainstream television service runs the risk of encouraging both the amount of such material and the erosion of standards generally. As required by the Broadcasting Act, the Commission will keep these issues under close review.

In its consideration of the individual programmes against which complaints had been made, the Commission judged that the portrayal of sex had gone beyond acceptable boundaries in the editions of Compromising Situations entitled Casting Couch and Law Suit and, on balance, in the edition of Hotline called Sex Therapist.

Upheld

It did not uphold the complaint about the Hotline featuring the blind woman.

Not upheld

CN 929/1011/1012/1094

Centerfold

Channel 5, 20 July 1998, 2255-0035

The Complaint

A viewer complained about scenes of sexual portrayal in this film which he considered to fall well below any sense of taste and decency.

The Broadcaster's Statement

Channel 5 explained that the sex scenes in the film were justified by the context - the story of a woman seduced into the glamour industry in the USA by promises of wealth and fame, who found instead only a world of sordid shallowness and exploitation, which she ultimately rejected in favour of a loving and stable relationship.

Channel 5 added that while some scenes were undoubtedly erotic, the film was edited to remove any material which was felt to be overly explicit or excessively exploitative, and the sexual content was consistent with what would reasonably be expected in the context of a late-night erotic film. The pre-transmission guidance indicated that it was "suitable only for adults".

The BSC's Finding

The full Commission watched the film and took into account Channel 5's explanation about its editing, the time of transmission and the warning which was provided. In its consideration of the complaint, the Commission again took the view that the portrayal of such erotic material in a free to air television service, as opposed to pay services, represented a step change in the use of sex on British television and wishes to draw the attention of the broadcaster and the public to its statement.

As to the complaint itself, the Commission noted that a number of scenes in the film involved non-consensual sex. It took the view that such gratuitous scenes of violent or coercive sex went beyond acceptable boundaries despite the late hour of transmission and a warning before the programme. The complaint was upheld.

Upheld

CN 992

Touch and Go

BBC2, 15 September 1998, 2100-2235

The Complaint

Seven viewers complained about sexual content, five of whom complained about the depiction of sexual immorality, two complained about the scheduling of the programme and one complained about bad language.

The Broadcaster's Statement

The BBC said that this programme was an adult drama about a married couple's attempt to rescue their ailing relationship. Research suggested that scenes depicting sexual activity were acceptable to most viewers if they were relevant to the development of the story and were appropriately scheduled. Sexual matters were at the heart of this story. The starting-point for the drama was the husband, Nick's lack of sexual interest in his wife, Alison. To try to remedy this, they had allowed each other to have sexual intercourse with other people. The scenes of sexual activity had been brief and not gratuitous. The scene of a woman having sex with several partners to which some of the complainants had referred had emphasised the depths to which Nick's experimentation had almost led him and his disgust that marriage should be violated in this way.

The BBC said further that there had been an explicit warning before the programme and in the Radio Times about its content. The sexual content had been well sign-posted and the story had been well-advanced before sexual activity was depicted. The consequences of wife-swapping were shown to be entirely negative. Experienced practitioners had been shown to be shallow or less comfortable with it than they first admitted. Although Nick and Alison's experimentation had brought them more self-knowledge, it had destroyed their marriage. Most viewers would have been left with the impression that cheap sexual thrills had led to long-term unhappiness. The drama therefore had a strong moral message.

The BSC's Finding

The Standards Committee viewed the programme. It considered that it had not encouraged sexual immorality and that the language used was appropriate in the context used for broadcast after the Watershed. However, in its view, some of the scenes of sexual activity depicted had been excessively graphic for a programme starting immediately after the Watershed. That aspect of the complaints was upheld.

Upheld in part

CN 1177.7

Savage Earth

ITV, 21 August 1998, 2030-2100

The Complaint

A viewer complained that a programme about a natural disaster showed the death of a child victim.

The Broadcaster's Statement

Granada Television said that the programme had told the story of what happened when the Colombian volcano, Nevad de Ruiz, erupted in November 1985, killing 23,000 people. The series had sought to demonstrate the power of the earth and the fragility of human attempts to make their accommodation with nature. It was frequently the poorer countries who were worst affected and sometimes the media reached the scene before the emergency services.

This story was a symbol. The girl, Omaira Sanchez, was one of the few survivors in a town called Armero. Apparently uninjured, she was trapped by her legs in rising water. Despite numerous attempts to release her, she died after many hours, by which time her story was being transmitted by the international television crews who had reached Armero.

The story was shocking but the pictures shown in the programme were those seen around the world at the time of the tragedy. There were no pictures of Omaira's actual death. It was a story that had only been told with the consent of her family.

The BSC's Finding

A Standards Panel watched the programme. It concluded that, although the programme dealt with a matter of significant public interest, and that the intention had been honourable, what had been shown of Omaira's plight had gone beyond acceptable boundaries. In particular, in the detailed telling of her story, the pictures of her hands letting go of a plank had suggested the moment of death and had been voyeuristic and unnecessarily intrusive. The complaint was upheld.

Upheld

CN 1085

The Bill

ITV, 17 April 1998, 2030-2100

The Complaint

A viewer complained about the scheduling of a storyline concerning male rape.

The Broadcaster's Statement

Carlton Television said that many episodes of this series dealt with adult themes but in a way which would be familiar to most viewers. Violent acts were rarely seen, only referred to; even in dialogue, graphic description or detail were usually avoided; stereotypes and prejudices were often set up to be demolished.

Carlton accepted that male rape was less common - and less commonly reported - than the rape of women, but it does occur and often in a context deriving from what happens in men's prisons. It often led to misconceptions and prejudice.

The broadcaster went on to say that when dealing with a difficult theme, it was introduced at the outset of the episode to signpost the subject to viewers. In this case, shortly after the front titles, the hospital doctor said 'Mr Simpson has been sexually assaulted, he's been raped'. The scene then cut to the police officers' reactions.

Carlton believed that, on an occasional basis, if handled with tact and discretion, a difficult subject such as this could inform a pre-Watershed programme.

The BSC's Finding

The Standards Committee watched the drama and noted that it dealt with the difficult subject of male rape. In the main, the Committee considered the treatment had been responsible and informative, however it took the view that the powerful emotions portrayed in the final scene in the interview room exceeded acceptable boundaries for broadcasting before the Watershed. The complaint was upheld on scheduling.

Upheld

CN 545

Brookside

Channel 4, 3 September 1998, 2030-2100

The Complaint

A viewer complained about the level of violence and menace portrayed, which she considered inappropriate for transmission before the Watershed.

The Broadcaster's Statement

Channel 4 said that this series played a valuable role in bringing difficult issues to the attention of viewers in a valuable social context. The series was known for some dramatic portrayals in its developed storylines.

This episode had focused on a family on holiday, Ollie and Eleanor and their teenage children Dan and Louise. Marcus, the ex-lover of Eleanor, by whom he felt betrayed, had entered their holiday home, intent on revenge for events 18 years previously, and had acted in a threatening way towards the family. The violent behaviour shown had been carefully shot and edited to avoid distressing viewers. The violence against Ollie had not been particularly graphic or unexpected.

In Marcus's encounter with Eleanor, the viewer would not have felt that she was being overwhelmed by him or that there was a large degree of inequality between them. Eleanor had shown herself able to defend herself and her family. No actual contact with the objects used for fighting had been shown. The camera shots had avoided dwelling on the fear in the teenagers' faces.

Channel 4 said further that the scene where Marcus had doused himself with water (which viewers were led to believe might be petrol) had been justified by the dramatic requirements of the storyline. The action had portrayed a disturbed man, teetering on the brink.

