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**CANADIAN BROADCAST STANDARDS COUNCIL  
ONTARIO REGIONAL PANEL**

CITY-TV re an episode of *The Maury Povich Show*

(CBSC Decision 02/03-1424)

Decided February 10, 2004

R. Stanbury (Chair), M. Ziniak (Vice Chair), H. Hassan,  
M. Oldfield and J. Pungente

M. Maheu, who customarily sits on this Panel, did not do so in this case since the company for which he was then working also owned CITY-TV.

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**THE FACTS**

On June 10, 2003, at 9:00 am, CITY-TV (Toronto) broadcast an episode of the *Maury Povich Show* which was entitled, and dealt principally although not exclusively with, "Shocking Life or Death Moments Caught on Tape". The challenged episode appeared to be constructed from a collection of various previous episodes in which the host had welcomed guests who had video segments to show which depicted "life or death" moments. While the segments aired during the first half of the show more or less reflected the stated theme of the episode, some of the segments, such as the last one, which told the story of the reunion between biological siblings raised in different homes, had little or nothing to do with life or death moments. The magazine format episode included the following graphic segments, many of which resulted in danger, injuries or death:

- A speeding car crashed into a parked police patrol car, which was demolished; the police officer standing next to the car was struck down.
- A woman protesting bullfights in Spain was attacked by a bull in the streets. She was tossed around like a rag doll and attacked by the bull while she lay on the ground unconscious.
- During a store robbery a clerk was struck hard on the side of the head by what appeared to be a crowbar.

- A child fell from an amusement park ride. Viewers could see the child falling to the ground after an attempt to catch him failed.
- A person fell from a hot air balloon.
- A dance floor collapsed during a wedding reception. Many of the people were seen falling into a huge hole in this (at the time extremely well-publicized) disaster that occurred in Israel (apparently 25 people died and over 300 people were injured).
- A hot air balloon caught fire before lifting off the ground. A woman could be seen handing her child to a bystander to bring him to safety before the balloon collapsed on her.
- A woman fell off a Ferris wheel.
- A car being chased by the police ran over its passenger, who had fallen out during the pursuit.
- An SUV ran out of control down a very steep mountain.
- A woman attempted to escape a fire.
- A race-car driver crashed and was trapped for some time in his blazing vehicle.
- A skier tumbled over and over in a bad fall on a very steep mountain.
- A helicopter attempting to lift a heavy load dropped the load and then crashed.
- A frightening robbery-murder was re-enacted but was followed by the actual surveillance tape of the murder.
- A dentist sexually molested a patient (unfortunately for him, in that case, it was an undercover police officer).
- A husband was caught “cheating” on his wife with another man, allegedly a male prostitute.
- A woman, reported to be depressed, was seen using a sledge hammer to break windows at the office of her gynaecologist.
- A man was seen taking down his pants in a public laundry room, allegedly to put a “stool softener” in the machine in which another tenant’s clothes were being washed.
- A lady vomited into a dress in a thrift store and then put the item back on the shelf.

A number of the more shocking video segments were repeated as teasers going into the commercial breaks. A “TV14” icon appeared at the beginning of the broadcast. It should be noted that this icon is one of those used as a part of the American ratings system; it is not a rating which forms a part of the Canadian classification system. There were no Canadian ratings icons displayed, nor were there any viewer advisories at the beginning of the episode or coming out of any of the commercial breaks. While the host did from time to time provide some indication of the upcoming content, as noted above, he did this more as a “teaser” to attract audience than as an alert to viewers that they might find any of the content disturbing.

## The Complaint and Further Correspondence

On the day of the broadcast, namely, June 10, the complainant sent a letter to the CBSC that stated in part (the complete texts of all correspondence are included in the appendix):

What are you doing broadcasting the Maury Povich show that is showing some of the most violent content I have ever seen broadcast on television - at 9:00 in the morning? This is worse than the nightly news. News organizations would be reluctant to broadcast most of this, and even if they did, they would warn viewers.

A man getting hit in the head with a crowbar? Is this content that should be shown first thing in the morning? You have no warnings for viewers of the violent content - nor are you even posting ratings for this show. It is sickening what they are broadcasting.

As Maury states: "this next clip is totally horrific".

This episode is showing people dying, or at least the last moments of people's lives. People falling to great injury. This is not content that should be on at this time of the day.

This episode is showing non-stop video scenes of horrific acts. One example is they show a clip of a child flung off of a ride at an amusement park. Another is a bull attacking a person.

