



ADJUDICATION NO: 07/A/2026

NAME OF PROGRAMME: AMERICAN MONSTER
DATE AND TIME OF BROADCAST: 13 FEBRUARY AT 16:50
BROADCASTER: MULTICHOICE CHANNEL 171
COMPLAINANT: HERBERT

COMPLAINT

Complaint that documentary broadcast before the watershed was allegedly inappropriate for children and without sufficient warnings.

**APPLICABLE CLAUSES OF
SUBSCRIPTION BROADCASTING CODE OF CONDUCT**

- Clause 12** A television or composite subscription broadcasting service licensee, wherever practicable, must avoid broadcasting programming material, including promotional material, which is unsuitable for children and/or contains nudity, explicit sexual conduct, violence or offensive language before the watershed period.
- Clause 14** A subscription broadcasting service licensee, wherever practicable, and having particular regard to the protection of children, must classify the programming it intends to broadcast.
- Clause 15** The classification must indicate –
- 15.1** the appropriate age restriction for viewing or listening to a programme; and
 - 15.2** whether the programme contains nudity, sexual conduct, violence or offensive language.

ADJUDICATION

- [1] A complaint was lodged with the BCCSA against MultiChoice channel 171 for broadcasting an episode of *American Monster* that was allegedly inappropriate for children and without sufficient warnings on 13 February 2026 at 16:25.

[2] **The complaint reads as follows:**

"I want to lodge a complaint re the content of American Monster channel 171 broadcast from 16.50 on 13 February 2026

Totally inappropriate for this time of day Including how the perp got and hid his erections while doing pelvic examinations on young girls. This is awful. Please respond.

Thank you for your reply. In the case of this 'documentary' I do not think the so called safeguards of warnings is sufficient. And why should parents have to be responsible for monitoring content and controlling viewing with a PIN. If you would care to watch the episode I referred to I am sure you will agree that is not suitable viewing any time children might be around. I'm no prude but it is horribly graphic.

As for the pre programme warnings. They don't take account of someone channel hopping and getting on to the channel in the middle of an episode as I did.

I look forward to hearing from you. I am not prepared to search for the section of the code that I believe has been breached - it should be obvious."

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

"RE: COMPLAINT FROM SW HERBERT REGARDING THE PROGRAMME,

Introduction

1. We refer to the complaint lodged by Mr Herbert ("the complainant"), regarding an episode of the documentary, "the American Monster", which was broadcast on DStv channel 171, Investigation Discovery channel.
2. The complainant alleges that the programme was not suitable for the time slot it was broadcast as it was not suitable for younger viewers. The programme was broadcast at 16h50.
3. The Office of the Registrar, has requested us to respond to the complaint taking into account the clauses of the Code dealing with Watershed Period (clause 12), Classification of Programmes (clauses 14 and 15) and Information to be provided about Programming (Clause 18).

The Programme

4. The American Monster is a true crime documentary series tracing how the seemingly normal people hide horrifying crimes, including murderous tendencies and other horrendous acts.

5. In the episode in question, the programme traces in details the sexual crimes committed by Lawrence Nassar who was a team doctor for the United States women's gymnastics team from 1996 to 2014. He was seen as a respectable doctor.
6. Lawrence Nassar used his position to exploit and sexually assault hundreds of young athletes as part of the largest sexual scandal in the sports history.
7. The episode interviews the victims, other doctors who knew Lawrence as a professional, the journalists and the parents of the victims.

Classification of the Episode

8. Clauses 14 and 15 require the broadcasters to classify the programming it intends to broadcast.
9. The classification must indicate –
 - 9.1 the appropriate age restriction for viewing or listening to a programme; and
 - 9.2 whether the programme contains nudity, sexual conduct, violence or offensive language.
10. We submit therefor that the broadcaster complied with the provisions of clauses 14 and 15.

Information Provided about the Programme

11. Clause 18 of the Code requires the broadcaster to provide clear and consistent information to its audience about the classification thereof, so that its audience may select the programming –
 - 11.1 they do not wish to view or listen to;
 - 11.2 they do not wish their children to view or listen to
12. In compliance with clause 18, the broadcaster provided the information at the commencement of the episode that *"This episode details sexual abuse against children. Viewer discretion is advised"*.
13. We submit therefore that the episode provided sufficient information, in addition to the classification, to enable the viewer to make informed they or their children should watch the programme.
14. The broadcaster therefore complied with clause 18 of the programme.

Watershed Period

15. Clause 12 of the Code provides that a broadcaster must avoid broadcasting programming material, including promotional material, which is unsuitable for children and/or contains nudity, explicit sexual conduct, violence or offensive language before the watershed period.
16. We submit that none of the content of the contained in the episode may be considered not suitable for pre-watershed period programming. In particular, the programming did not contain nudity, explicit sexual conduct, violence or offensive language scenes.
17. In addition, the programme is a documentary with historical and educational value and does not contain gratuitous scenes or explicit sexual conduct.

Conclusion

18. We do note the complainant's concerns and thank him for bringing those to our attention. We however of the opinion that the broadcast of the episode did not contravene any provisions of the Code."

[4] The Complainant replied as follows:

"Thank you for your email and the attachment detailing the Multichoice response in which they try to justify the unjustifiable by falling back on various layers of bureaucracy. I know it is pointless trying to argue against their 'safeguards' and their take on the 'watershed'. It's obvious that the 'warning' at the beginning of the programme is no safeguard for young and impressionable children. Like me they could have channel hopped and arrived on the programme after it started.

No, the answer is to only allow such programmes after the watershed. This is obvious but probably inconvenient for Multichoice.