Live and Kicking

BBC1, 17 October 1998, 0915-1210

The Complaint

A viewer complained about a scene showing a couple lying together in bed, which she considered unsuitable in a show for children.

The Broadcaster's Statement

The BBC said that the clip had been used to introduce Adam Rickitt, a celebrity guest. The clip had been relevant to the storyline in ITV's Coronation Street, in which his character featured. Although it had portrayed two young people in bed, they had not been kissing or engaging in any sexual activity. While the scene would

The possible use of petrol as the method of intimidation had reflected Marcus's past, as the act that had resulted in his parting from Eleanor and in his prison sentence had been when he had set fire to an animal experimentation laboratory. Marcus's character had been built up over several weeks and viewers would not have been surprised by the developments. He had been shown to be a manipulative man and an emotional blackmailer. However, it was necessary at times to show hard truths about the world and such characters existed in real life.

At no stage had the storyline encouraged the view that violence was an acceptable means of resolving disputes. Empathy had been firmly focused on the victims and Marcus had swiftly received his come-uppance. The scenes shown had been appropriate for an established drama shown just before the Watershed, which catered for a more adult audience than most soap operas.

The BSC's Finding

A Standards Panel viewed the programme. Whilst recognising that this programme was well-known by most viewers as one of the more challenging soap operas in exploring current issues, it considered that for a pre-Watershed programme, the incidents of violence and, in particular, the sequence involving the petrol can, had, nonetheless, been excessive. The complaint was upheld.

Upheld

CN 1125

have meant little to young children, it would have been preferable to have included another extract.

The BSC's Finding

A Standards Panel viewed the clip, noting the BBC's admission that it would have been preferable to have included another extract. The Panel considered that the clip had been unsuitable for a programme aimed at children. The complaint was upheld.

Upheld

CN 1389

Seven

BBC1, 11 October 1998, 2105-2300

The Complaint

A viewer complained that a film containing graphic discussions of killings was profoundly disturbing and inappropriately scheduled.

The Broadcaster's Statement

The BBC said that the predominant characteristic of the film, which was massively successful at the box office and nominated for awards, was its darkness rather than violence. Some cuts were made to the film, but what was most unsettling about the film was its bleak depiction of humankind. The BBC believed that it was right to transmit the highly popular and well-known film, which was preceded by warnings in the Radio Times and on air, after the Watershed but at a time when it would be accessible to the largest possible number of viewers.

The BSC's Finding

A Standards Panel viewed the film and noted the broadcaster's statement, the time of broadcast and the warnings given. It considered, however, that, in view of the disturbing nature of the killings in the film and the graphic descriptions of them, the film was inappropriate for broadcast just after the Watershed at the weekend. The complaint was upheld.

Upheld

CN 1364

Top Gear Waterworld

BBC2, 23 July 1998, 2030-2100

The Complaint

Two viewers complained about the irresponsible presentation of an item on power boats.

The Broadcaster's Statement

The BBC said that this was the first of a new series celebrating sea and water sports. In this programme, Jeremy Clarkson looked at power boating and his intention was to present a guide to the costs of entering the sport. He celebrated the thrill of such boating in his well-known exuberant style. During his report he drew attention to the absence of legislation concerning the licensing of powerboats and powerboat drivers. The BBC believed he raised a valid point and that an examination of the regulatory situation at sea was a legitimate topic for this programme.

The Cops

BBC2, 26 October 1998, 2100-2150

The Complaint

Two viewers complained about a scene depicting sexual intercourse.

The Broadcaster's Statement

The BBC said that the drama series portrayed police officers as fallible and often less than admirable human beings. This episode had included a new sergeant making a fatal error in attempting to talk to a potential suicide victim, and one of his officers assisting a woman who had lost her keys which had involved a personal exchange that developed into a sexual encounter. The situation had evolved during the episode in a way that gave a clear indication of what would follow and the culmination of the encounter saw the reversal of the submissive and dominant roles of the police officer and member of the public.

The BSC's Finding

A Standards Panel watched the programme. It noted that the programme's depiction of the seduction of the police officer and subsequent sexual activity was shown in the context of a drama about the lack of professionalism shown by a particular group of police officers. However, the Panel considered that the inclusion of a scene involving fetishism and sexual intercourse shortly after the Watershed went beyond acceptable boundaries. The complaints were upheld in relation to scheduling.

Upheld

CN 1417.2

All the points were factually accurate, but while it was not intended to be comprehensive, the BBC accepted that omissions - in particular the absence of any reference to the fact that there are internationally-agreed regulations governing, for example, the 'safe' speed for vessels under power and procedures for avoiding collision - may have presented an incomplete picture of the degree of freedom available to those driving powerboats.

The BSC's Finding

A Standards Panel viewed this programme noting the broadcaster's statement. It took the view that the item had not been handled in a responsible manner, thus generating cause for offence. The complaints were upheld.

Upheld

CN 987.2

Advertisement for Levi's

ITV, Various Dates and Times

The Complaint

Twenty-five viewers complained about the distasteful portrayal of a hamster's death in this advertisement. The majority of complainants believed that it had been inappropriately scheduled and was likely to cause distress to young children. Some believed that it constituted animal cruelty.

The Broadcaster's Statement

The BACC explained that the advertisement was initially approved with a restriction that it should not be transmitted adjacent to children's programming. However, when large numbers of people complained, it was decided that, should the advertisement be transmitted again, it should only be aired after the Watershed.

The BSC's Finding

A Standards Panel viewed the advertisement noting the subsequent action taken by the broadcaster. It considered that the transmission of the advertisement at a time when children may have been watching was misguided and had exceeded acceptable boundaries. The complaints were upheld.

Upheld

CN 1082.25

Scott Hughes

BRMB 96.4 FM, 12 August 1998, 1900-2200

The Complaint

A listener complained about bad language.

The Broadcaster's Statement

BRMB said that the song 'Come with Me' by Puff Daddy, which contained bad language, was played in a chart countdown. The broadcaster said that this had been a genuine mistake and would not be repeated.

The BSC's Finding

A Standards Panel listened to the song and acknowledged BRMB's error. The complaint was upheld.

Upheld

CN 1140

Mark Radcliffe

BBC Radio 1, 28 September 1998, 1400-1600

The Complaint

A listener complained about sexual innuendo.

The Broadcaster's Statement

The BBC said that since Mark Radcliffe introduced the comic "Fat Harry White" spot as a regular feature of his programme, the double-entendre of this spoof disc-jockey had proved popular with most listeners. It believed the humour of this slot was consistent with a long tradition of bawdy British comedy. It was broadcast when most children would be at school and was aimed primarily at older teenagers and young adults.

The BSC's Finding

A Standards Panel listened to the programme. It considered that the item in its duration and detail had exceeded acceptable boundaries. The complaint was upheld.

Upheld

CN 1261

The Q Crew

Q103, 15 October 1998, 0600-0900

The Complaint

A listener complained about an offensive remark about a public figure.

The Broadcaster's Statement

Q103 recognised that the presenter's comments may have caused offence, and were unhappy about the nature and content of the link. The presenter expressed sincere regrets about the incident and gave the broadcaster an undertaking to think of the moral issues and consequence before repeating 'hearsay' on-air.

The BSC's Finding

A Standards Panel listened to the item. It took the view that it had exceeded acceptable limits for broadcasting. The complaint was upheld.

Upheld

CN 1325

Renegade TV: Sex Pest

Channel 4, 6 October 1998, 2340-0025

The Complaint

Eight viewers complained about the depiction of immoral and tasteless sexual practices, one of whom also complained about bad language.

