

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 75/93

Dated the 17th day of June 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

KERRY SHARP  
of Palmerston North

Broadcaster  
TELEVISION NEW ZEALAND  
LIMITED

I.W. Gallaway Chairperson  
J.R. Morris  
R.A. Barraclough  
L.M. Dawson

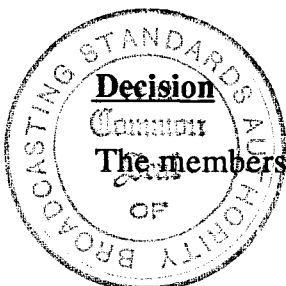
DECISION

Introduction

An item which focused on a woman who was a career stripper and which depicted her stripping was included in the second episode of the second series of the programme *Sex* broadcast on Channel Two on 23 March 1993 between 9.30 - 10.30pm.

Mr Sharp complained to Television New Zealand Ltd that the item was offensive and objectionable and denigrated women by treating them as sex objects.

TVNZ, while acknowledging that it could be argued that strip shows denigrated women, maintained that in this item the focus was on a young woman who, with the support of her mother, had abandoned an academic career for stripping. It maintained that it was not offensive given the context of the item and the hour at which it was screened and declined to uphold the complaint. Dissatisfied with that decision, Mr Sharp referred the complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.



The members of the Authority have viewed the programme 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.

Mr Kerry Sharp complained to Television New Zealand Ltd that the broadcast on 23 March between 9.30 - 10.30pm of a segment of episode 2 of the second series of *Sex* on Channel Two, which featured Miss Nude Australasia and her career as a stripper, was offensive and objectionable and denigrated women. He accused TVNZ of gratuitously using a woman's naked body primarily to titillate, which in his view amounted to pornography.

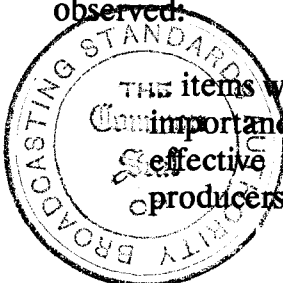
TVNZ reported that it had assessed Mr Sharp's complaint against standards G2 and G13 of the Television Code of Broadcasting Practice which require broadcasters:

- G2 To take into consideration currently accepted norms of decency and taste in language and behaviour, bearing in mind the context in which the language or behaviour occurs.
- G13 To avoid portraying people in a way which is likely to encourage denigration of or discrimination against any section of the community on account of sex, race, age, disability, occupation status, sexual orientation or the holding of any religious, cultural or political belief. This requirement is not intended to prevent the broadcast of material which is:
  - i) factual, or
  - ii) the expression of genuinely-held opinion in a news or current affairs programme, or
  - iii) in the legitimate context of a humorous, satirical or dramatic work.

TVNZ assessed the complaint that the item was in breach of the standard requiring good taste and decency first. It emphasised that the story of the young woman, who had been dux at her school and had opted to pursue a career in stripping rather than to further her education, challenged the stereotypical view of strippers. It justified including the scenes of the strip show, arguing that that was an essential part of telling the story about the woman's career, what motivated her and how she had the full support of her mother. Noting that the segment was significantly shortened before being screened in New Zealand, it maintained that the material which was left was inoffensive and "utterly predictable." It declined to uphold that aspect of the complaint.

The Authority, in its decision on the first series of *Sex* (Decision Nos: 10/93 - 24/93) observed:

THE items which portrayed women stripping were shown more frequently than their importance in real life would warrant. In its view the series would have been as effective without those items and it was a sad reflection on society that the producers of the series felt it necessary to include such scenes merely to retain



viewer interest.

The Authority expressed its disappointment that despite that cautionary comment this long and explicit item focused almost entirely on the stripper and her various routines. The Authority was unconvinced by TVNZ's argument that:

... most viewers would have been intrigued by the woman who was the focus of the item. Here, after all, was a highly educated young person who had opted for the life of a stripper, and with the full blessing of her mother.

The Authority was unable to discern from the item what motivated her, apart from the obvious financial gain, and felt that it learned very little about the stripper or her mother. Instead, the focus was on the strip show. It believed that this segment was simply an excuse to show another naked woman acting provocatively and deliberately titillating her male audience. Accordingly, the Authority was of the view that this strip performance was repetitious, gratuitous and had no purpose other than to show the young woman's body and the reactions of her male audiences to her provocative routines. It upheld the complaint that this segment exceeded the bounds of good taste and decency and thus was in breach of standard G2.

