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DATE OF HEARING: 14 MARCH 2003 **CASE NO: 19/2003**

C REDDY **COMPLAINANT**

vs

e-tv **RESPONDENT**

**TRIBUNAL: MR RATHA MOKGOATLHENG (DEPUTY CHAIRPERSON)
DR WILLEM DE KLERK
PROF RAVI NAYAGAR**

**FOR THE RESPONDENT: MR OLIFILE BOP TSHWEU, REGULATORY
AFFAIRS EXECUTIVE**

SUMMARY

Film containing a fleeting non- sexual nude scene. Held that film not unsuitable to be broadcast at a time when a large number of children formed part of the audience when viewing it under parental guidance. The complaint is dismissed.

JUDGMENT

Ratha Mokgoatlheng

[1] The Complainant is aggrieved that e-tv at 09:00 on the 30th December 2002 broadcast a feature film “Things Change” that depicted a nude scene, further

that there were nude scenes depicting sex, and the use of offensive language. Further the Complainant states that the feature film was broadcast during a time when young children were likely to form part of the audience. The feature film had a parental guidance rating.

[2] “Applicable clause 7.1.3 of the Code provides as follows:

“The electronic media shall exercise due care and responsibility in the presentation of programmes where a large number of children is likely to be part of the audience.”

[3] The feature film “Things Change” is a film about a character who is enlisted by a crime syndicate to serve time in prison for a crime committed by a member of the crime syndicate. Before the character appears in court he is treated to a weekend in Chicago where he attends a casino, booked into a luxury hotel, and entertained by dancers in a jacuzzi. The nude part in the film is a fleeting scene wherein a woman enters the jacuzzi and lets her gown slip with her back facing the audience. There are no sex scenes; there are no violent scenes, the language used is not offensive.

[4] The Film and Publication Board issued a Parental Guidance certificate. The theme and plot of the film including the interaction of the characters is so innocuous that it cannot be said to be unsuitable for children,

The complaint is dismissed.

**RATH MOKGOATLHENG
DEPUTY CHAIRPERSON**

Commissioners: De Klerk and Nayagar concurred in the above judgment.