The Broadcaster's Statement

Channel 4 said that Renegade TV was an established series, giving a voice to artists, theorists, writers and performers whose views were outside the mainstream. It was central to the Channel's remit to produce innovative and challenging material for minority audiences. Warnings had been given before the programme, making its nature clear. The programme was a polemical film scripted by Susie Bright, who advocated the recognition and acceptance of all sexual practices beyond those based on a traditional heterosexual and penetrative model. As an acclaimed figure within the American counter-culture, Channel 4 believed her views would be of interest to a British audience who had had little access to her work.

Channel 4 said that in the film Ms Bright had demonstrated, through "essays" on different themes, how restrictive she considered contemporary attitudes to sexual practices to be. Ms Bright had also clearly been disdainful of some of the imagery created by the contemporary sex industry.

There had been clear editorial reasons for the inclusion of all the shots of sexual activity in the programme. The material shown had avoided shots of genital contact or penetration.

The sequence showing a woman using a strapped-on vibrator, apparently having anal sex with a man, was used to illustrate Ms Bright's thesis that a macho male

perspective on sex could be adopted by women and used to give them pleasure and the men a new experience at the same time. The material used had deliberately avoided shots of bodily contact or penetration, whilst conveying a sense of the gender reversal involved in this consensual sexual activity.

Careful steps had been taken to ensure that the material included in the programme was justified in context and was not as explicit in detail as first impressions might have suggested. The programme had been acceptable for transmission on a minority channel, nearly three hours after the Watershed.

The BSC's Finding

A Standards Panel viewed the programme. It noted that all the sexual practices shown were consensual, and believed that most of the content of the programme, although by no means to everyone's taste, was acceptable, given the remit of the broadcaster to produce programmes for minority viewing, the time of transmission and the warnings issued. It noted that some of the language used was rated as strong according to the Commission's own research, but considered this justifiable given the nature of the programme. In the Panel's view, however, the scene showing simulated anal sex with a sexual aid was too explicit for broadcast on a terrestrial channel. That aspect of the complaints was therefore upheld.

Upheld in part

CN 1287.3/1305.5

EastEnders

BBC1, 13 September 1998, 1930-2000

The Complaint

A viewer complained about sexual scenes which she thought to be inappropriate for transmission before the Watershed.

The Broadcaster's Statement

The BBC said that EastEnders had a reputation for reflecting contemporary society and dealing with controversial themes in a way which was suitable for viewing before the Watershed. It considered that although aspects of the "truth" game concerned sexual matters this was done in an inexplicit manner. It also gave adults a clear hint of what was to come.

There was no explicit sexual activity in scenes involving the two couples in bed and the broadcaster considered that the theme of infidelity was handled sensitively with full regard for the fact that such behaviour fell short of expected norms, with unpleasant consequences for those involved.

The BSC's Finding

The Standards Committee viewed this episode of the long-running soap opera. It concluded that the "truth" game would not have exceeded audience expectations. This element of the complaint was not upheld. However, it considered that, the way in which the theme of adultery was portrayed in this pre-Watershed programme had gone beyond acceptable boundaries for the time of transmission. This element of the complaint was upheld.

Upheld in part

CN 1156

Mosley

S4C, 5 March 1998, 2200-2310

The Complaint

One viewer complained about bad language.

The Broadcaster's Statement

S4C drew attention to the statement provided by Channel 4 concerning this edition. In an adult drama series dealing with serious and difficult issues, the broadcaster considered that the use of the word was justified in its context. As a term of abuse it embodied the hatred with which many would have regarded Mosley and it seemed appropriate to allow one character to vent this collective feeling in a way which would resonate dramatically and have verbal impact.

S4C added that it had broadcast this edition one hour later than Channel 4 and that an on-air warning was

King Stupid

BBC Radio 4, 27 October 1998, 1830-1900

The Complaint

Five listeners complained about the tasteless content of this programme, including bad language, innuendo and offence against religious sensibilities.

The Broadcaster's Statement

The BBC acknowledged that some of the language and sexual references in this edition went beyond the boundaries acceptable for this type of programme on Radio 4. The BBC regretted the offence it had caused and said the aim of the young production team had been to provide a fresh approach to the conventional radio panel game. However, in this final programme, there had been an excess of exuberance over judgement.

In addition, the BBC said that any comedy involving their religion risks offending some Christians because, for them, the matters involved are too sacred for humour. But the BBC believed that they had not demeaned religion.

The BSC's Finding

A Standards Panel listened to the programme, noting the complainant's concerns and the broadcaster's statement. It took the view that the game, which included a reference to Jesus, had not been intended to mock Christianity and this aspect of the complaints was not upheld. However, it considered that the bad language and innuendo included in the programme would have exceeded audience expectations and this aspect of the complaints was upheld.

Upheld in part

CN 1409.5

broadcast before the programme advising viewers that it contained strong language.

The BSC's Finding

The Standards Committee viewed the programme. In considering the use of the word 'cunt' in the programme, it noted its decision concerning Channel 4's broadcast and took the view that the later time of broadcast did not mitigate the gratuitous use of the word, which according to the Commission's own research was rated as one of the strongest terms of abuse and capable of causing great offence. The complaint was upheld.

Upheld

CN 439

Trial and Retribution II

ITV, 18 & 19 October 1998, 2100-2300 & 2100-2340

The Complaint

25 viewers complained about various aspects of this drama series. Most considered the use of graphic forensic images gratuitous together with the verbal descriptions of violent murders. Some were also concerned about the possible de-sensitising effects of such images and the risk of imitation. The potential effect on child actors was also complained of.

The Broadcaster's Statement

Yorkshire Television said that the drama, which had been preceded by strong pre-transmission warnings, was tense and powerful without being explicit. The forensic shots were short, static, clinical in nature, and viewers were prepared for them by the obvious revulsion of the police officers and the pathologist. The broadcaster considered that, while the images were strong, they were not gratuitous, since the impact of the images on the two central characters was a key motivation for their determination to catch the people responsible. The effects of the violence were short and carefully portrayed and the strongest shots were all well after the Watershed. With the exception of the final scene, the viewer did not see any attack on any of the women, any injuries being inflicted nor any weapon being used. The broadcaster said it was impossible to judge what images could trigger unpredictable reactions, but that it was committed to presenting television which was appropriate and suitable for transmission.

The BSC's Finding

The Standards Committee viewed the programmes, noting the complainants' concerns and the broadcaster's statement. The Committee acknowledged the powerful storyline of this tense thriller but did not believe that it was inappropriate to include young actors. It considered, however, that detailed images of the inflicted injuries had exceeded acceptable boundaries for a programme commencing at this time, despite the warnings given. The complaints were upheld on this aspect alone.

Upheld in part

CN 1359.13/1360.12

Thursday Night Live Special

ITV, 20 August 1998, 2240-2310

The Complaint

Four viewers complained that a debate mounted in the aftermath of the Omagh bombing was tasteless and insensitive, and that the inclusion of a telephone poll reduced it to the level of a quiz show.

The Broadcaster's Statement

Carlton Television said the programme had been an attempt to get beyond the news coverage to explore the issues raised by the bombing. It was difficult because the programme was being seen throughout the United Kingdom. The production team had made considerable efforts not to push people into taking part. In particular, the people in Omagh were told that they would be asked about their experience, the effect the bomb would have on the peace process, who was in the programme, including Martin McGuinness, and that their contributions would be limited by time constraints.