This should not be on tv, let alone at time of day that children may see this content.

On June 18, the complainant wrote again, wishing to extend the complaint to the Vancouver-based CHUM Television station. The Council declined to allow that extension since it was clear that the complainant had not personally seen the show on the Vancouver station. The broadcaster's Vice President of Programming replied on July 14, in part as follows:

I have watched the tape of the show in question a number of times now and can understand your concerns. However, to say that the show was in violation of the *CAB Voluntary Code Regarding Violence in Television Programming* (the "Code"), we believe is just not accurate.

Programming which "sanctions, promotes or glamorizes violence" is prohibited under the Section 1.1 of the Code. While the verb "sanction" may have several meanings, an ordinary rule of interpretation would give it that meaning which is consistent with its accompanying verbs "promotes or glamorizes" and not a meaning which differs from those. The applicable meaning in the *Oxford English Dictionary* would be: "2. To permit authoritatively; to authorize; in looser use, to countenance, encourage by express or implied approval." The *O.E.D.* provides a similar definition for "promote": "2. To further the growth, development, progress, or establishment (of anything); to help forward (a process or result); to further, advance, encourage." It is not meant that *any* use of violence in programming will offend the Code but only that which *encourages* violence in the sense of the quoted phrase.

I would argue, then, that this episode of THE MAURY POVICH SHOW does not in any way *encourage* violence. There is certainly nothing in the video or audio portion of the show that glorifies these videos. It is also quite clear from all of the audience interventions that there was not a single voice sympathetic to the unfortunate plights of the people in the videos. This was not meant to be a "how-to" commit violence show.

The show's producers rated the show TV14 at the beginning - talk shows in Canada are exempt from the Canadian Television Ratings Systems. However, we did choose to air the TV14 rating which would be equivalent to the 14+ rating you may be used to seeing which specifically warns that this program may contain themes or intense violence not suitable for viewers under the age of 14.

While the program does depict a few severe scenes of violence, there is never an attempt to minimize or gloss over the effects of the various acts, either. The Code also recognizes that society has a right to have presented to it the reality of the news, however unpleasant or even intolerable that news may be from time to time. It is also important to point out, for example, that one of the videos was requested to be shown by the family of the victim in order to help solve the crime.

Some of the tapes were of real things that happened accidentally to real people. They were presented with the intention of warning people what can happen when safety is not the first consideration. Somewhat violent, perhaps, but presented in the context of trying to help people.

There was also a segment on miraculous escapes made by people after accidents from two shows from the Pax Network in the United States. IT'S A MIRACLE, for example, is an inspiring reality-series devoted to exploring miracles by chronicling true life-altering stories of encounters, healings and interventions caused by mysterious, uplifting phenomena that defy all plausible explanation. The show looks at the mystery of the inexplicable and how it compassionately touches individual lives.

Having said all this, I can understand how sensitive or younger viewers may be frightened by some of the scenes and for this I do apologize. I have made the MAURY producers aware of your concerns and that we will reconsider rebroadcasting this show again [*sic*].

Although the CBSC did not pursue the complaint against CKVU-TV for reasons noted above, the Program Manager for CKVU-TV did take the time to reply to the complainant on July 22. She echoed much of the direction taken by CHUM Television's Vice President of Programming but added the following observations:

There is no doubt but that our society demands that both pleasant and unpleasant matters be dealt with by the media. Broadcasters are, on the one hand, advised to use 'caution in the selection of, and repetition of, video which depicts violence' and yet, on the other hand, are required by the Code 'not to sanitize the reality of the human condition'.

I do agree that children may find this programming unsuitable, but Maury Povich is not a show that is classified as 'children's programming'.

The complainant registered his dissatisfaction with both responses on July 26. He said, in part:

Because people do crazy things it's ok to show them on TV. Because the tv episode was titled 'life and death caught on tape' viewers knew that extreme violence would be shown - without the standard Canadian age rating symbols - you put more warnings about swearing on television. Your excuse that this show was simply depicting the human condition is nothing more than a cheap cop out by executives in the business of making money. Your comment that this was about 'human survival' is a load of crap. Your [*sic*] trying to tell me that someone being hit in the side of the head with a crowbar is about human survival?

Maury is not children's television - but at the same time - ch 6 is playing children's shows because CityTV doesn't think such programming is worthy doesn't negate your place on the dial. It's easy for parents to mistakenly flip to ch 7 or 5. [...]

