
APPENDIX

CBSC Decision 05/06-0479 CHCH-TV re *NCIS* (“Mind Games”)

The Complaint

The following complaint was sent to the CRTC on October 4, 2005 and forwarded to the CBSC in due course:

Global Television - CH Hamilton, Program *NCIS*, viewed 8pm - 9pm, Tuesday October 4/05

The violence towards women portrayed during family viewing time was pornographic showing women who were beaten, carved up, strung up to trees, tongues cut out, tortured and left to rot. This unconscionable [*sic*] programming is surely unnecessary particularly at the 8 c'clock time slot when young children may see it.

Do we have regulators pre-viewing this type of program? Why is this stereotypical women [*sic*] as victims of abuse tolerated? This is not entertainment but a frightening display of violence that I don't want my granddaughters to suffer from seeing.

In response to the CBSC's standard letter acknowledging receipt of the complaint and explaining the CBSC's process, the complainant wrote the following:

Thank you for updating me on the process of accessing programming that I found sexually offensive and violent towards women, particularly at 8 pm which is an hour that young children might watch [*sic*].

Broadcaster's Response

The station responded to the complainant on October 21 with the following:

Thank you for your letter expressing your concerns regarding CH's broadcast of the program *NCIS* on October 4, 2005. As responsible broadcasters, we try to be sensitive to the members of our viewing audience, and we apologize if this program has offended you. I assure you that it is neither Global's nor the producer's intention to do so.

Under the *Broadcasting Act*, broadcasters are required to provide a broad spectrum of entertainment and information programming for “men, women and children of all ages, interests and tastes.” Television programming is required to be diverse and appealing to a wide range of audiences. As a result, what one viewer might consider an interesting or informative program might lead another to turn the channel.

Global Television adheres to the television rating system created by the Canadian Association of Broadcasters (CAB) and the Action Group on Violence On Television (AGVOT). This public rating system is intended to advise viewers of a program's content in

order to allow you the viewer to determine a program's suitability for your own viewing needs and desires. As required, an on-screen key airs for the first fifteen seconds of the program and the matching V-Chip data is encoded into our transmission for the entire duration of the program. This program is rated "PG" – "Parental Guidance" as per the CAB 's AGVOT rating guidelines.

We agree that this particular episode was more graphic than the regular weekly episodes of this program, and we were alerted to this fact before the program went to air. As a result, and in accordance with the *Code of Ethics*, we aired the following visual and verbal viewer advisory at the top of the show and coming out of every commercial break to assist our viewers in making informed decisions:

"Due to some graphic and mature adult content parental discretion is advised."

With this in mind, we felt that the graphic scenes were integral to the storyline and in keeping with the realistic elements of the show, which was about a convicted serial killer and locating the bodies of his victims. That being said, we aired the program with the appropriate viewer advisories and AGVOT rating. Therefore, we do not feel the program contravened any regulations or guidelines.

You, the viewer, are the valued customer. As such, we strive to ensure you will continue to watch our programming. We appreciate open dialogue with our audience and thank you for your letter.

Additional Correspondence

The complainant submitted her Ruling Request on November 1 with the following note:

Although CanWest aired an advisory before this program and stated that this alert was particularly necessary because the episode was more graphic than regular weekly programs, I still feel that the 8 pm broadcast left too many possibilities that minor children might be exposed to this violence and sex-role stereotyping. Showing women carved up and stung from trees with their tongues cut out is definitely not programming I want my grandchildren to accidentally [*sic*] see. Networks should protect the innocent.

Although the network claims to have monitored this program, is it not true that to change it would have cost them millions of dollars in revenue and in fact the content of this program was made in the United States and not in Canada? This seems to be true.

The evidence of this reality of broadcasting in Canada especially in network offerings that are simulcast from U.S. originating networks makes it virtually impossible for the network to stop or alter any such programs. Is there any examples where this circumstance is not true? Are our children to suffer from this broadcast and business decision?