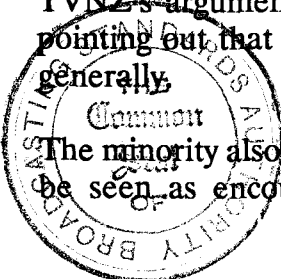
With reference to the G13 aspect of the complaint, TVNZ acknowledged at the outset that an argument could be made that strip shows denigrated women but maintained that in this item the story focused on a highly motivated woman who was making a success of her career. It argued that there seemed no doubt that the woman did not believe she was denigrated, and neither did her mother. Accordingly it declined to uphold that aspect of the complaint.

The Authority noted that in previous decisions it has interpreted denigration to mean that the activities portrayed were responsible for blackening the reputation of women as a class. Discrimination, the alternative limb of standard G13, is, in the Authority's view, a lower threshold test which it would interpret to mean that the activities portrayed encouraged different treatment of women as a class.

The majority decided that although the item could be viewed as encouraging denigration of women, it acknowledged that in this case, since the reporter was following the events in a day for one stripper and presenting her career choice, the factual exception to G13 applied. Accordingly, although the item was borderline, it was not in breach.

A minority of the Authority was of the view that the scenes of the woman stripping and inviting men to fondle her body were in breach of standard G13 because they reinforced the idea that women were not only always sexually available but that they enjoyed this kind of impersonal sexual attention from men. The minority rejected as irrelevant TVNZ's argument that the young woman herself did not believe she was denigrated, pointing out that the standard referred to the encouragement of denigration of women generally.

The minority also rejected TVNZ's argument that although the activity of stripping might be seen as encouraging denigration of women, the reporting of it did not in itself



encourage denigration. The standards require that each specific broadcast be taken into account and in the case of the segment complained about, the minority did not agree that the reporting of the stripper automatically avoided a breach of standard G13 just because it was factual.

In an earlier decision (Decision No: 86/92) where the Authority concluded that the programme *Bikini Jam: Uncovering the Cover Girl* complied with the factual exception to standard G13, it wrote:

...the Authority believed that the programme made an honest attempt to uncover and discuss the issues of why some women entered such contests and why they displayed such fervour. In this instance the programme set forth the reasons for the contestants' efforts in a relatively low-key way.

It continued:

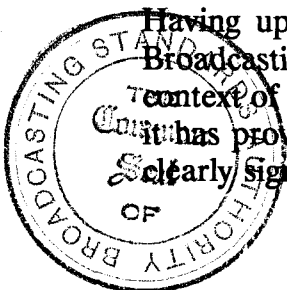
Taking into account first, that the programme complained about was a factual record of the activities and the motives of a group of highly ambitious women who entered the contest, and secondly, that the programme makers themselves neither advanced an opinion on the contest nor portrayed it salaciously for example by focusing on cleavages, but rather let the actions of the women speak for themselves, the Authority concluded that the programme and its promo complied with the exception envisaged by standard 26(i) [now G13(i)].

The minority was unable to reach the same conclusion with this complaint, noting that little attempt was made to explain what motivated the woman to pursue this career and that the item contained scenes from up to nine different locations showing the strip routine, including scenes of men fondling the woman's body, accompanied in some instances by a song which contained the phrase "lay your hands on me". It decided that the focus of the item was predominantly on the stripping, not on the stripper or her mother, and because the strip show was unequivocally intended to titillate the audience, the broadcast was made in a salacious manner and thus failed to meet the requirements of the factual exception.

**For the reasons set forth above, the Authority upholds the complaint that the item on stripping in Episode 2 of the series *Sex* broadcast by Television New Zealand Ltd on 23 March 1993 was in breach of standard G2 of the Television Code of Broadcasting Practice.**

**A majority of the Authority declines to uphold the complaint that the same item was in breach of standard G13.**

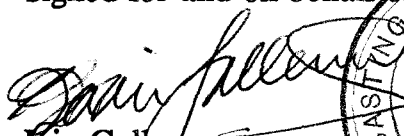
Having upheld a complaint, the Authority may make an order under s.13(1) of the Broadcasting Act 1989. It does not intend to do so on this occasion because of the context of the programme which is about various aspects of sex and sexuality. Although it has provided warnings in previous decisions, this is the first time the Authority has clearly signalled its expectations about what might constitute a breach of standard G2



in this context.

The Authority also reiterates that even though an item is factual, the way it is presented can be exploitative and encourage discrimination or denigration.

