
APPENDIX
To
CITY-TV re an episode of Ed's Night Party (CBSC Decision 03/04-0516,
October 22, 2004)

I. The Complaint

The following complaint dated April 14, 2004 was sent to CRTC and forwarded to the CBSC in due course:

concern: On the CITY-TV show, Ed's Night Party, aired on Friday January 16, 2004, the co-host of the show made a comment that I consider offensive.

At the beginning of the show, the attributes of women with red hair became the subject of conversation between Ed the Sock and the co-host (I don't know his name). Ed the Sock made a reference to the performance of red-haired women in bed, and the co-host said "Yeah, they fuck like they've been stabbed."

The word "fuck" was deleted, but it was clearly what he said.

I believe this comment was extremely offensive, given its general reference to violence against women, its degrading objectification of women, and its connecting the act of stabbing women with having sex with them.

On Sunday January 18, 2004 I emailed my concern to CITY TV and the show. I received the following response from Mr. K, the Executive Producer of the show:

Dear [complainant's name],

In response to your e-mail of January 18, 2004 concerning a comment made by the co-host of Ed's Night Party, I can only say that it is unfortunate that the comment in question caused you to feel offended. There was no promotion within the joke, either overt or covert, of violence against women, nor was there such a message within the general discussion or the body of the show.

Ed's Night Party is a comedy program, and while the humour may not be to everyone's tastes, comments made within the show should be taken within the comedic context that they are offered.

As a sidebar, the producer of the program is herself a redhead and took no offence to this comment, understanding the light-hearted context in which it was made.

I thank you for taking the time to share your concerns.

[signed]

I am not satisfied with Mr. K's response because it fails to address the issue raised in my complaint. Rather than, perhaps, explain how such comments may fall within Canadian broadcast standards of, Mr. K chose to characterize it as somehow being a question of my

personal taste or sense of humour. Obviously, that's why you have standards in the first place – to eliminate the variability of individual taste.

Furthermore, it is wholly irrelevant that the producer of the program is a redhead and took no offence to the comment. First, it's simply a matter of whether such a comment is or is not acceptable under the Canadian broadcast guidelines. Second, it is unlikely that, as the producer of her own show, she would find anything seen or heard on the show as being unacceptable.

After receiving the CBSC's initial response, the complainant forwarded to the CBSC, on January 21, additional correspondence exchanged between himself and the Executive Producer of the show.

Dear Sirs,

Further to my email to you earlier this week, I am forwarding the recent correspondence between myself and Mr. K, the Executive Producer of the show. I believe his response is unsatisfactory in this instance.

The emails are set out in chronological order. Please note that we were corresponding from my home email, and I am sending this from my office email.

----- Original Message -----

From: [complainant]

To: Ed the Sock

Sent: Sunday, January 18, 2004 11:12 PM

Subject: Re: Unacceptable Comment by Co-Host

Dear Mr. K,

Thank you for your prompt email. Unfortunately it fails to address the issue raised in my previous complaint.

Rather than, perhaps, explain how such comments may fall within the broadcast standards of CITY TV or the CRTC, you chose to characterize it as somehow being a question of my personal taste or sense of humour.

I am just a viewer who happened to watch the first few minutes of your show. It is not up to me to determine what is acceptable for broadcast. That is a matter for the station and the CRTC. Hopefully they will get back to me in due course.

As you know, it is wholly irrelevant that the producer of the program is a redhead and took no offence to the comment. Firstly, it's simply a matter of whether such a comment is or is not acceptable under the station's and the CRTC's guidelines. Second, it is unlikely that, as the producer of her own show, she would find anything seen or heard on the show as being unacceptable.

----- Original Message -----

From: Ed the Sock

To: [complainant]
Sent: Sunday, January 18, 2004 3:08 AM
Subject: Re: Unacceptable Comment by Co-Host

Dear Mr. K,

In response to your follow-up e-mail of January 18, I will try to address your concerns with greater specificity.

Just to be clear of the comment [*sic*] we are discussing: it occurred during a humorous conversation about the show's redhead female producer, and led to a joking exchange about the cliched urban legends concerning the sexual prowess of women with red hair. During this banter, the co-host said "I hear they (bleep) like you're stabbing them".

In my previous e-mail, the reason I cited the example of our show's female redhead producer not being offended by the comment in question is because she was the subject of the dialogue. I put forward to you the idea that if the person who not only belongs to the 'targeted' group, but was in fact the focus of the dialogue, was not offended, then that carries some significance.