[...]

I don't know how you can ever justify the broadcast of the violence depicted in that broadcast. And the fact that there was [*sic*] no warnings of the violence shown I question how you could justify the 9:00 airing.

[...] Your [*sic*] airing videos that glorify violence. The whole premise of the show was to shock viewers of the extreme of violence. You can sugar coat this show all you want but the purpose was nothing more than an exercise in depicting violence to entertain.

CityTV is profiting of such violence. I can't believe that you would argue that such show should be shown at 9:00 am with no warnings.

## THE DECISION

The Ontario Regional Panel considered the complaint under the following provisions of the Canadian Association of Broadcasters' (CAB) *Violence Code*:

### *CAB Violence Code*, Article 1 – Content

1.1 Canadian broadcasters shall not air programming which:

contains gratuitous violence in any form\*  
sanctions, promotes or glamorizes violence

(\*“Gratuitous” means material which does not play an integral role in developing the plot, character or theme of the material as a whole).

### *CAB Violence Code*, Article 3 – Scheduling

Programming which contains scenes of violence intended for adult audiences shall not be telecast before the late evening viewing period, defined as 9 pm to 6 am.

## *CAB Violence Code*, Article 4 – Classification System

### AGVOT's Canadian Classification System:

Exempt programming includes: news, sports, documentaries and other information programming; talk shows, music videos, and variety programming.

Note: exempt programming does not require an icon for on-screen ratings.

## *CAB Violence Code*, Article 5 – Viewer Advisories

5.2 Broadcasters shall provide a viewer advisory at the beginning of, and during programming telecast outside of late evening hours, which contains scenes of violence not suitable for children.

The Ontario Regional Panel read all of the correspondence and watched the challenged episode of the *Maury Povich Show*. The Panel finds that the broadcast of that episode was in breach of Articles 1, 3 and 5 of the *CAB Violence Code*.

## **The Nature of the Program and Classification Icons**

The policy relating to the classification of television programming, which was proposed by Canada's private broadcasters and accepted by the CRTC, was first dealt with in *Policy on Violence in Television Programming*, 14 March 1996, P.N. CRTC 1996-36 but the specific system was yet to be proposed. Once that finally happened, in *Classification System for Violence in Television Programming*, 18 June 1997, P.N. CRTC 1997-80, the Commission established the criteria in the following terms:

- § the scope of the classification system should be responsive to the public's concerns while being practical to implement;
- § classifications should be applied, at a minimum, to children's programming (programs intended for children under 12 years of age), drama, "reality-shows" (reality-based dramatic programs), feature films, promotions for any of these programs and advertisements for theatrical releases; and
- § in order to ensure the protection of children from the harmful effects of television violence, regardless of the time at which the programming is scheduled, the programming described above should be encoded with ratings at all times.

The Commission then described the proposed AGVOT system, indicating specifically that "Except for the exempt category, which includes news and public affairs, programs will be rated as falling into one of the following categories [the list follows]." It then underscored its acceptance of the fact that "the proposed rating system meets the criteria set out in its Violence Policy." The AGVOT Classification System was then fully described in the Appendix to the Public Notice, which defined the "Exempt" category in the following terms:

Exempt programming includes: news, sports, documentaries and other information programming; talk shows, music videos, and variety programming.

It is the view of the Ontario Panel that the *Maury Povich Show* falls into the exempt category. It is a magazine format show which partakes of the nature of “news ... and other information programming,” on the one hand, and “talk shows”, on the other. It is not a quasi-entertainment reality-style program of the nature of those dealt with by the Quebec Regional Panel in *TQS re Faut le voir pour le croire* (CBSC Decision 99/00-0460, August 29, 2000) and *TQS re an episode of 2000 ans de bogues* (CBSC Decisions 99/00-0116 and 0345, August 29, 2000). *Maury Povich* consists of a series of mini-segments or vignettes, very loosely threaded around a theme, and introduced by a host, who is the mainstay, the cornerstone of the show, from episode to episode. The program purports to provide information, if not news (at least not *new news*), on a theme (partly, although not fully, respected in this instance), and certainly has talk show elements, the combination of which qualifies *Maury Povich* as exempt programming.