The first five days after the bombing had seen a significant shift in the politics of peace making in Ireland. This programme was the first current affairs programme to be broadcast after the announcement of even tougher anti-terrorist measures. It sought to create a discussion which examined the options as well as the policies, principles and practices from people on all side of the divide, including the politicians.

There had been various unfortunate technical difficulties which resulted in various cracks in the programme. Undoubtedly content had been affected. Technical problems had resulted in the Omagh OB being cut short. The simplicity of the questions posed in the phone poll posed starkly the issues and the reality of public opinion.

However, the broadcaster unequivocally apologised if any offence had been caused.

The BSC's Finding

A Standards Panel watched the programme. It acknowledged the intention of the broadcaster in seeking to address the issues raised by the horrors of the bombing in Omagh. But it did take the view that a combination of technical difficulties and the use of the poll had been unfortunate and resulted in apparent insensitivity to the victims of the bombing. It upheld those aspects of the complaints.

Upheld in part

CN 1069.4

TV Offal

Channel 4, 26 June 1998, 2300-2330

The Complaint

Three viewers complained about a cartoon featuring a cancerous cell which looked forward to killing people and about a joke concerning Princess Diana.

The Broadcaster's Statement

Channel 4 said that the programme maker, Victor Lewis Smith, approached serious subjects in a style that provided an insightful reflection on how television programme-makers usually deal with sensitive subjects in an amusing and honest way. The item titled "Tubby the Tumor" had been the most sensitive in the series and, accordingly, the editorial and compliance decisions the most difficult to make. Although it was apparent that the animation itself was about cancer, and not people with cancer, the potential impact on viewers had to be assessed. The matter was given detailed prior consideration at a senior level before deciding that it could be broadcast.

The brief reference to Princess Diana and the Queen Mother, although clearly not to the taste of some

viewers, reflected matters which were very public and upon which much comment had been made in the media.

The BSC's Finding

A Standards Panel viewed this programme. It took the view that the joke concerning Princess Diana would have been unlikely to have exceeded the expectations of the majority of viewers to this late-night satirical series. That aspect of the complaints was not upheld. However, it considered that the animation had gone beyond the boundaries of acceptability as it was likely to cause distress to those suffering from cancer and to their families and contained misinformation likely to lead to further distress. Accordingly that aspect of the complaints was upheld.

Upheld in part

CN 827.3

Not Upheld complaints

The Broker's Man

BBC1, 13 August 1998, 2130-2220

The Complaint

Three viewers complained about bad language and violence and another complained that a Eurosceptic was portrayed as a fascist.

The Broadcaster's Statement

The BBC said that the language used by the characters reflected the serious nature of the events in which they found themselves in the fourth episode of the drama series, which involved theft from a collector of military memorabilia.

The attack on two characters reflected the ruthless nature of the people with whom the "broker's man" had become involved and was consistent with the likely behaviour of such a group. The violence was brief and the actual use of a baseball bat was not shown. The "fascist" character had clearly been portrayed as an

extremist. Most viewers would not have taken his passing reference to the Single European Currency to imply that Eurosceptics were admirers of Hitler.

The BSC's Finding

A Standards Panel viewed the programme. It noted that, according to its own research, the language used was considered mild by the majority of viewers. It believed that the violence portrayed, which was neither prolonged nor graphic, was in keeping with the subject matter of this post-Watershed drama. It considered that the programme had not intentionally implied a connection between Euroscepticism and fascism. The complaints were not upheld.

Not upheld

CN 1051.4

Cartoon Critters

BBC1, 13 August 1998, 1635-1700

The Complaint

A viewer complained about the inclusion, in this children's programme, of film showing wolves chasing and killing a bison.

The Broadcaster's Statement

The BBC said that this programme was billed as 'the real stories of animals depicted in cartoons'. On this occasion the subject was wolves. A cartoon version of the Little Red Riding Hood story was followed by a caption which read 'Wolves, the truth behind the Toons'. The two-minute sequence in which a wolf pack hunted and caught a bison made clear to young viewers how, contrary to the myth, wolves survive by hunting in packs and humans need not be frightened of them. As a natural history programme, this series showed all types of animal behaviour. The wolf sequence was taken from a previously broadcast edition of the pre-Watershed Natural World series.

Predation is an integral part of nature and there could be few children who did not know that the natural world was a source of both danger and entertainment. But what this programme sought to demonstrate was that, as far as wolves were concerned, they might pose a danger to other animals but humans were safe. Its message was therefore predominantly one of reassurance. Although what happened to the bison was implied, the producer took great care to ensure that this act of predation was placed in context and the film was edited to avoid the appearance on screen of either the bison's death or the wolves' consumption of their victim.

The BSC's Finding

A Standards Panel watched this edition of the programme and noted the sequence in question. It took the view that, in the context of this programme, the footage had been restrained in its treatment of the subject and, as such, had not exceeded acceptable limits. The complaint was not upheld.

Not upheld

CN 1045

Midweek

BBC Radio 4, 9 September 1998, 0900-0945

The Complaint

A listener complained about the use of bad language.

The Broadcaster's Statement

The BBC said that the discussion concerned a new book recording the writer's experiences as a child suffering from encephalitis, a painful and distressing illness which had incapacitated him for three years. Whilst the BBC regretted the offence that was caused to the complainant, there were significant mitigating circumstances which it believed reduced the capacity of the language to offend. The discussion included quotes from the book and the presenter drew attention to the 'rage' it expressed, giving listeners some indication of what was to come. The writer expressed his anger in strong language and the presenter noted that most of the strongest terms had been avoided in the sections read out on air. Unfortunately, the production team's efforts in this respect were undermined by the writer himself, in his account of conversations with his mother on the subject. However, the term was not used in an expletive sense; it was part of a quotation of his mother's description of one element of the book's content. In these circumstances, the BBC believed that the presenter had taken the right decision by not highlighting the use of language which she and her team had tried hard to avoid, instead seeking to move the conversation on.

The BSC's Finding

A Standards Panel listened to the discussion and noted the intensity of the emotion involved. It acknowledged that the word 'fuck' had been used as a descriptor and not as an expletive. In the context of the discussion in this arts based programme aimed at adult listeners, the Panel considered that, on balance, the use of the word was unlikely to have exceeded the expectations of the majority of the audience. The complaint was not upheld.

Not upheld

CN 1147

Emmerdale

ITV, 28 July 1998, 1900-1930

The Complaint

A viewer complained about the exploitation of a child.

The Broadcaster's Statement

Yorkshire Television said that it was extremely careful in the treatment of babies that appeared in the programme, following strict legal guidelines. Young children and babies on set were supervised at all times by a guardian independent of the company, whose job it was to ensure that the child's welfare was the primary consideration.

The producer of Emmerdale had confirmed that, on this occasion, the child began to cry after the camera had begun to roll. The script did not call for a crying baby and the scene in question lasted only 25 seconds. In cases where a script required a baby to cry, this would be achieved by dubbing on a stock sound effect. Had the baby's chaperone felt that the baby was suffering during the recording of the scene, she would have intervened and stopped the filming. The chaperone remained just out of shot and, for the scene in question, the chaperone was the baby's mother. The baby could be seen looking at her, not the actor and appeared to be pacified by her just as the shot was ending.

The baby in question had appeared on the programme many times since this episode, demonstrating that his mother had no qualms about his continued involvement in the programme or the care with which he was treated.

The BSC's Finding

A Standards Panel watched the episode and noted a scene in which a young child's father held him in his arms as he rang for an ambulance. Although the Panel acknowledged that the child's cries reinforced the drama of the scene, it accepted the broadcaster's explanation of the circumstances of the filming and reassurances concerning the child's welfare. It took the view, therefore, that the scene was not likely to have caused widespread offence. The complaint was not upheld.