While the comment cited above may not have been to your taste, it does not in any way encourage violence, suggest violence should be committed, suggest violence was committed or suggest violence is okay. In fact, it doesn't even describe any violence being committed to any person, real or imagined.

As to your concern that the comment was a form of objectification: there is comedic license attached to generalizations. Comics make generalizations about men, women, kids, seniors, cities, professions...it's standard. So simply making a joke about redheads, especially in a light-hearted manner, is not truly objectifying them in the manner that I believe you are referring to.

As to your questions concerning the CRTC and CSBC [*sic*] guidelines - while conversant with these organizations' positions on the issues you raised, I can't speak for them. You indicate that you have forwarded your concerns to both organizations, as is your right. I hope their answers provide you with some satisfaction that Ed's Night Party did not contravene any of their codes.

Again, thank you for taking the time to write and express your concerns.

----- Original Message -----

From: [complainant]
To: Ed the Sock
Sent: Tuesday, January 20, 2004 10:34 PM
Subject: Re: Unacceptable Comment by Co-Host

Dear Mr. K,

Thank you for clarifying the exact quote - I was going from memory and you have the benefit of reviewing the tape of the show.

Once again, I think that the fact that your producer took no offence at the comment is irrelevant and does not carry any significance. It should be obvious that she is not a fair judge because she has an economic stake in the program and is therefore biased.

I also disagree with you that the co-host's comment does not encourage violence or objectify women, or that it doesn't describe any violence being committed to any person, real or imagined. The co-host did not say that he heard redheads laugh like they're being tickled, or that they run like they're on drugs. To say that certain women fuck like you're stabbing them suggests many things, among them:

- a mental image of stabbing a women while having sex with her;
- the suggestion that stabbing a woman is not unlike having sex with her,
- the suggestion that stabbing a woman may be pleasurable to one or both the man and the victim,
- the suggestion that stabbing women is as common as having sex with them,
- that it's okay to stab certain women,
- that violence against certain women is funny and therefore acceptable.

In my view, the co-host's comment promoted violence and objectification by, at a minimum, desensitizing the TV viewer and audience to the odious notion that such violence is acceptable, funny and something to be laughed at. Let's assume for a moment that instead, the co-host had said that Jewish women perform oral sex like they're being gassed. I declare my bias by saying that I am Jewish, but I see no difference between the two statements - one promotes violence against and objectifies women, while the other promotes violence against and objectifies Jews. In my opinion, couching misogynistic or racist comments within a comedy does not make them acceptable.

Again, I'm just a consumer and a TV viewer who happened to catch your show. Unlike you, I am not involved in the entertainment business, nor am I familiar with the regulation of broadcasting content. I leave it to the CRTC and CSBC [*sic*] to determine the acceptability of the comment.

Thank you again for your reply.

On February 2, the complainant sent the following message to the CBSC Correspondence Officer:

Thank you for your email.

Your email mentions that I will be contacted by the broadcaster. As you noted, I already have been contacted about my complaint; however, the person who contacted me was Mr. K, the Executive Producer of Ed the Sock. I believe Mr. Kerzner was not speaking on behalf of CITY-TV as he was speaking personally and that I will receive a further response from CITY-TV.

If there is further dialogue with CITY-TV, I don't know if matters will be resolved between us. However, I don't want to end up in the situation that I enter into a discussion with them, it is unresolved, I file for a Ruling, and then am told that the 14 days expired because the clock started ticking from Mr. K's last email to me.

I am assuming from your email, and am relying on it, that CITY-TV will be contacting me and that I will still have my right to ask for a Ruling

On March 2, sent the following message in which he reiterated his complaint and provided some additional arguments.

concern: On the CITY-TV show, Ed's Night Party, which aired on Friday January 16, 2004, the co-host of the show made a comment that I believe is offensive.

At the beginning of the show, the attributes of women with red hair became the subject of conversation between Ed the Sock and the co-host (I don't know his name). Ed the Sock made a reference to the performance of red-haired women in bed, and the co-host said "Yeah, they fuck like they've been stabbed" or "I heard they fuck like you're stabbing them."

The word "fuck" was deleted, but it was clearly what he said.

I believe this comment was extremely offensive, given its general reference to violence against women, its degrading objectification of women, and its connecting the act of stabbing women with having sex with them.

To say that certain women fuck like you're stabbing them suggests many odious things. The co-host's comment promoted violence and objectification by, at a minimum, desensitizing the TV viewer and audience to the odious notion that such violence is acceptable, funny and something to be laughed at. The co-host did not say that he heard redheads laugh like they're being tickled, or that they run like they're on drugs.

