

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 84/92

Dated the 5th day of November 1992

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

BOB ATKINSON

of Nelson

Broadcaster

TV3 NETWORK SERVICES

LIMITED

I.W. Gallaway Chairperson

J.R. Morris

R.A. Barraclough

L.M. Dawson

DECISION

Introduction

"No One Called Jones" was the title of a sketch on the programme *Rowan Atkinson on Location* broadcast by TV3 Network Services Ltd at about 9.45pm on Sunday 17 May 1992. It involved Rowan Atkinson reading a school attendance roll where each pupil's name was either a sexual term or a reference to sexual behaviour.

Describing the item as rubbish, Mr Atkinson complained to TV3 that it breached the requirement in the broadcasting standards for good taste and decency.

In view of the time of the broadcast and the satirical nature of the item, TV3 declined to uphold the complaint. It also pointed out that a specific warning about the language used in the skit had been broadcast. As Mr Atkinson was dissatisfied with TV3's response, he referred his complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

Decision

The members of the Authority have viewed the sketch complained about and have read the correspondence (summarised in the Appendix). As is its practice, the Authority has



determined the complaint without a formal hearing.

Disavowing any relationship with Rowan Atkinson of which he was aware, Mr Atkinson of Nelson complained about a sketch called "No One Called Jones" which was broadcast by TV3 as part of the programme *Rowan Atkinson on Location*. The skit involved calling a school roll and the complainant described the pupils' names and incidental comments as both indecent and disgusting.

Mr Atkinson complained that the item breached the good taste and decency standard and, because of the coarse language used, he said that it was unacceptable for broadcast at any hour. When he referred the complaint to the Authority, he expressed particular concern about the references to female genitalia and added that the skit contained homosexual connotations.

Without referring to any particular broadcasting standards, TV3 pointed to the time of the broadcast (9.45pm), the nature of the programme (satire and comedy), the specific warning, and declined to uphold the complaint. It also noted that the item was the subject of only two complaints.

The Authority has assessed the complaint under standard 2 of the Television Code of Broadcasting Practice which requires broadcasters:

- 2 To take into consideration currently accepted norms of decency and taste in language and behaviour, bearing in mind the context in which any language or behaviour occurs.

In order to portray the type of skit complained about, the Authority believes that it is appropriate to record some of its dialogue. It begins with Rowan Atkinson as a school master about to call the roll. He starts:

Anus, Arsebandit, Bottom, Clitoris - where are you Clitoris? ...

The lengthy list of names continues in this vein. The name "I'madick", is called three times in an apparent effort to locate that person. When there is not apparent response to the name "Myprick", Rowan Atkinson asks:

Has anyone seen Myprick?

He then comments:

Very well - remind me to beat Myprick when he does turn up.

When the person with this name does arrive, Atkinson comments:

Bottom, squeeze Myprick in somewhere.

The Authority is aware that the use of part of a transcript often makes a programme which has been broadcast seem either more or less disgusting than when heard or, in the



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case of television, seen on the screen. With comedy, the Authority is also aware that delivery, and particularly the timing, can make a considerable difference between successful humour and unsuccessful smut.

The Authority has viewed the item complained about and, although it appreciates Rowan Atkinson's brilliance as a comic, after viewing the item in full, it came to the conclusion that the material used in the skit complained about was, even for the broad-minded, on the borderline between acceptable and unacceptable humour. The Authority was then required to decide whether the skit was acceptable within the good taste and decency standard or whether the degree of smuttiness meant that the undesirable and gutter aspects predominated.

The Authority explained its understanding of the notion of good taste and decency in Decision No: 2/90 when it said:

In the Authority's view the concept of good taste and decency in a given situation or context pertains to conformity with such standards of propriety as the Authority considers to be in accord with generally accepted attitudes, values and expectations in New Zealand society.

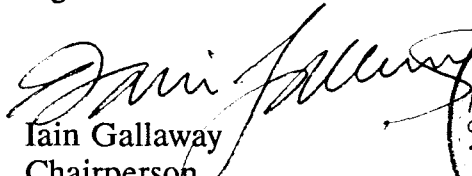
While noting, first, that the language used included anatomical terms and colloquialisms rather than swear words, and secondly, that as the item was broadcast at a relatively late hour and was preceded with a warning, a majority of the Authority decided, nevertheless, that the language of the skit, irrespective of the calibre of the performer, did not comply with the good taste criterion.

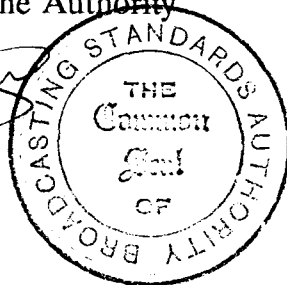
The minority believed that, although the skit might have been rude and offensive to some in parts, the humour dominated overall sufficiently so as not to breach the standard.

For the reasons set forth above, a majority of the Authority upholds the complaint that the broadcast on 17 May 1992 by TV3 Network Services Ltd of the skit "No One Called Jones" as part of the programme *Rowan Atkinson on Location* breached standard 2 of the Television Code of Broadcasting Practice.

Having upheld a complaint, the Authority may impose an order under s.13(1) of the Broadcasting Act 1989. It does not intend to do so on this occasion not only because it was a majority decision but also because consideration has been given to the skill of the actor and to the context of the broadcast.

Signed for and on behalf of the Authority


Iain Gallaway
Chairperson



5 November 1992

Appendix

Mr Bob Atkinson's Complaint to TV3 Network Services Ltd

In a letter dated 28 May 1992, Mr Atkinson complained to TV3 Network Services Ltd about a skit featuring the reading of a school attendance roll in the programme *Rowan Atkinson on Location* broadcast at about 9.45pm on 17 May.

Referring to some of the boys' names read out and to some of the teacher's remarks, Mr Atkinson described the item as sexual rubbish. He acknowledged that there had been a warning broadcast about the language in the item but, as the coarse language used was unacceptable at any time, he maintained that it breached the broadcasting standard requiring good taste and decency.

TV3's Response to the Formal Complaint

TV3 advised Mr Atkinson of its Complaints Committee's decision in a letter dated 13 July 1992.

Referring to the time of the broadcast, the humorous and light-hearted nature of the adult comedy and the specific warning given about the particular sketch, TV3 declined to uphold the complaint. It added that the item had been the subject of only two complaints which suggested that it was not offensive to most viewers.

Mr Atkinson's Complaint to the Broadcasting Standards Authority

As he was dissatisfied with TV3's response, in a letter dated 22 July Mr Atkinson referred his complaint to the Authority under s.8(a) of the Broadcasting Act 1989.

He described the programme as indecent and disgusting rather than humorous and said his view was shared by a number of other viewers. The warning about coarse language broadcast before the item, he said, was only a statement and did not excuse the indecent material in the item. He maintained that the item breached the standard requiring good taste and decency.

TV3's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 27 July and TV3, in its 3 August response, advised that it did not wish to comment further.

Mr Atkinson's Final Comment to the Authority

When asked if wished to make a final comment, in a letter dated 12 August Mr Atkinson repeated his complaint that the programme was disgusting and that it failed to observe standards consistent with good taste and decency.

