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ADJUDICATION NO: 15/A/2014

DATE OF BROADCAST: *Roger Goode Show* ON 6 MAY 2014 AT 16h45

BROADCASTER: 5FM

COMPLAINANTS: DE KOCK, POWELS, LACKEY, MOYES, DOORDUIN
& DE BEER

COMPLAINT

Complaint about offensive and unacceptable language unsuitable for children.

APPLICABLE RULES

The following Clauses of the BCCSA's Code of Conduct:

- 6 (1) Broadcasting service licensees must not broadcast material which is harmful or disturbing to children at times when a large number of children are likely to be part of the audience.
- (11) No excessively or grossly offensive language should be used before the watershed period on television or at times when a large number of children are likely to be part of the audience on television or radio.
- 4 (1) Broadcasting service licensees must not broadcast material which, judged within context, sanctions, promotes or glamorises violence or unlawful conduct based on race, national or ethnic origin, colour, religion, gender, sexual orientation, age, or mental or physical disability.

ADJUDICATION

[1] A complaint was received against 5FM regarding the alleged offensive and unsuitable content and language that was broadcast in the *Roger Goode Show* on 6 May 2014 at 16h45.

[2] **The complaints read as follows:**

De Kock:

"I would like to submit a complaint please –

- **5FM – Roger Goode**
- Date: 06/05/2014.
- Time: Between 16:30 and 17:00

Roger Goode must realise that his new time slot in the afternoons is FAMILY time and not late night like he is used too.

On the 06/05/2014, I fetched my 4 year old from school and was driving home. Here are my 3 complaints

1. Roger Goode asked his "crew" one by one and a phone-in caller, what they would prefer, "**a vagina on your forehead or a row of penis's down your back**". All their explanations were disgusting. This is hardly the discussion I want to have with my 4 year old and I shouldn't too.
2. His caller (it sounded like a friend of his) then asked "**What would you prefer, to cut off your bottom lip with a blunt scissor or stick a pin in your eye ball**". This is totally inappropriate talk for a family show and is promoting self-mutation!
3. Lastly a lady complained on Twitter which Roger Goode laughed off by stating that they must be "old" to complain about the recent discussion. And then went on to tell a story about people complaining on a recent flight, where the passengers complained about SEX noises coming from the bathroom. Again, my 4 year old asked me what sex noises were!!!!!!

I find that the content of the show is very disturbing and will not be listening from now on.

Powels: "This afternoon, 6 May 2014, during the afternoon show (4:45 pm) I was most offended by a discussion of the dj asking people if they would prefer to have a vagina on their forehead or a row of penises on their backs. I am in no way a prude and if sexual innuendo is done in an appropriate way so as young children do not understand the content it can be excused. However, one listens to the radio during this time in the car with young children, and this took me by surprise. After some reflection, I have decided to lodge a complaint. It was the show / team which has replaced the Fresh drive – which I may add did often reference sexual content but never in such a shocking way!"

Lackey: "I would like to bring to your attention a discussion/insert that was aired on Roger Goode's show on 5fm yesterday, 6 May 2014 at around 16h45, that I felt was inappropriate content for a drive-time show when people like myself had their children in the car. It was a discussion about 'would you rather' and continued to describe the placement of female and male genitals on different parts of the body. A tasteless discussion to say the least. I did however take severe offense when who I assume was Roger said that if he had a 'vagina' on his forehead he'd be playing with it all day. The discussion continued with reference to sexual arousal of genitals by different members of the team. I find this tasteless and an inappropriate discussion of genitalia of a sexual nature at a time when children are generally in earshot of the radio. I trust you will look into this matter and I have faith in your findings."

Moyes: "I herewith lodge my complaint against "DJ Roger Goode" (SABC 5FM) whereby he discussed on air and invited listeners to call about whether a person would "rather have a

vagina on your face, or row of penises on your back". I find this totally offensive and out of line for a radio show broadcast during the day and on a channel run by the public broadcaster.

Minors listen to this radio channel and this is totally unacceptable. The above mentioned show is broadcast daily and this occurred on Tuesday 6 May 2014. To add to this, parts of what he said is used as a "promo" which was aired on Thursday 8 May 2014 between 8h00 and 9h00. The time of this event was between 4pm and 5pm on the 6 May. Also as I said a snippet for "promo purposes" is broadcast as well, the latest was at 10h23 this morning. As this radio channel is played in our office, I cannot help hearing what is played."

Doorduyn: "I would like to complain against the use of offensive sexual language on 5fm radio station. On 5 or 6 may 2014 during the afternoon show (I think) the DJs discussed if they would prefer to have a Virginia on their forehead or penises on their back like a dinosaur. I found this extremely offensive and sider to think any children had to listen to this?"

De Beer: "I am but one in a million listeners to the 5 FM Radio Station and doubt that my one opinion will make any difference. What an absolute disappointment the Roger Goode Show on 5 FM is! What a rude man with a vast vocabulary of crude and inappropriate words. On Tuesday I had to listen to a topic on his radio show about 'Would you rather have a vagina on your forehead or a row of penises on your back'!!!! I mean come on!!!! No one on 5 FM ever had to stoop to such lows and I find it very inappropriate for an afternoon radio show. I sincerely hope that this matter will be taken seriously and that something will be done about this. I have unfortunately not been able to find a contact person at 5FM who I can email and very much doubt that they will worry much about my opinion. Approximate date and time of the broadcast was on Tuesday, 6 May 2014 between 15h00 and 17h00 (if I remember correctly it was before 16h00)."