The Panel does, however, wish to note that, in the United States, the show in question was not exempt from classification. Consequently, the American rating of TV14 was displayed on-screen. While the Panel doubts that the Canadian broadcaster played as activist a role as it suggested in the presence of the already-applied U.S. rating (“we did choose to air the TV14 rating which would be equivalent to the 14+ rating you may be used to seeing which specifically warns that this program may contain themes or intense violence not suitable for viewers under the age of 14”), the information included in the American rating icon was undoubtedly of assistance.

The Panel also finds it reassuring to note that the distinction between the Canadian and American system icons was specifically noted by the complainant, who was familiar with the Canadian icons. While the rating was not required in this instance for the reasons noted above, it is good that Canadian viewers are developing a familiarity with the system and are coming to rely on the information it conveys. The bottom line is that there has been no breach of the Canadian classification requirements.

### **The Nature of the Violent Content**

The Panel is troubled by the amount of violence included in the episode and the undeniable sensationalization of it. Many of the video segments were extremely frightening; examples include the policeman being struck by the car, on the one hand, and the criminal being run over in another case, the woman being tossed around by the bull, the child falling from the amusement park ride and the woman from the Ferris wheel, as well as the several instances of fire. Other segments were horrifyingly violent, including the clerk being struck in the head with a

crowbar, the surveillance tape of the murder, and the falling floor at the Israeli wedding, which resulted in many deaths.

That the *Maury Povich Show* is not customarily of this nature makes the challenged episode the worse for its scheduling. Many, although not likely all, of the segments were intended for adult eyes only and should not have been aired before the Watershed hour of 9:00 pm. Running such content 12 hours *before* the Watershed was clearly in breach of Clause 3 of the *Violence Code*. It is, therefore, evident that the absence of viewer advisories constituted a breach of Clause 5 of the Code.

The Panel notes that it does not disagree with either the contention of the broadcaster's Vice President that the episode did not *encourage* violence or that the episode was "not meant to be a 'how-to' commit violence show." That is not the Panel's primary concern here. It rather considers that much of the violence in the episode was, by reason of the creators' editing decisions, gratuitous. In the Panel's view, this results primarily from the decision of the program's producers to replay all of the shocking videos time and again, even repeating them in slow motion to ensure that viewers missed no tragic moment, and finally airing them as teasers going into commercial breaks. The Panel also notes that there was nothing didactic in the episode. There was no theme which related to the avoidance of dangerous actions, which could lead to injurious consequences. The program simply consisted of the threading together of shocking footage, linked by the serendipitous capture on video of shocking and tragic circumstances. In this respect the Panel is reminded of its decision in *CTV re News Report (Police Shooting)* (CBSC Decision 94/95-0213, March 26, 1996), in which the news anchor read the following introduction to footage of a woman being shot by the California Highway Patrol:

A controversy in California where police shot and killed a woman following a high-speed chase. A warning: these next pictures are graphic. The woman eventually stopped her van and walked to the front of it. Police claimed she was carrying a handgun and was aiming the weapon at officers. Some dispute the fact she was even armed. This is the twelfth such police shooting in the California county since November.

The Panel concluded:

There was no fundamental relevance of this American story to Canadian viewers, nor was there *any* attempt made to establish such a link. In general terms, there was no editorial context given for the piece, for viewers in any country. Furthermore, except for the moment of the shooting, no story was even told. There had been no information on the reasons for the shooting and no details on whether the woman in question had been armed. There was neither introduction nor follow-up. The Council believes that the airing of the news item simply turned on the *availability* of the video component. The piece ran *because* of the video clip whereas, in the case of the *Airborne Hazing*, there was a story *without* the clip. It was, of course, a better story with it but there *was* a story to be told. In



this matter, the Council considers that there was none, other than the “shock value” of the film clip itself.

In *CITY-TV re an episode of Hard Copy* (CBSC Decision 96/97-0055, May 8, 1997), this Panel considered the issue of the repetitive use of footage that it otherwise found quite reasonable and purposeful to broadcast in the first place.

While the Council does not find the content of the video segment was such that it should not have been shown at all, it does find that the repetition of the video segment, in whole or in part, on 9 separate occasions throughout the report was disproportionate to its relevance in presenting the story. No new information was conveyed in the repetition of the video and no new perspective was provided to the story by the repeated use of the disturbing pictures generated by the hidden surveillance camera.

In the matter at hand, the Panel concludes that the nature of the material, as well as the repetition of, and emphasis on, the violent content, constituted a gratuitous depiction of violence, in breach of Article 1 of the *CAB Violence Code*.

