
APPENDIX

CBSC File 01/02-0450 & -0481 The Comedy Network re an episode of *Gutterball Alley*

The Complaint

The CBSC received a total of four complaints about this episode of The Comedy Network's *Gutterball Alley*. Two correspondents requested that the matter be sent to a Panel for adjudication. The initial complaints from those two correspondents are found below:

Complaint #1

Cable Station: Comedy Network
Program: Gutter Ball [*sic*]
Time aired: Tuesday January 22, 2002 (evening)

I tuned into the Comedy network around 9:00 PM to what appeared to be a game show. What I witnessed was a disgusting display of pornographic, humiliating filth that was touted to be a game show in which the contestants had to perform ridiculous acts to win an opportunity to bowl for dollars. One contestant had to place various flavoured condoms, that were on 6 or 7 dildos, in his mouth to sample their flavour. This was done while one of the hosts held the dildo on his groin indicating his erect penis while the contestant put it in his mouth. This was to the great amusement of the audience.

Two other gentlemen stepped out of their seats with capes on while a contestant was asked to remove his shirt and stand before these two caped crusaders. When the capes were opened, both of the men were completely naked and began making artifacts with their penises. I mean they actually stood there on national television pulling and displaying their genitals to the laughter of a sick audience. This is at a time of the day when many young children and young teens are watching TV. What in the world has come over any regulatory board to allow such filth to be aired.

Complaint #2

On January 22, 2001 [sic] the program Gutterball [sic] on the comedy channel #34 offered by Shaw Cable systems in Kelowna, BC, Canada, which started at 10 p.m. had such a disgusting sight I decided to drop the channel amongst others that have disgusted our family. Sex, nudity and foul language seem to be tolerated and is coming into our home more frequently than it used to and I am shocked! I was channel surfing last night and came across the show Gutterball on its last few minutes of the program to see in horror a man wearing only a cape. Only a cape, which covered his back and sides and left his naked front exposed. Then there was a close up of his penis as he held his foreskin with his fingers and mimicked as if his penis were talking. (It's hard to describe). Like when you squeeze your bellybutton together and pretend it's a mouth and it's talking. He held his penis upright and you could see his testicles too. This is Pornography!!! He was on stage with four or five people crowded around him. I can't believe I'm even writing this down, never mind seeing it on tv. I'm sure your excuse for letting this come into our home has got something to do with late night television!! How could you do this to us????

The first complainant sent a second e-mail on January 30 to the CBSC once he learned that the CRTC had forwarded his complaint to the CBSC:

To whom it may concern:

This is just a short note to follow up on a complaint I had originally made to one of your cable networks called the Comedy Network. Their response to my complaint was a courteous e-mail note saying they hope to win me back in the future.

I then sent a complaint to the CRTC who forwarded my complaint on to you. I cannot put enough emphasis on my disgust of this program called Gutter Ball [sic] that was aired by the Comedy Network. I have an open mind and do not easily get unglued by television programming, but this filth goes way beyond the limit of artistic freedom.

I understand that we are all in the business to make an income and improve profitability, but exposing your genitals and playing with them on public television is plain and simply sick.

They have dedicated pornographic channels for this. Try to imagine a child flipping to the Comedy Channel to see if something funny is on.

Do yourself a favour ... watch the program called Gutter Ball [sic] to hear the language and view the antics. Better still, watch the show aired on Tuesday January 22, 2002 (evening) in Dartmouth, Nova Scotia, to see for yourself.

Broadcaster Response

The Comedy Network's President and General Manager sent the same response to both complainants in March:

The Canadian Broadcast Standards Council (CBSC) has forwarded to us a copy of your electronic letter regarding the program "Gutterball Alley" which was broadcast on The Comedy Network at 9:30 p.m., on Tuesday, January 22, 2002.

From the beginning, The Comedy Network has set out to present a program schedule that is adult, irreverent and alternative to much of the mainstream comedy that is available on conventional broadcasters. As a consequence, our programming tends to be more risqué and controversial.

As you may be aware, 9:00 p.m. is generally accepted as the watershed in prime time where adult material appears. After 9:00 p.m., broadcasters may present programming which portrays adult situations and explicit language. Such programming usually includes an advisory at the beginning of the show which alerts audiences to material which may be offensive to some viewers. Such is the case with this program.

You may be interested to know that since September 29, 1997, all Canadian broadcasters adopted a comprehensive classification system to provide guidance to audiences regarding program content on such matters as violence, language, nudity, sexuality and/or mature themes. All of our programs utilize this ratings system and specifically, after 9:00 p.m., a number of shows use the "18+" icon which advises viewers that the program may contain graphic language and elements intended for adult audiences. The "18+" icon was used on this program, in addition to our program disclaimer and voice-over advisory at the top of the show.

With regard to your specific concern, "Gutterball Alley" is known for its outrageous stunts and games. The segment that you saw was a portion of a performance from the play "Puppetry of the Penis." The highly acclaimed production has toured the U.K., Australia, and North America – including Montreal and Toronto – and is currently playing in New York. Many international media sources have also had the group as guests. While we recognize that their humour is risqué, their performance has been met with wide popularity and positive reviews. Both the producer's and the network's decision to air it was based on this information.