Not upheld

CN 1172

Baby School

Channel 5, 2 August 1998, 1900-1930

The Complaint

A viewer complained about the inclusion of a scene of childbirth.

The Broadcaster's Statement

Channel 5 said that this series followed the progress of several midwives through their hospital and community training. The scene complained of was the conclusion of one woman's labour, which had been followed throughout the programme. All filming was undertaken with the full consent of participants and the programme built up a detailed picture of both the procedures the mother experienced during labour and the midwife's hopes for a safe birth which she could attend personally.

The birth was shown as an integral part of the conclusion of labour in a series exploring the training of midwives and the modern procedures now available to women in labour. Viewers were informed at the start of the programme that it contained scenes of childbirth.

The BSC's Finding

A Standards Panel viewed the programme noting the complaint and the broadcaster's statement. It took the view that in the context of this series the scene complained of had not exceeded acceptable limits for broadcast before the Watershed. The complaint was not upheld.

Not upheld

CN 1071

Breakers

BBC1, 8 September 1998, 0940-1005

The Complaint

A viewer complained about an offensive remark.

The Broadcaster's Statement

The BBC explained that one of the characters had given an unflattering description of some of his schoolmates by saying, "Yeah, the moron club." In the context of an Australian series, where language may sometimes be rougher than might be expected from similar programmes made in this country, the broadcaster believed this was not unacceptable. The term "mong" was also used. This term, an abbreviation for "mongrel", is frequently used in Australian English as a generalised expression of contempt.

The BSC's Finding

A Standards Panel watched the programme. It recognised that the terms used may have different cultural connotations, but it accepted the broadcaster's statement and considered that the words had not been intended to cause offence to people with disabilities. The complaint was not upheld.

Not upheld

CN 1168

Misery

Channel 4, 26 July 1998, 2200-0000

The Complaint

A viewer complained about a scene in which an injured man was disabled by his captor.

The Broadcaster's Statement

Channel 4 said that the film was an adaptation of the Stephen King bestseller which dealt with the obsessive relationship between a novelist and his Number One Fan who, having found him lying injured following a car accident, nursed him back to health but sought to keep him within her control. In her increasingly insane attempts to keep him within her power, she broke his ankles after an escape attempt. The scene was important to the narrative and the dramatic tension of the film.

The film, which was broadcast after the Watershed, had been preceded by two warnings.

The Breakfast Show

Kiss FM, 18 September 1998, 0600-1000

The Complaint

A listener complained about a tasteless 'wind-up' call in which the presenter impersonated a police officer.

The Broadcaster's Statement

Kiss FM said that the item complained of was a 'wind-up' call in which the presenter played the role of a police officer, within the context of a regular feature in which members of the public were subjected to practical jokes. The 'victim' of the joke was not offended by the call and was aware of the truth before the item was broadcast. Likewise the audience were aware of the light-hearted nature of the call. The presenter did not impersonate a police officer but acted a role for a piece of entertainment. Kiss FM continued that it was never their intention to alienate or offend listeners.

The BSC's Finding

A Standards Panel listened to the item noting the nature of the joke and the sequence in which the presenter revealed the true nature of the call to the 'victim'. In this context, the Panel took the view that the broadcast had not exceeded acceptable limits. The complaint was not upheld.

Not upheld

CN 1194

The BSC's Finding

A Standards Panel watched the film, noting its dark character in keeping with the work of Stephen King. It recognised that the scene was shocking, but took the view that it was essential to the plot. It considered that its broadcast, an hour after the Watershed, in the context of a well-known thriller, had not exceeded acceptable boundaries for transmission. The complaint was not upheld.

Not upheld

CN 1074

Crime Weekly

LWT, 29 May 1998, 1830-1900

The Complaint

A viewer complained that the detailed description of a crime was inappropriate for the time of transmission.

The Broadcaster's Statement

LWT said that the purpose of the programme was to aid both police and public to solve and prevent crime. Police officers investigating a series of assaults on women had been very keen to catch the perpetrator before he carried out a very serious attack. The programme-makers had taken great care, given the time of transmission, not to include salacious details. The reconstruction had been inexplicit; the main focus had been on interviews with the victims and the police. But some details had been necessary to encourage any witnesses to come forward.

The BSC's Finding

A Standards Panel watched the item. It concluded that what had been shown had not exceeded acceptable boundaries for the time of transmission, given the public interest in the detection of crime. The complaint was not upheld.

Not upheld

CN 740

Carnival

BBC2, 2 September 1998, 1845-1930

The Complaint

A viewer complained about various scenes, including film of a transvestite, sexually suggestive dancing and a man attempting to beat the world record for the number of patties eaten in one sitting.

The Broadcaster's Statement

The BBC said that the exuberant style of the programme's presenters was in keeping with the spirit of the Notting Hill Carnival. The inclusion of a drag queen, Dibi, had been noted in the Radio Times. The performance had been accomplished and had reflected the Carnival's atmosphere of vigorous but essentially innocuous enjoyment.

The BBC went on to say that the dancing had taken place in public before a large audience, including many children, and had been shown briefly on screen. The presenter's light-hearted introduction of the performances as "X-rated", while not intended literally, had given viewers

Heartburn Hotel

BBC1, 20 July 1998, 2200-2230

The Complaint

A viewer complained about insensitive stereotyping of a character suffering from mental health problems.

The Broadcaster's Statement

The BBC said that the programme was a larger-than-life situation comedy, set in a seedy bed and breakfast hotel, owned by a bigot and inhabited by a colourful cast of characters. It was never made clear whether the character in question actually was mentally ill or whether he was playing the system to get free accommodation. His behaviour had the effect of drawing attention to the owner's prejudices, which were continually probed by the owner's friend.

The BSC's Finding

A Standards Panel viewed the programme. It considered that, in the context of a comedy series in which prejudices were questioned, the portrayal of the character was unlikely to have reinforced stereotyping of people suffering from mental health problems and would have been unlikely to have offended the majority of viewers. The complaint was not upheld.

Not upheld

CN 968

notice of what was to come. The BBC believed that the scene of a man attempting the world record for eating patties had not been objectionable and the performer had behaved with impeccable manners throughout.

The BSC's Finding

A Standards Panel watched the programme. It considered that the programme's content and presentational style reflected the energy and excitement generated by the Notting Hill Carnival. The Panel concluded that film of the drag queen and pattie-eating world record attempt would not have exceeded the expectations of the majority of the audience and considered that the dancing shown on the programme, given the context, was inexplicit and had not exceeded acceptable boundaries. The complaint was not upheld.

Not upheld

CN 1281

Coronation Street

ITV, 19 October 1998, 1930-2000

The Complaint

Ten viewers complained of verbal abuse and vilification directed at a transsexual character which some considered inappropriate for transmission before the Watershed.

The Broadcaster's Statement

Granada Television said that Coronation Street attracted an audience from every age and social group. In the situations addressed by the programme, it never set out to encourage unfair or prejudiced attitudes. But successful drama depended on realistic characterisation and there must be moments when inappropriate things are said or done. The responsibility of the programme-maker was to ensure that unreasonable behaviour or inappropriate actions were not promoted.

Les Battersby was known within the programme as an ignorant man whose intolerant views were never taken seriously. The programme had been careful to balance the strong reaction to the revelation of Haley's transsexuality with the need to ensure the scene was suitable for a family audience.