### **Broadcaster Responsiveness**

The requirement that a broadcaster be responsive to the letter of complaint sent by a member of the public is considered by the Adjudicating Panels to be a significant part of the membership requirements of the CBSC. Such responsiveness is an essential part of the dialogue by which the CBSC considers that matters that trouble members of the public sufficiently to compel them to write are often successfully resolved. When accomplished in thorough and sensitive ways, such correspondence is also a way of letting the public know that broadcasters care about their audience's concerns. In the matter at hand, the letter dealt adequately with the concerns raised by the complainant, although it did not satisfy him. That is, after all, the condition precedent to a matter reaching a CBSC Adjudication Panel in the first place. The Panel considers that the Vice President's letter fulfilled the broadcaster's obligations in this regard in this instance.

### **ANNOUNCEMENT OF THE DECISION**

CITY-TV is required to: 1) announce this decision, in the following terms, once during prime time within three days following the release of this decision and once within seven days following the release of this decision during the time period in which the *Maury Povich Show* is broadcast; 2) within fourteen days following the broadcast of the announcements, to provide written confirmation of the airing of the statement to the complainant who filed the Ruling Request; 3) at that time, to provide the CBSC with that written confirmation and with air check copies of the broadcasts of the two announcements.

The Canadian Broadcast Standards Council has found that CITY-TV breached provisions of the Canadian Association of Broadcasters' *Violence Code*, in its broadcast of the *Maury Povich Show* at 9:00 am on June 10, 2003. In the first place, a number of the segments aired included violent material intended only for adults, which ought to have been broadcast only after the 9 pm Watershed. Second, the content of the episode necessitated viewer advisories at the beginning of the program and following every commercial break. Finally, the showing of the violent video clips repetitively and in slow motion, and as teasers for the segments following the commercial breaks, amounts to the broadcast of gratuitous violence. For these reasons, CITY-TV violated the provisions of Articles 1, 3 and 5 of the *Violence Code*.

*This decision is a public document upon its release by the Canadian Broadcast Standards Council.*

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**APPENDIX TO  
CITY-TV RE AN EPISODE OF THE MAURY POVICH SHOW  
(CBSC DECISION 02/03-1424, FEBRUARY 10, 2004)**

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**I. The Complaint**

The following complaint dated June 10, 2003 was sent to the CBSC and CITY-TV via email:

Subject: VERY violent television broadcast at 9 am on CityTV

'Shocking Life or Death Moments Caught on Tape'

"The Maury Povich Show"

Air date: June 10th 2003

Date of showing: 9:00 AM ET Network - CityTV Toronto

What are you doing broadcasting the Maury Povich show that is showing some of the most violent content I have ever seen broadcast on television - at 9:00 in the morning? This is worse than the nightly news. News organizations would be reluctant to broadcast most of this, and even if they did, they would warn viewers.

A man getting hit in the head with a crow bar? Is this content that should be shown first thing in the morning? You have no warnings for viewers of the violent content - nor are you even posting ratings for this show. It is sickening what they are broadcasting.

As Maury states: "this next clip is totally horrific".

This episode is showing people dying, or at least the last moments of peoples lives. People falling to great injury. This is not content that should be on at this time of the day.

This episode is showing non-stop video scenes of horrific acts. One example is they show a clip of a child flung off of a ride at an amusement park. Another is a bull attacking a person.

This should not be on tv, let alone at time of day that children may see this content.

I hope you do a prompt review of this program.

I am very tolerant of most things, but not this level of violence. It's videotapes of people being injured - such as burning, breaking legs, etc. This is not entertainment, and certainly not daytime content.

Thank you for your time.

*signed*

... I would argue this show is showing Gratuitous Violence.

"Canadian television stations must not show gratuitous violence - that is, violence unnecessary to the development of the plot, characters or theme - at any time and may only air programming containing violence intended for adults after 9 p.m. And we have strict rules regarding violent content in children's programming. "

On June 18, the complainant sent the following message to the broadcaster (copying the CBSC):

Is CityTV unable to send me a reply to my concern?

Are you above sending a response? It's been more than a week – where is your reply????

The previous message was followed by another sent to the broadcaster and copied to the CBSC. It read as follows:

CityTV has shown a complete unwillingness to address the issues raised in the complaint, therefore I want to extend my complaint to cover the Vancouver market.