To reiterate - I do not have a copy of the programme but my recollection is that someone - possibly the perpetrator Lawrence Nasser - was demonstrating how he committed his awful crimes, fondling the genitalia of young girls. When asked how he hid his erections he showed how he wore a moonbag that hung down over his crotch. With this awful scene still in my mind it is impossible to accept the **Multichoice rationale which is as follows**. Beside anything the statement is not true

16. .We submit that none of the content of the contained (sic) in the episode may be considered not suitable for pre-watershed period programming. In particular, the programming did not contain nudity, explicit sexual conduct, violence or offensive language scenes.

17.In addition, the programme is a documentary with historical and educational value and does not contain gratuitous scenes or explicit sexual conduct."

EVALUATION

[5] I have viewed the impugned documentary. The episode in question contains details of the sexual abuse and exploitation of hundreds of young female gymnasts, some as young as 12 years old, over a period spanning three decades. Dr Nassar (*hereinafter "the perpetrator"*) was convicted in 2018 and sentenced to 175 years' imprisonment, having faced criminal charges in both state and federal courts, the latter in respect of child pornography. He served as the team doctor for the United States women's gymnastics team from 1996 to 2014 and was regarded as a popular, competent, and respected practitioner who befriended the young girls, who were his "patients", and their parents. He was also a lecturer at Michigan State University and, in his defence, stated that he

regularly lectured on the methods he employed in his medical practice. The matter became one of the largest sexual abuse scandals in the history of sport.

- [6] The episode includes interviews with victims who were young at the time of the abuse, another medical professional who knew the perpetrator, and a journalist. The victims described how they idolised the perpetrator and felt privileged to have him as their doctor and believed that he contributed to their success in sport. As they had been informed that doctors are permitted to touch private parts, and as their mothers were often present during consultations, they assumed his methods were appropriate and endured the painful and humiliating internal manipulations. The perpetrator purposely positioned himself between the patient and the parent, thereby preventing the latter from observing his conduct. He reportedly did not wear gloves and, as later revealed, used a moon bag to conceal his erections. When recounting their experiences in the documentary, the victims—by then adult women—were visibly distressed. It was only years later that they realised that the perpetrator’s conduct was inappropriate.
- [7] The Complainant contends that the documentary is unsuitable for viewing at any time when children may be part of the audience, alleging that it contained “*horribly graphic material*” and the “*fondling*” of the “*genitalia of young girls*”. The latter allegation is totally incorrect since there were no visuals of such alleged conduct. The Complainant further submits that the warning displayed at the commencement of the programme was insufficient, as it did not take into account viewers who might encounter the programme while channel surfing, and that parents should not bear responsibility for monitoring content through parental control mechanisms.
- [8] Early in the programme it became apparent how the discussion would develop. Parents and caregivers who did not wish their children to be exposed to such material had sufficient opportunity to change channels or switch off the television,

without infringing on the rights of those who elected to continue viewing. The primary responsibility for protecting children from potentially harmful content rests with parents.

[9] Clause 12 provides that subscription broadcasters must avoid broadcasting material that is unsuitable for children, including content containing nudity, explicit sexual conduct, violence, or offensive language, before the watershed period. The watershed for subscription broadcasters commences at 20:00, earlier than for free-to-air broadcasters due to the availability of parental control mechanisms via decoders. Although this programme was broadcast at 16:50, I do not consider it unsuitable for children for the following reasons:

- it contained no nudity, explicit sexual conduct, violence, or offensive language;
- the discussions were conducted in a professional and objective manner;
- terms such as “*erection*” and “*vagina*” are clinically accurate and not vulgar or colloquial;
- a warning was displayed at the commencement of the programme stating: “*This episode details sexual abuse against children. Viewer discretion is advised*”; and
- most reasonable viewers would likely have found the programme informative rather than offensive.

[10] Clauses 14 and 15 require subscription broadcasters to classify programmes and to indicate the appropriate age restriction for viewing or listening. Although the warning displayed at the commencement of the programme did not include an age restriction, this omission is not material. It is unlikely that younger children would have understood the medical terminology used, as comprehension of such material requires a level of maturity and contextual understanding that they generally lack. Older children and parents could benefit from awareness of the

type of abuse that may occur in seemingly benign circumstances. I therefore agree with the Broadcaster that the documentary had historical and educational value and did not contain gratuitous or explicit sexual content.

[11] Care should be taken not to regard the Broadcasting Code as a tool for censorship. In a media-saturated society, children are often exposed to matters relating to sexuality and abuse at an early age through various forms of media, ranging from social networks to films. A programme such as this may provide an opportunity for parents to engage constructively with their children regarding sensitive issues and how to avoid similar dangers. Where older children are exposed to such material and raise questions, it remains the responsibility of parents to manage those discussions appropriately.

[12] In the evaluation of any complaint, the context of the broadcast is a critical consideration. This requires an adjudicator to consider not only the content of the broadcast, but also the programme genre and the broader societal context. Channel 171, **Investigation Discovery**, is dedicated to true crime documentaries and series. The subject matter of the impugned documentary—namely sexual abuse within a medical context—is consistent with the channel’s format and is a matter of public importance, as it is essential that young girls are made aware of such issues.

[13] It is not the intention of broadcasters to harm, offend, or embarrass their audiences. Having regard to the educational value of the programme and the careful manner in which the sensitive subject was presented, **I find that there has been no contravention of the Code and the complaint is dismissed.**



DR LINDA VENTER
COMMISSIONER: BROADCASTING COMPLAINTS COMMISSION