The BSC's Finding

A Standards Panel watched the episode in which a transsexual character was abused and denied access to the female toilet at her work place. It took the view that the scenes had a clear dramatic purpose which engaged the audience's sympathy rather than supported the expression of prejudice. The Panel concluded that neither the scenes nor the language used had gone beyond the limits of acceptability for the time of transmission. The complaints were not upheld.

Not upheld

CN 1357.10

When Stunts Go Bad

ITV, 15 May 1998, 2100-2200

The Complaint

Three viewers complained about the footage of stunts which had gone wrong, causing injury to the performers.

The Broadcaster's Statement

London Weekend Television explained that the content of the programme had been considered carefully when it was scheduled and it believed any difficulties were likely to be prompted by its style rather than its substance, given its very American flavour and its place in the peaktime schedule. The programme had not been scheduled as "family entertainment" but had been transmitted post-Watershed, preceded by a presentation announcement saying that it contained real-life footage of professional stuntmen performing dangerous stunts with disastrous and sometimes fatal consequences.

The broadcaster went on to say that, within the opening two minutes of the programme, the voice-over explained that some of the material was graphic but in most cases the injuries to the performers did not result in death. The impact of the stories was not meant to shock the viewer, they were designed to prove that stuntmen really do risk their lives and aimed to tell the truth about the danger and explain what actually happened when stunts went bad.

LWT believed that stunts have held a fascination for the public over generations. It considered it would be legitimate and, to some, fascinating, to examine expert practitioners and how even their skills could not preclude things going wrong when the margin between success and failure was so fine.

The BSC's Finding

The Standards Committee watched the programme, taking into account the broadcaster's statement, the time of transmission and the presentation announcement prior to broadcast. It took the view that, whilst the style of the programme would not have been to everyone's taste, the content had not strayed beyond acceptable boundaries for a well sign-posted programme broadcast post-Watershed. The complaints were not upheld.

Not upheld

CN 665.3

Inside Story

BBC1, 18 August 1998, 2220-2315

The Complaint

A viewer complained that the programme encouraged rapists by stating which drugs they could use to have the desired effect. This was compounded by police officers confirming that they were unable to catch the assailants.

The Broadcaster's Statement

The BBC said that this was a disturbing programme, highlighting a serious danger to both women and men against which there is little systematic protection in this country. It sought to strike a balance in the information it contained by increasing awareness on the part of potential victims without providing details which facilitated the abuse to which it drew attention.

The broadcaster went on to say that the programme gave no information about the abuse of the drug Rohypnol which was not already widely available; it gave a voice to several victims of drug rape and, in doing so, made others aware of the kind of situation in which they might be at risk. The programme had given a vivid impression of the kind of symptoms victims were likely to suffer before losing all awareness of their surroundings and noted that, when dissolved, the drug would cause its solvent to turn blue after twenty minutes, thus telling potential victims what to look out for and giving any likely abuser notice of yet another hazard he faced.

The BBC concluded by saying that the programme did not suggest that what had happened to the women was anything other than a personal tragedy. The helpline

number given after the closing credits attracted several hundred calls, suggesting that it may have played an important public service role in raising awareness of the danger posed by the drug.

The BSC's Finding

The Standards Committee watched the programme which outlined how drug rape, a crime well known in the United States, has begun to claim a number of victims in the UK. It is a particularly difficult crime to solve since the drug leaves no traces in the body after 72 hours and no memory, or a very faint one, in the mind of the victim. The Committee took the view that, whilst distressing, the programme had offered victims of drug rape the opportunity to tell their story. It also believed that the documentary had highlighted the difference between police attitudes in the USA, where the crime is being taken seriously and attempts are being made to bring the offenders to court, and police attitudes in the UK, where the view is held that drug rape is much like any other rape except that it is more difficult to solve. The Committee noted that the BBC had set up a helpline number for viewers to call. It considered that, although the content of the programme had been disturbing, the broadcast had been handled responsibly. The complaint was not upheld.

Not upheld

CN 1098

Breakfast Show

Galaxy 102, 29 September 1998, 0600-0930

The Complaint

A listener complained about a sexual conversation.

The Broadcaster's Statement

Galaxy 102 said that it did offer a topless photo on the Internet, however it was censored. While they understood the complainant's concern, the item had been broadcast in a light-hearted and fun way and was in no way depicted in a derogatory manner.

The BSC's Finding

The Standards Committee listened to the programme, during which there was a discussion about pictures of the female presenter being offered live on the Internet. It took the view that the item, whilst not to everyone's taste, was unlikely to have caused widespread offence. The complaint was not upheld.

Not upheld

CN 1269

Trail for Viagra: The Hard Truth

Sky One, 29 September 1998, 1915

The Complaint

A viewer complained that this trail contained an unacceptable level of innuendo for broadcast at a time when children may be viewing.

The Broadcaster's Statement

British Sky Broadcasting said that the trail was a light-hearted promotion of a subject which had been given wide coverage on television and radio. Various early evening programmes on many of the mainstream terrestrial channels had covered Viagra and its medical benefits.

The broadcaster went on to say that the trailer had been shot very carefully to avoid the depiction of nudity and there was only a subtle verbal and visual reference to the medical benefits of Viagra.

The BSC's Finding

A Standards Panel watched the trail. It took the view that the imagery and innuendo had been mild and would have been unlikely to have been understood by very young children. It considered that the trail had not exceeded acceptable boundaries for broadcast at that time. The complaint was not upheld.

Not upheld

CN 1308

Ian Collins

Talk Radio, 16 October, 1998, 0100-0600

The Complaint

A listener complained about bad language.

The Broadcaster's Statement

Talk Radio explained that a listener who called into the late-night talk show was eager to participate, and that listeners expected a robust discussion.

The BSC's Finding

A Standard's Panel listened to the programme and considered that the language used, rated as mild according to the Commission's own research, would have been unlikely to have caused offence to the majority of the audience. The complaint was not upheld.

Not upheld

CN 1323

Chris Moyles

BBC Radio 1, 3 July 1998, 0630-0900

The Complaint

A listener complained about the inclusion of bad language in a song.

The Broadcaster's Statement

The BBC said that although the term complained of did not rank as strong in the Commission's research, it recognised its potential to offend in some circumstances. Chris Moyle's defence was that the term was used in a comic context. The song was a spoof of a cartoon series 'South Park', which featured a fictitious dysfunctional American family who expressed their strong opinions in colourful language.

The BSC's Finding

A Standards Panel listened to the song complained of noting its spoof nature. It took the view that the use of an expression which was not regarded as strong by the majority of respondents in the Commission's own research, in a comic context, was unlikely to have exceeded the expectations of this programme's audience. The complaint was not upheld.

Not upheld

CN 900

Jonathan Ross

Virgin Radio, 8 September 1998, 0630-0930

The Complaint

A listener complained about an offensive comment regarding cerebral palsy.

The Broadcaster's Statement

Virgin Radio said that the presenter's comment was meant to be a humorous, rapid-fire description of the physical stage presence of comedian Lee Evans and was not in any way intended to be specifically insulting to people with disabilities.

The BSC's Finding

A Standards Panel listened to a recording of the programme. It took the view that, in the context of this live broadcast where the presenter's intention was comic, the comment, while unlikely to have universal appeal, had not exceeded acceptable limits. The complaint was not upheld.

Not upheld

CN 1219

Top of the Pops

BBC1, 23 October 1998, 1930-2000 &
24 October 1998, 0050-0120

The Complaint

Seven viewers complained about the sexual content of the edited version of George Michael's video accompanying his single "Outside". One viewer complained about the sexual content of the unedited version of the same video broadcast on the later edition of the programme.