I wish to expand my complaint against CityTV to include the CityTV Vancouver broadcast of the Maury Povich Show as broadcast in Vancouver at 7:00 PM PST (Same day broadcast). This show violated the Canadian Standards Broadcast Act in both British Columbia, and across Canada with time shifting systems.

The Vancouver broadcast of the violent Maury Povich Show at 7:00 PM PST is in a violation [*sic*] of the act in regards to violence.

It should be added that at 9:00 am ET CBC Toronto (Ch 6) broadcasts children's programming - at the same time CityTV (Ch 7) was broadcasting violent television content. Which further increased the risk of children being exposed to the violent content as shown on CityTV Toronto.

CityTV Toronto failure to respond, shows absolute disregard to its viewers and concern for the product it broadcasts.

Violence is not entertainment.

## **II. Broadcaster Response**

The broadcaster responded to the complainant's letter (re City-TV) on July 14 with the following:

Dear Mr. J:

The CBSC has forwarded your email of June 10/03 regarding THE MAURY POVICH SHOW to us.

We do take all viewer mail very seriously in our efforts to improve our programming and were very concerned when we read your letter.

I have watched the tape of the show in question a number of times now and can understand your concerns. However, to say that the show was in violation of the CAB Voluntary Code Regarding Violence in Television Programming (the "Code"), we believe is just not accurate.

Programming which "sanctions, promotes or glamorizes violence" is prohibited under the Section 1.1 of the Code. While the verb "sanction" may have several meanings, an ordinary

rule of interpretation would give it that meaning which is consistent with its accompanying verbs "promotes or glamorizes" and not a meaning which differs from those. The applicable meaning in the *Oxford English Dictionary* would be: "2. To permit authoritatively; to authorize; in looser use, to countenance, encourage by express or implied approval." The *O.E.D.* provides a similar definition for "promote": "2. To further the growth, development, progress, or establishment (of anything); to help forward (a process or result); to further, advance, encourage." It is not meant that *any* use of violence in programming will offend the Code but only that which *encourages* violence in the sense of the quoted phrase.

I would argue, then, that this episode of THE MAURY POVICH SHOW does not in any way *encourage* violence. There is certainly nothing in the video or audio portion of the show that glorifies these videos. It is also quite clear from all of the audience interventions that there was not a single voice sympathetic to the unfortunate plights of the people in the videos. This was not meant to be a "how-to" commit violence show.

The show's producers rated the show TV14 at the beginning - talk shows in Canada are exempt from the Canadian Television Ratings Systems. However, we did choose to air the TV14 rating which would be equivalent to the 14+ rating you may be used to seeing which specifically warns that this program may contain themes or intense violence not suitable for viewers under the age of 14.

While the program does depict a few severe scenes of violence, there is never an attempt to minimize or gloss over the effects of the various acts, either. The Code also recognizes that society has a right to have presented to it the reality of the news, however unpleasant or even intolerable that news may be from time to time. It is also important to point out, for example, that one of the videos was requested to be shown by the family of the victim in order to help solve the crime.

Some of the tapes were of real things that happened accidentally to real people. They were presented with the intention of warning people what can happen when safety is not the first consideration. Somewhat violent, perhaps, but presented in the context of trying to help people.

There was also a segment on miraculous escapes made by people after accidents from two shows from the Pax Network in the United States. IT'S A MIRACLE, for example, is an inspiring reality-series devoted to exploring miracles by chronicling true life-altering stories of encounters, healings and interventions caused by mysterious, uplifting phenomena that defy all plausible explanation. The show looks at the mystery of the inexplicable and how it compassionately touches individual lives.

Having said all this, I can understand how sensitive or younger viewers may be frightened by some of the scenes and for this I do apologize. I have made the MAURY producers aware of your concerns and that we will reconsider rebroadcasting this show again.

I hope I have been able to allay some of your concerns and, again, we do apologize for inadvertently offending you and for the lateness of this reply.

Please feel free to write to me directly should you have any further concerns.

Sincerely,

-Via Email-

Also, the broadcaster responded on July 22 with the following:

First, allow me to apologize for taking so long to get back to you. I have been on holidays and should have sent this letter out before I left. I watched the Maury Povich show in question and while I can agree that some of the segments were unpleasant to watch, I did not feel that the show was in violation of any industry codes.

There were no specific disclaimers prior to the show warning viewers of the content, but the title of the show was shown off the top and at each break, 'Shocking Life or Death Situations Caught on Tape', and also, Maury set up each story before showing the clips advising that they were quite horrific in some cases. I did not in any way find that the show was glamorizing the violence that was shown on these incredible stories of survival or on the terrible accidents that happened when people were careless.

