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

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.