[3] **The Broadcaster responded as follows:**

1. As the BCCSA is aware from earlier responses to complaints against 5FM, the station is a Contemporary Hit Radio station that presents music, news, information, sport and entertainment suited to a mature audience in the metropolitan areas of South Africa. 5FM is known to be a station that employs talent that is personality driven and often outspoken.
2. 5FM does not actively broadcast to children.
3. The complaints allude to a segment broadcast on the Roger Goode Show in a feature called *Would You Rather*. In this segment a caller to the show is given two options, where they have to pick one. They then have the opportunity to give the on-air team two options where the team is forced to decide which of the two they would accept.
4. *Would You Rather* is a nonsensical game that is quite popular and often played amongst young adults at university and most often makes a person choose between two absurd options. The reality is very often that you would prefer neither of the two options. A listener that forms part of the target audience would in our opinion understand the obvious irrational stupidity of the question.
5. The afternoon drive team is predominantly catering for a young adult market who are light hearted in approach and do not take matters to heart or too seriously.
6. The BCCSA has requested that the SABC provides a response in terms in terms of clause 6 of the Code of Conduct (Harmful to Children) as well as clause 4 dealing with gender.

7. It is clear in listening to the audio that the choice of question posed by the team is in poor taste and is not a topic that would be repeated in the future.
8. The content is in poor taste but when considering if it is harmful to children we do believe it can be argued that it was either harmful or disturbing to children. Due to the complete nonsensical nature of the topic I believe the topic would have been dismissed by the average listener.
9. In considering the clause of the Code in relation to gender, we believe that even though the nature of the content is in poor taste, it is not promoting, sanctioning or glamourising any violence or unlawful conduct against either gender.

We submit that there has been no contravention of the Code, as this incident was at best in poor taste.”

- [4] I have listened to the question, which was posed more than once in the feature *Would You Rather*, namely “*Would you rather have a vagina on your forehead or a row of penises all the way down your back like a dinosaur?*” and in my opinion it was not only in extremely poor taste and vulgar, but the topic was also completely ludicrous. The question posed was demeaning to women (and for that matter, to men too) and drew inappropriate attention to parts of the sexual anatomy in a mocking manner which increased the shock value. The subsequent remark by one of the team members that if he had a vagina on his forehead he'd be playing with it all day, as well as using parts of the clip for a promo are aggravating factors. Even a second question that was posed, namely “*What would you prefer, to cut off your bottom lip with a blunt scissor or put a boiling hot needle through the centre of your eye?*” might have been disturbing to children.
- [5] I also listened to the insert where a recording of a loud lovemaking session in a toilet on a plane was played with “sex noises” coming from the toilet. This is also not the kind of content that one would expect during the afternoon drive show when there is a high probability that children might be in the audience.
- [6] Unfortunately, statistics on child listenership are not available, but since 5FM is a popular, national, contemporary hit radio station with an audience of about 1.5 million 20-30 year old urban South Africans, the number of children exposed to the station at the time of broadcast might have been substantial. Although 5FM’s target audience is not children, their target audience is exactly the age group that would have young children in their cars at this time of the day when children are collected

from afterschool centres, sports and other afterschool activities. The number of children in the audience after school hours is substantial, even though they sometimes may be an unintended target group or captured audience. Although very young children would not have understood the sexual terminology and innuendo, it is quite possible that older children would have asked uncomfortable questions. In this regard, even though parents and caretakers have a co-responsibility to protect children from being exposed to harmful and disturbing material, it is unfair that a popular radio station put this kind of material on the agenda during family time.

- [7] The Broadcaster argues that “*the afternoon drive team is predominantly catering for a young adult market who are light hearted in approach and do not take matters to heart or too seriously*” and that their target market is not children. If this argument is accepted, it means that any kind of material may be broadcast at any time of the day by radio stations whose target markets are not children, no matter how unsuitable for children it may be.
- [8] It is understandable that the remarks in question offended and angered the complainants. It should be noted that Clause 6 does not only prohibit excessively or grossly offensive language, but ALSO harmful or disturbing material in general. Furthermore, the Clause stipulates that that this kind of language is prohibited when large numbers of children are likely to be part of the audience. As argued above, this may have been the case with this programme. In my opinion the kind of material in question could be disturbing and even harmful to children; it can be considered to be excessively and grossly offensive to many adults; and it can be seen as being demeaning to women (specifically the remark by one of the presenters that if he had a vagina on his forehead he'd be playing with it all day). The latter remark may even be described as an explicit description of a sexual activity. It is again emphasised that the responsibility for the broadcast of inappropriate topics or language is always the broadcaster's, whether the offending words are or are not those of its presenters. Therefore, radio stations should be vigilant and conscientious with regard to the language they permit on their airwaves, especially before the watershed, and should always keep sensitive listeners in mind. Since such a wide variety of listeners are reached by the mass media it is crucial that high standards are maintained.

[9] Notwithstanding the rationalisation and argument of the broadcaster, in my opinion the material was distasteful to the degree that it rose to the level of exceeding the limits of the Broadcaster's freedom of expression. Not only could it be disturbing and harmful to children who might have been exposed to extremely crude material before they were ready for it, it was also excessively offensive to sensitive listeners, and was demeaning to women because it drew inappropriate attention to certain parts of the sexual anatomy in a mocking manner and included a description of a sexual activity.

The Complaint is accordingly upheld and the sanction that is imposed on the Broadcaster is a reprimand.

**DR. LINDA VENTER
BCCSA COMMISSIONER**