There is no doubt but that our society demands that both pleasant and unpleasant matters be dealt with by the media. Broadcasters are, on the one hand, advised to use 'caution in the selection of, and repetition of, video which depicts violence' and yet, on the other hand, are required by the Code 'not to sanitize the reality of the human condition'.

I do agree that children may find this programming unsuitable, but Maury Povich is not a show that is classified as 'children's programming'.

I have forwarded a copy of your complaint to the producers of the Maury Povich show. Should this particular episode come up for a repeat air, I will consider replacing it with another episode. It is never our intention to offend our viewers. I thank you for taking the time to write to us with your concerns.

### **III. Additional Correspondence**

The complainant was unsatisfied with both broadcasters' responses and sent the following e-mail dated July 26 to the CBSC:

Re: Maury – File C02/03-1459 – WHAT A SCAM

I want CBSC to determine if this content is worthy of showing at 9:00 am. And not [...]. This whole system is a scam - and CityTV of all networks is part of this scam. Sugar coated, we do what ever we want scam.

I can't believe the load of crap CityTV has the nerve to respond with. It is nothing short of ridiculous. Because people do crazy things it's ok to show them on TV. Because the tv episode was titled 'life and death caught on tape' viewers knew that extreme violence would be shown - without the standard Canadian age rating symbols - you put more warnings about swearing on television. Your excuse that this show was simply depicting the human condition is nothing more than a cheap cop out by executives in the business of making money. Your comment that this was about 'human survival' is a load of crap. Your [*sic*] trying to tell me that someone being hit in the side of the head with a crowbar is about human survival?

Maury is not children's television - but at the same time - ch 6 is playing children's shows because CityTV doesn't think such programming is worthy doesn't negate your place on the dial. It's easy for parents to mistakenly flip to ch 7 or 5. [...]s claims are nothing short of irresponsible.

I don't want CityTV to tell me whether this was right or wrong. I want an independent group to determine the validity of showing such violent content.

First you are in a conflict of interest to be commenting on the rational about such a broadcast. Your network will never agree with a viewer that the content you air is in violation of any code. That's the nature of business.

I don't know how you can ever justify the broadcast of the violence depicted in that broadcast. And the fact that there was no warnings of the violence shown I question how you could justify the 9:00 airing.

I feel like I have appealed to a kangaroo court for mercy. Obviously you would find nothing wrong with someing [sic] being hit in the side of the head with a steal crow bar.

Please show me the evidence that these individuals wished to have the video clips aired on CityTV - fact is you can't. Your [sic] airing videos that glorify violence. The whole premise of the show was to shock viewers of the extreme of violence. Your can sugar coat this show all you want but the purpose was nothing more than an exercise in depicting violence to entertain.

CityTV is profiting of such violence. I can't believe that you would argue that such show should be shown at 9:00 am with no warnings.

You admission that your network did not advise viewers of the violence of the episode is an admission that you did not follow the code. That's ok, you can admit wrong doing.

I guess you wouldn't be doing your job if you didn't dispute my claims. It's rather sad that people like you with no moral integrity choose what viewers of all ages might be exposed to.

I have realized that the whole complaint process is nothing more than a sham. An excuse for broadcasters to claim that they are compliant - when they are the judges and prosecutors.

You have resolved my desire to make such compliance law. That your voluntary system is nothing more than smoke and mirrors.

I think your defense of this show is nothing more than a scam.

Please show more violence - hey can you show the clip of a helicopter crashing - killing one person. Hey can you show a person being mauled by a bull? How about a flaming balloon crashing down on a crowd of children? You can't defend that show - if you had any morals.

Also if you sent the program in question an email depicting my concerns why was I not forwarded a copy?

This process is nothing more than a sham.

I will fight to see that laws are put in place making violence depicted at 9:00 am illegal. And you haven't addressed my second complaint about the airing of the show at 7:00 Vancouver time.

CityTV - finds nothing wrong with their content - surprise surprise.

Because of the arrogance shown by CITYTV to the process it leaves me with no choice but to target your advertisers for the 9:00 to 10:00 time slot. I will send them a copy of this email and make sure that they are aware that CITYTV has no respect to community standards.

Gee Pampers being advertised on a show that glorifies violence. I don't think that's an audience that your network is seeking out.