To paraphrase the CBSC codes: the comment sanctioned, promoted or glamorized violence; and it was a negative or degrading comment on the role or nature of women.

On February 3, 2004 I received an email from N. L., the CBSC's Correspondence Officer, informing me that the CBSC forwarded my complaint to the broadcaster CITY-TV on February 2, 2004. Ms. L said that CITY-TV had 21 days from the date of her email (i.e, until Feb. 24, 2004) in which to respond to my concerns.

N's Feb 2, 2004 email to me was copied to two people at CITY-TV. Only their email addresses are available [e-mail address].

On February 20, 2004 I emailed these two people, reminding them that CITY-TV has until Feb 24, 2004 in which to respond to my concerns. The deadline of Feb 24, 2004 came and went, without any response from them or CITY-TV.

Since not responding to my concerns is a response, I am not satisfied with the actions of the broadcaster, and am filing a request for a ruling.

II. Broadcaster Response

The broadcaster responded to the complainant's letter on March 15, with the following:

Dear Mr. K,

Re: Complaint Regarding Ed the Sock

The CBSC has forwarded to us your email regarding the program Ed the Sock, which aired on Friday Jan. 16, 2004.

Before I address your specific concerns, I would like to give you some background on how we decide what is suitable for air. We adhere to Canada's broadcast content guidelines, and take great care in selecting our programming material. Citytv follows the *Canadian Association of Broadcasters (CAB) Code of Ethics, Guidelines on Sex-Role Portrayal and Guidelines on Violence in Television Programming*, as well as our own programming policy. If you would like to view the codes, you will find them posted on the CBSC's website at: <http://www.cbsc.ca>.

You may be aware that the Canadian Radio-television and Telecommunications Commission, in consultation with members of the public and the broadcasting industry determined that 9 p.m. constitutes the "watershed hour" in respect to program content for adult viewers. Accordingly, Canadian broadcasters, including Citytv, schedule programs designed for mature audiences – such as "Ed the Sock" – during late evening viewing periods. Furthermore, a Viewer Advisory along with a program rating that indicates that the program should be viewed by Adults 18 years of age and older precedes the program and is broadcast out of each commercial break.

We try to treat our viewers in a mature and responsible way and offer them the tools (through viewer advisories, rating icons, etc.) to choose for themselves whether they should watch a particular film or program. "Ed the Sock" is a satirical adult comedy that derives much of its humour from discussions that may be inappropriate for some viewers. Such is the nature of comedy and satire.

We do not believe that the specific comments made by S.K's co-host that you reference in your complaint contravene any of the above-referenced codes. However, we do agree that the comment was both distasteful and inappropriate.

I sincerely appreciate that you took the time to voice your concerns. As a direct result of your initial complaint, I met with Mr. K and his staff to both reprimand them and to identify the reasons why this occurred. Specifically, we discussed the checks and balances currently in place to review material going to air. In addition, we have focused on sensitizing the Ed the Sock team to issues such as those raised in your letter.

I hope that you will accept my apologies and our assurance that to the best of our abilities this will not happen in the future. Again, it is never our intention to offend any of our viewers. We have always taken our viewer feedback very seriously as we constantly strive to improve our programming. Thank you for taking the time to write with your concerns.

III. Additional Correspondence

The complainant sent the following correspondence on March 17 which the CBSC considered as an equivalent to a Ruling Request.

I have reviewed the attached letter from M.H. and note that the deadline for CITY TV to respond to my concerns expired on February 24, 2004. Since they missed the deadline, I assume that you are proceeding with my ruling request.

As to Ms. H's letter, I find it to be inadequate. Yes I understand that 9 p.m. is the watershed

hour, that CITY TV provides viewer advisories and rating icons, and that Ed's Night Party is broadcast during the late evening. However, I believe that these warnings do not give a broadcaster free reign to broadcast whatever material they want.

Ms. H acknowledges that the comment that red haired women "fuck like you're stabbing them" was distasteful and inappropriate. She believes however that such a comment is within the CBSC's codes. I disagree with her opinion. In my view, the co-host's comment promoted violence and objectification by, at a minimum, desensitizing the TV viewer and audience to the odious notion that such violence is acceptable, funny and something to be laughed at. Couching misogynistic or racist comments within a comedy does not make them acceptable.

I would like the CBSC to proceed with a ruling as to whether the co-host's comments constituted a breach of the CBSC's code and guidelines.