Signed for and on behalf of the Authority



Páin Gallaway  
Chairperson  
17 June 1993



## Appendix

### Mr Kerry Sharp's Complaint to Television New Zealand Limited

In a letter dated 26 March 1993 Mr Kerry Sharp of Palmerston North complained to Television New Zealand Ltd that episode 2 of the series *Sex* broadcast on 23 March between 9.30 -10.30pm was offensive and objectionable and denigrated women by treating them as sex objects.

In particular, he objected to an item which showed a woman stripping. This, he claimed, amounted to pornography because its prime purpose was to titillate. He accused TVNZ of descending to its usual depths of depravity by screening such objectionable and offensive television, and, citing a recent poll in the USA which found that the majority of Americans wanted less sexual content in films, claimed that those results also had relevance to New Zealanders.

### TVNZ's Response to the Formal Complaint

TVNZ advised Mr Sharp of its Complaints Committee's decision in a letter dated 8 April 1993. The complaint had been considered under the standards G2 and G13 which were nominated by Mr Sharp and which require broadcasters to take into consideration currently accepted norms of decency and taste and to avoid portraying people in a way which is likely to encourage denigration on account of sex.

The item to which Mr Sharp objected told the story of a young woman who abandoned a promising academic career to become a stripper. According to TVNZ it tried to show what motivated the young woman and disagreed with Mr Sharp that it was simply to titillate. It observed that the strip show scenes were shortened when shown in New Zealand and the material that was included was "inoffensive and utterly predictable". It acknowledged that a case could be made that strip shows denigrated women, but argued that in this item, the story focused on a highly motivated young woman, who, with the support of her mother, was making a successful career of stripping.

In concluding, TVNZ observed that the programme had an S2130 certificate and was preceded by an on screen and verbal warning. It also noted that despite Mr Sharp's contention that the majority of New Zealanders would be equally shocked by the programme, it rated very well for a programme broadcast at 9.30pm and that TVNZ had received no other complaints about any aspect of that episode.

It declined to uphold the complaint.

### Mr Sharp's Complaint to the Broadcasting Standards Authority

Dissatisfied with TVNZ's decision, in a letter dated 20 April, Mr Sharp referred his



complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

He repeated his contention that the item showing the woman stripper was denigratory to women because it treated them as sex objects. In his view, the prime purpose of the item was to titillate, and the item had no valid educational purpose. Mr Sharp quoted the testimony of a group representing Women Against Pornography which cited the experience of many women who linked sexual abuse with pornography. He accused TVNZ of allowing a decline in television standards which "is corrupting New Zealand youth and destroying marriage and the family." He continued:

If men, especially young men, have a diet of explicit pornographic videos that show fantasy as apparent reality, what kinds of perverted expectations are going to carry over into their relationships with women!

In his view, TVNZ should take a more responsible role in building up sound family values.

So many television programmes are liberal, amoral (=immoral) and are purposely(?) aimed at assaulting the universal traditional values and standards that have stood the test of time - that have also been the moral and spiritual foundations of our nation of New Zealand, and of the Western world. The SEX series is a classic example!

### TVNZ's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 21 April, and TVNZ's reply 26 April 1993.

TVNZ noted that it had little to add other than to emphasise the context in which the item appeared and the hour at which it was screened. It maintained that even if some people saw the activity of stripping as demeaning, the reporting that such an activity occurred was not in itself denigratory. It argued that the media had a responsibility to report on such activities because it encouraged debate on the issues.

With respect to the particular item, it repeated its view that it was intriguing because it was unexpected to find a highly educated young woman opting for the life of a stripper. It disagreed with Mr Sharp that it would result in "exciting lascivious or lustful feelings". It noted that substantial cuts had been made to the programme, including the removal of sections of the item on the stripper.

It concluded by observing that Mr Sharp was the only person who lodged a formal complaint about this episode, and that the phone log revealed that not a single viewer was moved to complain (or even comment) about the most recent episode (episode



**Mr Sharp's Final Comment to the Authority**

When asked to comment briefly on TVNZ's response, in a letter dated 1 May 1993, Mr Sharp repeated his contention that the programme standards applied by TVNZ were far too low and too liberal. He quoted the views of Women Against Pornography which described strip shows as "live pornography", and argued that pornography played a key role in promoting and condoning violence against women. He noted that there was now a greater understanding of the harm done by pornography and that 70% of respondents in an opinion poll supported tighter controls on pornography.

In his view, there was no valid reason to screen pornography or erotica on television, and he cited poll results which showed that the majority "are unhappy with the lack of wholesome television on our screens."

