

**CANADIAN BROADCAST STANDARDS COUNCIL
PRAIRIE REGIONAL COUNCIL**

Appendix to

CHMI-TV re the movie *Double Team*

(CBSC Decision 99/00-372)

I. The Complaint

The complainant faxed the following letter to the CBSC on February 22, 2000:

This is a note to file a complaint and protest in the strongest possible terms against this station, the station management, and its so-called 'programming philosophy', as illustrated by one particular show, note below, as well as the specific show itself.

February 17, 2000 at 8:20 pm channel 8 showed a movie where children were in a theme park, when snipers and grenades commenced being thrown in amongst them: grenades exploding on children! A young father embracing his young son tenderly - both were gunned down - cold blooded premeditated murder! Death and destruction by the dozen!

This was wanton mass murder of children! Their parents! Friends! This program was billed "for adults". For which sick minded adult was this meant! He/or she should be arrested, forthwith, along with the producer, who soon will think up in even more sadistic lines (as if that were possible)! (Perhaps Auschwitz will be shown next!!!) Just what, precisely, is their limit, in both nudity and murder?

Would you be so kind, Mr. Cohen as to ask your assistant to request the station clerical staff to send me, post-haste, the names of all channel 8 advertisers, by mail, in hard copy form! I happened to be in Winnipeg on business for two days, and did not have time to confront the station manager, as is my usual style, for I had meetings with the President of Manitoba Hydro, as well as with two key museums on another matter entirely, (which I am utterly confident will fascinate you immensely when it comes to public view). It has to do with Aboriginal art forms, a rather more advanced subject than the above nonsense! Wouldn't you agree!?

It will be a week before I am back in my normal office to deal with this important matter of Channel 8, and Winnipeg, Manitoba, in general.

On a slightly different note, (and you, no doubt, know this much better than I), that increasingly the advertisers are NOT AMUSED by how cavalierly television stations treat them and their names, their trademarks, their identities; including the shows; the package deals, and implied endorsements. In short, the whole 9 yards! We, I mean our organization, are in discussion with several international companies, on this matter, and we agree strongly with the suggestion of the CBS Chairman here, who happens to be on the Board of St. Thomas University in the Twin Cities, when he spoke rather forcefully on the issue of Television Excesses!

Do you mind if I stay in touch with you on this matter from time, to time? I know you have a rather difficult row to hoe, as I have seen correspondence from time to time that is forwarded to the CBSC (as if you decide on the programming of individual stations)!

Best personal regards, quite aside from professional considerations.

II. The Broadcaster's Response

The General Manager of CHMI-TV responded to the complainant's letter on March 15, 2000 with the following:

Thank you for your letter of February 22, 2000 which was forwarded to us by the CBSC for response. The subject of your complaint is a movie entitled "Double Team" which CHMI-TV broadcast on February 17, 2000, and specifically, the violence depicted in a particular scene of that film. We have reviewed the film again and that scene in particular.

Let us say first of all that we understand your concerns. This film is a typical "good guy versus bad guy" action film. Violent scenes are typical of this type of genre of film and we do sympathize with those viewers who are disturbed by the level of violence which finds its way into popular culture through not just television programming and films, but comic strips, computer games and other forms of media. However, creators of such media have the right to freely express their ideas and that includes the right to incorporate violent themes in their works.

As you may be aware, the broadcasting industry has developed a self regulatory Violence Code to which CHMI adheres. The Violence Code cannot and does not proscribe violence in programming. It does, however, prohibit scenes of violence where such violence is not integral to the story being told. The Violence Code requires that:

I. 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.

We believe the scene in question was integral to the story line and did not offend the above-noted provisions of the Code.

The scene was not quite as you described it in your letter. The child was not "gunned down" in a premeditated fashion. The father of the child is the antagonist in the film ("S"). The protagonist, "J" has been directed to capture S by shooting him if necessary. J's plans are foiled when S's son appears on the scene. J refuses to shoot at S while the latter is embracing his son for fear of harming the child. S then gets away. A few moments later gunfire does break out and it appears the child and his mother who is trying to protect him, accidentally get caught and killed in the crossfire. While we see the result of the violence, we never actually see the child get shot. Moreover, the death of this child, the son of the antagonist, is integral to the plot because it motivates the antagonist's actions throughout the rest of the film. Indeed, one of the themes running through the film is the protection of children at all costs.

We do not pretend that this film is in any way enlightening or that it is to everyone's taste. It was, however, broadcast with appropriate viewer advisories ("The following program contains scenes of violence and coarse language which is intended for adult audiences - viewer discretion is advised.") and did not, in our view, offend the Violence Code.