The Broadcaster's Statement

The BBC said that George Michael's video accompanying his single "Outside" alluded to the circumstances of his recent arrest and conviction which had been widely discussed. However, it did not accept that the film promoted promiscuity or encouraged what some might regard as deviant practices. The song and the film appealed for sexual freedom within a relationship and also depicted a variety of private relationships contrasted against official restraint when those relationships found expression in public places. The BBC said that the work was inexplicit and was more likely to be thought provoking rather than encouraging imitation.

The BBC said that the version shown on the earlier edition of the programme had been preceded by a warning from the programme's presenter and had been edited to ensure that the encounters depicted would have meant little to any children watching. The unedited version had been shown late at night and the only act which had been depicted with any degree of explicitness

was male kissing, which the BBC said was not objectionable in the context of the video. "Outside" had spent several weeks in the Top 10 and clearly there was strong public support for George Michael's work. The BBC felt that it would have done a disservice to its viewers if it had not shown this example of his work and would have run counter to the openness about such matters, which many viewers now expected.

The BSC's Finding

A Standards Panel watched the programme. It noted that the subject matter of the video, namely George Michael's arrest and conviction, was a matter of public interest and it acknowledged that the song and accompanying video were concerned with the issues arising from those recent events. The edited version of the video had been preceded by a clear warning about content, and the Panel considered that its presentation of sexual encounters was inexplicit and did not exceed acceptable boundaries. As to the unedited version of the video, the Panel took the view that it was neither gratuitous nor particularly explicit and concluded that its broadcast, well after the Watershed, would not have exceeded the expectations of the majority of viewers. The complaints were not upheld.

Not upheld

CN 1407.5/1419/1434/1451

Paul Ross

Talk Radio, 13 July 1998, 0600-0900

The Complaint

A listener complained about the use of the term 'Nips'.

The Broadcaster's Statement

Talk Radio said that many nationalities are known within common usage by a familiar name that has become established over a period of time and is not perceived as racist, offensive or in poor taste. Most of these terms have no real relationship to the country so-named or their population's own view of themselves. However, in the case of Japan the opposite is true. Nippon is a perfectly proper description and used by the Japanese/Nippons.

Talk Radio continued that the use of the word was not in itself offensive nor was its use in bad taste. It could only

become so when used to denigrate the country or its population, or when used in a tone that suggests anger, hatred or contempt.

The BSC's Finding

A Standards Panel listened to the item noting the use of the reference in an item about the Japanese financial markets. The Panel took the view that its use would have been unlikely to have caused widespread offence. The complaint was not upheld.

Not upheld

CN 1009

Meridian News,

ITV, 16 October 1998, 2230-2240

The Complaint

A viewer complained about a news item which included a recording of a young child calling the Fire Brigade.

The Broadcaster's Statement

Meridian said that the Fire Brigade had allowed them to use a recording of a boy telephoning to report a fire. The broadcaster took the decision to show it in conjunction with a story showing the bravery of the young boy and how the Fire Brigade felt he should be praised for his quick actions which had saved four lives.

The BSC's Finding

A Standards Panel viewed the programme. It recognised the complainant's distress at hearing the recording, but took the view that the item had been dealt with responsibly and had not gone beyond acceptable limits. The complaint was not upheld.

Not upheld

CN 1396

Mark Radcliffe

BBC Radio 1, 7 October 1998, 1400-1600

The Complaint

A listener complained about sexual innuendo.

The Broadcaster's Statement

The BBC said that the presenter's alter ego, the spoof disc jockey Fat Harry White, was a well-established feature of his programme, in which the elements of innuendo and double entendre had proved popular with most listeners. The feature had been broadcast when most children were at school. Few, if any, child listeners would have understood the references. The humour had followed a long tradition of bawdy British comedy which was suggestive rather than explicit.

The BSC's Finding

A Standards Panel listened to the programme. It considered that the item, which was in keeping with the earthy style of the programme as a whole, would have been unlikely to have caused offence to the majority of listeners. The complaint was not upheld.

Not upheld

CN 1341

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 858	The Jerry Springer Show	ITV	29.06.98	1330-1415	Taste
1 complaint	unsuitable content				
CN 970	The Jerry Springer Show	ITV	03.07.98	1330-1415	Taste
1 complaint	insensitive				
CN 980	Fantasy World Cup	ITV	11.07.98	2215-2250	Taste
1 complaint	tasteless remarks				
CN 1032	The James Whale Show	Talk Radio	05.08.98	2000-0100	Taste
1 complaint	racist remarks				
CN 1035	Hale and Pace	ITV	06.08.98	2130-2200	Taste
1 complaint	bad taste				
CN 1037	Chris Moyles	BBC R1	01.10.98	0800-1200	Taste
1 complaint	bad language				
CN 1040	The James Whale Show	Talk Radio	06.08.98	2000-0100	Taste
1 complaint	racist remarks				
CN 1064	South Park	C4	07.08.98	2310-2340	Multi
1 complaint	violence and anti-Semitism				

CN 1115 1 complaint	Advertisement for C5 sexual innuendo	Virgin Radio	06/09/98	1530	Sex
CN 1198 1 complaint	The Big Breakfast parody of Christianity	C4	17.09.98	0700-0900	Taste
CN 1203 1 complaint	King of the Hill sexual innuendo and references	C4	15.09.98	1830-1900	Sex
CN 1227 1 complaint	Ricki Lake inappropriate discussion	C4	23.09.98	1700-1730	Taste
CN 1236 1 complaints	Glory of the Geeks sexual images	C4	19.09.98	2000-2100	Sex
CN 1238 1 complaint	Hollywood Sex sexual aid	Sky One	09.09.98	2200-2300	Sex
CN 1240 1 complaint	The Official UK Top 40 sexually explicit lyrics	BBC R1	27.09.98	1600-1900	Sex
CN 1241 1 complaint	Pepsi Chart sexually explicit lyrics	2CR FM	27.09.98	1600-1900	Sex
CN 1251 1 complaint	Goosebumps the occult	BBC1	14.09.98	1640-1700	Taste
CN 1257 1 complaint	King Stupid reference to masturbation	BBC R4	30.09.98	2330-0000	Sex
CN 1260 1 complaint	Early Evening News description of sexual activity	ITV	21.09.98	1740-1800	Sex
CN 1262 1 complaint	Sunday Play: Via Dolorosa bad language	BBC R3	04.10.98	1930-2100	Taste
CN 1266 1 complaint	You've Been Framed male stripper	ITV	03.10.98	1840-1910	Sex
CN 1275 3 complaints	The 11 O'Clock Show tasteless jokes	C4	03.10.98	2255-2345	Taste
CN 1285 1 complaint	Advertisement for C5 sexual innuendo	Heart FM	30.09.98	0819	Sex
CN 1293 1 complaint	Timewatch portrayal of homosexuality	BBC2	29.09.98	2100-2150	Taste
CN 1299 1 complaint	The 11 o'Clock Show irresponsible humour	C4	08.10.98	2255-2330	Taste
CN 1310 1 complaint	Back to the Future profanity	BBC Northern Ireland	05.10.98	2240-2320	Taste
CN 1311 1 complaint	The Jerry Springer Show sexual content	ITV	07.10.98	1330-1415	Sex
CN 1319 1 complaint	Harry Hill profanity	C4	08.10.98	1800-1830	Taste
CN 1320 1 complaint	The Jerry Springer Show erotic dancing	ITV	09.10.98	1330-1415	Sex

