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## APPENDIX A

### CBSC Decision 07/08-1703

#### CTV re an interview on *Question Period* (Bill C-10)

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*Question Period* is a political public affairs program that airs Sundays at noon on CTV. On the June 1, 2008 episode, host Jane Taber interviewed the co-writer and director of the Canadian feature film *Young People Fucking* on the subject of Bill C-10.

The f-word was not spoken at any time during the interview, but the caption “Martin Gero, Director ‘Young People Fucking’” appeared periodically at the bottom of the screen to identify the interviewee. A transcript of the dialogue is as follows:

Taber: Politics and entertainment are colliding around a new controversial Canadian movie with a title so explicit I can't even say it on TV. But the movie has been attracting a lot of attention especially here in political Ottawa as politicians are debating a bill that would deny tax credits to Canadian movies if those movies were deemed contrary to public policy. To talk about this we're joined today by Martin Gero and he is the co-writer and director of this new Canadian film, *Young* –

Gero: Yes.

Taber: *Young People* “making love”.

Gero: *Young People* “F”.

Taber: Yeah. Well, we'll call it that. Now, we wouldn't be here talking about this if you didn't have such a clever, provocative title for your movie. How did –

Gero: Well, thank you.

Taber: Okay. How did that come about?

Gero: Um, I'm bad at titles. It was, it's very kind of utilitarian and functional title [*sic*]. It really describes the film and the tone of the film. You know –

Taber: And the film is about?

Gero: The film is about five couples, uh, over one night and we follow them in kind of six acts through, uh, you know, prelude, foreplay, uh, uh, you know, sex, interlude, orgasm and then afterglow. And so, and the film, the film to us, we, you know, I'm a big fan of romantic comedies, but for the most part they, they're kind of sexless. They end with a kiss, you know? And for me at least, my experience has been the really interesting stuff happens after. Certainly a lot of the conflict and problems. So we felt like there hadn't been a movie that had dealt with that and, you know?

Taber: And so you just picked a title that totally described exactly what was happening?

Gero: Yeah, as well as the tone. We really wanted to be frank and funny and honest and, uh, and in a language that, you know, my, my generation uses in the, in the bedroom. It's a, you know, certainly the f-word is not a word that, you know, we, we keep to ourselves.

[video clips from the movie of couples talking and kissing]

Taber: [laughs] Now the movie, though, has become even more than that –

Gero: Yeah.

Taber: – as a result of the debate that's happening here over a bill called C-10.

Gero: Mm hm.

Taber: And that, of course, would deny, as I said in the introduction, tax credits –

Gero: Yeah.

Taber: – to Canadian filmmakers based on whether the government –

Gero: Yeah.

Taber: – deemed, uh, it was contrary to public policy.

Gero: Right.

Taber: Is your film in any way pornographic, excessively violent?

Gero: No, absolutely not. And I, I mean, you know, films that are pornographic or excessively violent or hateful towards one group or another can't get, uh, the, uh, tax credit funding. That's, that's a mechanism that's already in place. So this Bill C-10 is kind of fixing a problem that, that doesn't exist. It's kind of an additional and unnecessary level of bureaucracy to an already pretty complicated film funding system.

Taber: And did your movie receive, uh, these tax credits?

Gero: We did. We received tax credits, yeah.

Taber: How much?

Gero: Uh, it came to about, I think, five to seven per cent of our budget. And what a lot of people don't understand –

Taber: Right. Which would be, which would be, like, in the millions of dollars or something?

Gero: No, no. Goodness, no. Ours, ours is a smaller movie. Our whole budget was a million and a half dollars. You know, a bigger movie, like, say, *The Hulk*, which was shot in Canada, you know, that, they would get substantial millions of dollars in tax credits back. But I think what people don't realize is it's not free money.

Taber: Mm hm.