We hope we have responded to your concerns in a satisfactory way and thank you for taking the time to write.

III. Additional Correspondence

The complainant sent in his signed Ruling Request on March 30, 2000. The following letter accompanied the form:

Recently, March 22, I received an extraordinary letter from [the] General Manager of A Channel, Winnipeg, regarding my protest of February 22, re: mass murder of children in a playground and midway, broadcast on February 17. I had been away, until March 22, which is also when his letter arrived.

Unfortunately, I must reject his so-called 'explanation' as it is but a fabricated response, and rather gratuitous at that, relying too heavily on the normal, though transparent industry disclaimer. The program was, in its intent, attempting to draw, or lure the viewer into participatory vicarious, and sick, not say hideous, enjoyment of the sadistic and masochistic elements; essentially it is war footage, like criminal commandos perpetrating a killer raid on unsuspecting children. This is his notion of drama? This is black and white, where good wins out, in the end? Which ends? His corporate ends?

He claims, (so) conveniently, that is all central to the story. Indeed, and OBVIOUSLY he would do SO! Else it would be absent! The producer was paid to include it! Hence his claim is circular, never-ending, and perfectly in self-serving stride! Discordant stride... Furthermore, quite contrary to his claims and statements, he DOES NOT UNDERSTAND OUR CONCERN, nor does he make an attempt.

Secondly, hundreds of children being blown up, in sequence, or all at once IS very excessive, and he chose the meaning of 'gratuitous' (meaning 'to give freely or 'beyond requirement') to serve his self-serving case. Listen to his tape, and hear the screams of AUSCHWITZ! With aeroplanes above, we have the Firestorm of Dresden! [The General Manager's] letter seems (self-serving, 'gratuitous' and discordant though it be) is perhaps less coherent, though as just disjointed as the program was, again perfectly in discordant tune. (No doubt he has doctored the offending scenes, by now, quietly in his vaults, in preparation for review). After all, his company would appear to depend on this kind of thing. Fortunately few advertisers appear to trust them! And Rightly So.

Who could possibly accept his legalese, his jargon, his computer-merged, boiler plate, with two teaser paragraphs of introductions, and tacked-on conclusion, all stored on disc to appease the 0.001% of the populace that cares to write in, let alone be awake to ask a question or two?

"The law does not proscribe...he writes!" PROSCRIBE INDEED! - The law does not PROSCRIBE, or prohibit telling untruths either, nor even prescribe personal hygiene nor many things impossible to enumerate! Incredibly, but correctly, though by inference, he and his attorney admit to running in the shadows, on the precincts of the law, and almost on the dark side of the street? Does he? He justifies mass murder and holocaust scenes as being central to the plot, "and not proscribed by law"? A classic case of black and white? INDEED!!! Viet Nam was Black and White, as well, or was it? [The General Manager's] contradictory words-running, run counter to our times. Recall that Viet Nam was scenes, or civil rights violence were almost proscribed, and/but /yet they, fortunately, spelled the demise of kinds of certain powers!

Harry Huidini: Stuff and Nonsense; - CHANNEL A is out! The WWF case contravened section 5.2 and the WRIGLEY company is to this day severely chastised over that! The screams of tortured animals, were central to that story; and the public was thoroughly outraged! Finito! That too is now a "classic". WRIGLEY says no!

Now, in this case, what were the screams we heard of the wounded and dying on the screen? (Canned, would he say?); it's his scene - Channel A? NOT WWF - live! ---- So Speak UP Monsieur!!

Remember the OKLAHOMA CITY bombing? Did you see the bodies in tangles of steel and concrete? Did he feel it? CAN he feel it? Can anyone feel and not melt?? Could anyone truly believe it? Yet it was REAL!! ALL TOO REAL! For far too many people! ----- (And now would he claim that the 'good guys' triumphed in the end?)

May one respectfully suggest he delete, or delay these kinds of shows till after 10:30 at night? The P.G. warning is not enough to cover the sadistic intent. That also is not "proscribed by law"!! Even traffic require PG, to be sure!.

As for [the General Manager]'s proclamations that this is but a classic tale of woe, of black and white, of good and evil; ...which tale does he prefer? Demosthenes the orator? David and Goliath? Xerxes the Great? Persephone kidnapped? Orpheus in the underworld? Socrates and hemlock? Or Mickey mouse and Alexander the grape? Has he, indeed, studies the classics?

Then, try the firebombing of Dresden ---- where many, many children died and then fried; ---- is that too close to Channel A's wide open gate?