Complaints concerning standards

CN 1324 1 complaint	Daria offensive remark	C5	11.10.98	1100-1130	Taste
CN 1330/1403 2 complaints	Trail for Cops bad language/violence/drug taking and sexual images	BBC1	13 & 15.10.98	2220/2235	Multi
CN 1331 1 complaint	Sliders punishment scene	BBC2	15.10.98	1845-190	Violence
CN 1334.2 2 complaints	Undercover Heart nudity and sexual activity	BBC1	08.10.98	2130-2220	Sex
CN 1342 1 complaint	Undercover Heart sexual scenes, prostitution and bad language	BBC1	15.10.98	2130-2200	Multi
CN 1343 1 complaint	Home and Away revealing swimwear	ITV	09.09.98	1710-1740	Taste
CN 1345 1 complaint	Supply & Demand bad language	ITV	22.09.98	2100-2200	Taste
CN 1346 1 complaint	Supply & Demand bad language	ITV	29.09.98	2100-2200	Taste
CN 1356 1 complaint	Steve Penk bad language	95.8 Capital	15.10.98	0700-1000	Taste
CN 1362 1 complaint	The News Quiz racist terms	BBC R4	16.10.98	1830-1900	Taste
CN 1363 1 complaint	The News Quiz (Rpt) racist terms	BBC R4	17.10.98	1230-1300	Taste
CN 1365 1 complaint	Kiss Kiss Bang Bang explicit scenes	C4	13.10.98	2305-2350	Taste
CN 1366 2 complaints	Smith and Jones bad language and profanity	BBC1	16.09.98	2200-2230	Taste
CN 1368 1 complaint	Don't Look Now nudity and portrayal of sex	C4	10.10.98	2200-0005	Sex
CN 1371 1 complaint	Vauxhall World Cup Promotion sexual innuendo	ITV	21.06.98	1730	Sex
CN 1382 1 complaint	King Stupid jokes about masturbation	BBC R4	13.10.98	1830-1900	Sex
CN 1387 1 complaint	Rainer Hersch's All Classical Music Explained bad language	BBC R4	21.10.98	1830-1900	Taste
CN 1389 1 complaint	Live and Kicking insulting remarks	BBC1	17.10.98	0915-1210	Taste
CN 1391 1 complaint	Advertisement for Egg sexual comment	ITV	20.10.98	various times	Sex
CN 1392 1 complaint	Top Gear encouraging irresponsible driving	BBC2	22.10.98	2030-2100	Violence
CN 1399 1 complaint	The Motion Show tasteless comments	BBC R4	19.10.98	1830-1900	Taste

CN 1404 1 complaint	Chris Evans' Breakfast Show offensive remark	Virgin Radio	22.10.98	0700-1000	Taste
CN 1405 1 complaint	Trail for Chris Evans' Breakfast Show offence to Christians	Sky One	24.10.98	various times	Taste
CN 1406 1 complaint	Dangerfield portrayal of violent hooligan	BBC1	23.10.98	2130-2220	Violence
CN 1408 1 complaint	Noel's House Party inappropriate use of weapons	BBC1	24.10.98	1900-1945	Violence
CN 1413 1 complaint	The Big Breakfast tasteless behaviour and scheduling	C4	27.10.98	0700-0900	Taste
CN 1420 1 complaint	Rory Bremner...Who Else? bad language	C4	25.10.98	2100-2145	Taste
CN 1430.2 2 complaints	Rainer Hersch's All Classical Music Explained bad language	BBC R4	29.10.98	1830-1900	Taste
CN 1431.2 2 complaints	Rory Bremner...Who Else? bad language	C4	25.10.98	2100-2145	Taste
CN 1433 1 complaint	Advertisement for Scotts Porridge Oats sex/racist	Various	Various		Multi
CN 1435 1 complaint	Fort Boyard cruelty to animals	C5	23.10.98	2000-2100	Violence
CN 1437 1 complaint	Desperately Seeking Something nudity	C4	18.10.98	1930-2000	Sex
CN 1439 1 complaint	The Stand Up Show Presents the BBC New Comedy Awards 1998 bad language	BBC1	23.10.98	2345-0030	Taste
CN 1440 1 complaint	Eurotrash sexual content	C4	02.10.98	2230-2305	Sex
CN 1452 1 complaint	Breakfast Programme tasteless "wind-up" call	Radio City	28.10.98	0600-1000	Taste
CN 1454 1 complaint	In the Psychiatrist's Chair bad language	BBC R4	25.10.98	1115-1204	Taste
CN 1456 1 complaint	Coronation Street suggestive behaviour	ITV	26.10.98	1930-2000	Sex
CN 1460 1 complaint	Norman Ormal: a Very Political Turtle tasteless scene	BBC1	01.11.98	2155-2245	Taste
CN 1466 1 complaint	Hope and Glory bad language/sexual activity	C4	28.10.98	2200-0010	Multi
CN 1474 1 complaint	Drop the Dead Donkey bad language	C4	28.10.98	2100-2130	Taste
CN 1477.4 4 complaints	Billy Connolly's One Night Stand bad language and profanity	BBC1	02.11.98	2240-2310	Multi

CN 1480 1 complaint	Ads Infinitum images of mental health	BBC2	02.11.98	2150-2200	Taste
CN 1486 1 complaint	Advertisement for Scotts Porridge Oats sex/racist	various	various		Multi
CN 1488 1 complaint	Kevin Greening sexual innuendo	BBC R1	01.11.98	0630-0930	Sex
CN 1490 1 complaint	The Creatives bad language	BBC2	30.10.98	2130-2200	Taste
CN 1498 1 complaint	Casualty incitement to intimidate	BBC1	24.10.98	2005-2055	Violence
CN 1504 1 complaint	Streetmate scenes of a nude man	C4	06.11.98	2130-2200	Taste
CN 1505 1 complaint	Clarkson bad language, and tasteless behaviour	BBC2	08.11.98	2100-2140	Taste
CN 1507 1 complaint	Rory Bremner...Who Else? offensive sketch	C4	08.11.98	2100-2145	Taste
CN 1508 1 complaint	Start the Week tasteless content	BBC R4	09.11.98	0900-0945	Taste
CN 1509 1 complaint	In the Pschyaistris't's Chair bad language	BBCR4	25.10.98	1115-1204	Taste
CN 1516 1 complaint	Living with the Enemy offensive imagery	BBC2	04.11.98	2145-2215	Taste
CN 1526 1 complaint	Trail for Modern Times bad language	BBC2	10.11.98	2100	Taste
CN 1533 1 complaint	Digance in Dartmoor tasteless remark	ITV	29.10.98	2245-2345	Taste
CN 1534 1 complaint	Mark Radcliffe sexual innuendo	BBC R1	13.11.98	1400-1600	Sex
CN 1535.3 3 complaints	Big Train vulgarity	BBC2	16.11.98	2200-2230	Taste
CN 1539 1 complaint	Big Train tasteless humour	BBC2	09.11.98	2200-2230	Taste
CN 1553.2 2 complaint	Dinnerladies sexual references	BBC1	12.11.98	2130-2200	Sex
CN 1558 1 complaint	Trail for Naked nudity	BBC2	15.11.98	2200	Sex
CN 1559 1 complaint	Return of the Ba Ba Zee: Crazy, Sexy, Cool tasteless scene	C4	16.11.98	2305-0010	Taste
CN 1574 1 complaint	Top of the Pops nudity	BBC1	30.10.98	1930-2000	Sex
CN 1577.3 3 complaints	They Think It's All Over offensive remarks	BBC1	19.11.98	2200-2230	Taste

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