Having said that, please be assured that it is not our intention to offend our audiences. However, we also recognize that humour is subjective and what one person finds funny, another may not and, clearly, every television viewer is entitled to his or her opinion and choice.

In conclusion, we regret that this segment of "Gutterball Alley" offended you, but hope that you may find entertainment value in some of the other programs in our telecast schedule. We

appreciate the time that you have taken to express your concerns.

Additional Correspondence

The first complainant sent the following e-mail to The Comedy Network and copied the CBSC on March 6:

Thank you for your reply to my complaint regarding one of your obviously popular and profitable shows 'Gutterball Alley'. I find it interesting when people defend this sort of behaviour by addressing all the moral issues and legal warnings that are in place when airing such productions. I have no doubt the audience for this sort of program are loyal and do enjoy its content as you went to great lengths to describe. As you point out, it is a popular show with an international following of over "+18" viewers.

I do appreciate that you abide by strict regulations that restrict this sort of show to be aired before 9:00 PM ... a truly [*sic*] noble gesture on the part of broadcasters worldwide. But it truly [*sic*] worries me that for every means of public degradation and human disrespect we have 'strict guidelines' to help all us other poor misguided fools understand that it's all legal and all those under 18 will heed the warnings and only those over 18 will watch the show.

The destruction of the World Trade towers had a wide viewing audience and 'unbelievably' many cheered and celebrated the misery and pain of others. Does this mean that if 5 million Muslim viewers wanted this event aired over and over, it would be OK for some international organization to broadcast it for profit ... as long as they gave appropriate warnings and time restrictions?

What about child pornography ... it has a wide viewing audience of those who are loyal to its publication. Shouldn't we consider the potential profit this sort of show would bring in. After all ... all we would have to do is give an advisory to the viewing audience (even an audio advisory for those who cannot hear).

Then of course there is always that "+18" symbol. Mr. Robinson, you are missing my point entirely. I have no doubt that there are loyal and dedicated viewers for the show Gutterball Alley, (even Gerry [*sic*] Springer had the same) but does all forms [*sic*] of dignity and human respect have to be sacrificed in the name of "art". Is this what they teach in broadcasting schools?

You know sir, this is the very first time in my life I have ever written a complaint such as this. I know why I did it, but it always blows me away to listen to those who justify 'trash' in the name of public interest.

I presently am a health professional involved with adult and pediatric cardiac surgery, who is well recognized in my field and have travelled to many international meetings presenting papers on various research and pertinent topics. I only tell you this because I come from a part of my city that the media routinely calls 'the ghettos, or the slums'. My sense of humour is perhaps better than most and I have seen things that perhaps many have not. I have no religious beliefs or political aspirations, and I smoke the occasional fine cigar with a good single malt scotch. But because of where I'm from and what I've accomplished I sleep well at night (albeit, only 4 or 5 hours).

Nobody has to tell you that your chosen profession has a tremendous impact on what people (of all ages) think and how they act in life. By airing such programs as Gutterball Alley, it merely supports those who dwell on stereotypical behaviour and disrespect of others. There is more to life than money, and profitability does not equal success. For decades I heard responses like yours about smoking tobacco from the executives of major (profitable) tobacco producers. Have you ever had a friend or relative die of lung cancer or suffer from lung disease?

Unfortunately, to change things it takes loud, vocal complaints from people like me, and vision from people like you ... it's too bad you are caught up in such popular words as risqué, controversial, watershed prime time, irreverent and alternative. At this point in North America it's not that you are pertinent, interesting, educational, funny, unique or inspirational ... it's just that you are daring, marketable, a curiosity and profitable.

Indeed, adult viewing ... that's like saying children's programming (as if adults didn't watch the latter).

Sit down with your children, or a group of junior high teens and ask them what they think of a program called "Puppetry of the Penis." Get real. I appreciate the time you have taken to express your points on public viewing.

The second complainant sent the CBSC the following e-mail on March 26:

Dear CBSC

My comments on this letter from The Comedy Network:

The Comedy Network intends the program "Gutterball Alley" to be "adult" and they also intend it to be "risqué and controversial" and it airs during "prime time" and it includes an "advisory".

I find it interesting and hard to believe the performance has won awards for this pornographic "Penis Puppetry". And I find it hard to believe that it's a "Highly Acclaimed Production" and is actually touring the World. And I find it hard to believe that the performance has been met with "wide popularity and positive reviews". All which is the basis of their decision to air it. I'm sure

that The Comedy Network never intends to offend anyone. But I bet they have offended many more than I. And it's nice to hear that they recognize that I am entitled to my opinion and choice and that they appreciate the time I have taken to express my concerns. So big deal.

I have expressed my concerns and now what? Are these standards accepted by the CBSC now? Who has made the decision to allow pornography on television? Are there not laws against pornography? Does anybody at all see that it is pornography? The Comedy Network calls it puppetry. I say he was fondling himself. He was playing with his penis. It was rude and it was gross.

So it has been pushed to a time where children are unlikely to see it. But I don't want to see it either! I was channel surfing as many people do that have remote controls and accidentally happened upon it. Saying I don't have to tune in to the show and putting advisories before the show did not prevent me from seeing it and will not prevent a child from seeing it. I am so tired of seeing sex all over the television. I have cancelled most of my cable channels including The Comedy Network. It upsets me because I like watching television less and less because of the low standards that you set.