Gero: It's, uh, you're getting money back towards labour you spent. So, although that the bill, you know, has, kind of, some nefarious creative ramifications as, as far as censorship goes, really the thing that it's attacking is, you know, uh, an incentive to bring a very big industry, the film and television industry, into Canada and keep it here.

Taber: And you wouldn't have been able to make your film without the help of the, the tax credit?

Gero: Absolutely not. I mean, you have to, you know, film financing and television financing is a tricky jigsaw puzzle. You know, you have to get your, it's piece-meal all over the place and every little bit counts. If you were able, if you're only ab-, you know, people say well it's only five to seven per cent of your budget. That's quite a lot, especially, you know, Bill C-10, one of the major problems with the way that it's constructed is that it would revoke the funding after the production as opposed to before. You know, now if you apply and you meet a certain criteria [*sic*], they'll give you the checkmark and they won't give you the money until, you know, of course, you've spent the money on the labour that you're getting the rebate on.

Taber: Right.

Gero: But, um, how film is financed is, is you get all these people to say I'm gonna give you some money once you're finished the film and then you go to a bank and the bank, you know, give you a loan.

Taber: Okay.

Gero: And, uh, you slowly pay that loan bank [*sic*] as you deliver the film. Um, the problem with this is that if you revoke the tax credit after the fact, banks are not gonna start lending you money against money that you might not get.

Taber: Where, where is, where is the line that's drawn, then? I mean, where do you think there's a line? Or do you think the government should be involved in this in any way at all?

Gero: I absolutely think the government should be involved in it. Uh, I mean, uh, but we have a system in place that works, you know? Uh, there aren't a lot of pornographic films that are getting tax credits. There aren't any. There aren't any violent films that are getting tax credits, you know?

Taber: So why do you think the government's doing this?

Gero: Well, I don't know. I'm not the government. I, uh, --

Taber: Oh, come on. You must have an idea. You're a smart guy.

Gero: Uh, I'm okay-smart.

Taber: Yeah.

Gero: Uh, they, well, I, I mean, you know, I, I think, I think they would like greater control over, over what they deem for "public policy", you know? Not everyone, you know, we're kind of an easy target. We have a swear in the title. You know, it's provocative. And if, for, for the people that haven't seen the film, then, you know, they think well, you know, I don't necessarily want my money going into that. But, but it, what it does is it fogs the issue because it's, it's not about, uh, funding provocative films. What it is is about, you know, um, keeping film in Canada and allowing an industry that employs 127,000 people here.

Taber: And Thursday night, uh, you were very mischievous --

Gero: Yeah.

Taber: – and you had politicians and senators –

Gero: That's right.

Taber: – come in to see, uh, to see your film. What was, there were no Conservatives, I understand.

[video footage of people at movie theatre, including shots of the movie's poster on which the "UCK" has "fallen" to the bottom and a condom package is in its place.]

Gero: No, no, no, no.

Taber: Okay, what was the reaction in general?

Gero: Um, the reaction was very positive. I mean, it was a strange audience to go into. Again, you know, the one thing that has been lost in all of this controversy is that the film is a lot of fun and is actually one of the more commercial films, uh, that I think Canada has come out with in a long time and is getting, you know, a fairly wide release because of it. Um, it, it was interesting, though, because I think everyone came and, uh, you know, was, was, uh, those first five minutes, you know, were very, like, I don't, okay, what's going on here? But once they realized that the film, really, I mean, it –

Taber: Wasn't really young people ... [laughs]?

Gero: Yeah, well. There is. I'm not gonna lie to you, there's a lot of sex in the movie, but it's, it's nothing that, you know, uh, it would, it doesn't even border on pornography. And so once they kind of realized that, I think people could shut that part of their brain off and they just enjoyed what I think is a really funny and fun film.

Taber: Martin Gero, thanks very much for coming in this afternoon. Your movie comes out June 13<sup>th</sup>.

Gero: June 13<sup>th</sup>, all across Canada.

Taber: There you go.

Gero: Thank you.