[IE] Comedian's comment on "Eucharist" did not breach broadcasting code

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The Executive Complaints Forum of the Broadcasting Authority of Ireland (BAI) has rejected a complaint against the broadcaster TV3 that a comedian's comment about the "Eucharist" infringed general community standards and respect for persons and groups in society. A complaint had been made over the March 2016 broadcast of the comedian Tommy Tiernan's Crooked Man programme by TV3, in which he referred to the "Eucharist" as "that f****** thing".

Under section 48 of the Broadcasting Act 2009, individuals may make a complaint to the Authority that a broadcaster failed to comply with the broadcasting codes. The complainant stated that while one "expected" Tommy Tiernan to use "coarse and offensive language, the comedian "went beyond the limits of acceptability" with this reference. The complainant was of the opinion that the comedian's comment "amounted to blasphemy" and asserted that "while satire and mockery are part of the comedian's routine, blasphemy, profaning the sacred, is an entirely different matter." The complainant further contended that "it was an offence under the Defamation Act to broadcast it."

In response to the complaint, TV3 stated that Tommy Tiernan is a comedian and that "comedians typically use material that may not to be everyone's liking". The broadcaster contended that "Satire and mockery is part of Mr. Tiernan's routine" and it was "quite clear" that the comedian's "comment was a joke and not meant in the literal sense."

The BAI Executive Complaints Forum, in adjudicating the complaint, observed that the reference to the Eucharist in the programme "was made in the context of a comedy routine and that "one of the functions of comedy is to push the boundaries of acceptable speech." The Forum acknowledged that comedy content "may be offensive to some viewers or listeners" and as such, the Forum was concerned with the question of "whether the content was offensive in a manner that would infringe general community standards and infringe respect for person and groups in society."

In reaching its decision, the Forum had regard, in particular, to the fact that "the programme was broadcast at 10pm," after the watershed, "when it is accepted that content of a more adult nature can be broadcast". The Forum also considered

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“the fact that Mr. Tiernan’s comedic style is well-known and the content of his stand-up regularly includes coarse and offensive language and addresses various aspects of modern society, including religion.” In terms of the “specific remarks”, the Forum found that while the comedian made reference to the Eucharist, “the focus of the remarks was not on this religious practice but rather on the comedian’s personal reflections on his own upbringing in a Catholic country, his own experience as an altar boy and the manner in which Irish society and its social and religious beliefs have changed.”

The Forum unanimously agreed that the programme did not violate the requirements of the Broadcasting Code with regard to respect for community standards and persons and groups in society. Accordingly, the Forum rejected the complaint.

Broadcasting Authority of Ireland, Broadcasting Complaint Decisions, 30 November 2016, pp. 18-20

http://www.bai.ie/en/latest-broadcasting-complaints-decisions-published-28/

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