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## APPENDIX

### CBSC Decision 08/09-1405 CTV re *Criminal Minds* (“Omnivore”)

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#### The Complaint

The CBSC received the following complaint sent to CTV and copied to CBSC on March 19, 2009:

I am very disappointed at what I just saw on your network here in Winnipeg at 7:05 pm. I was channel surfing looking for *American Idol* and stopped very briefly on channel 5. There was a very graphic depiction of a man shooting another man in the head, blood all over. The program was *Criminal Minds*. What are you doing showing very adult programming that should only be shown on late night at 7:00 pm? I have a 9-year-old daughter and good thing she was busy practising piano and not watching with me.

I won't be watching CTV if that is what I can expect from you.

#### Broadcaster Response

CTV responded to the complainant on April 8:

The Canadian Broadcast Standards Council has forwarded your letter regarding the program *Criminal Minds* which aired on CTV (CKY-TV) on March 18<sup>th</sup>, 2009 to our attention.

Before I address your specific concern, it should be noted that CTV follows the Canadian Association of Broadcasters' (CAB) *Code of Ethics, Equitable Portrayal Code, Voluntary Code Regarding Violence in Television Programming*, and the AGVOT (Action Group on Violence on Television) rating classification system approved by the CRTC and used by Canadian broadcasters. (If you would like to view the CAB codes, you may do so at [www.cbcs.ca](http://www.cbcs.ca)). CTV is a member in good standing of the Canadian Broadcast Standards Council and follows the Council's standards and guidelines.

*Criminal Minds* is a drama about an elite group of profilers who analyze criminal minds in an effort to anticipate their next move before they commit another crime. In this particular episode, a serial killer attacked young couples, and specifically in the scene you viewed, the male driver was hit in the head with a tire iron (thus the blood on his head in the scene you describe) followed by a distant camera view of the gun shot to his head by the assailant.

As per the Canadian Association of Broadcasters' broadcast codes (administered by the CBSC), programming aired outside of the late viewing period of 9:00 pm to 6:00 am shall use viewer advisories at the beginning of and after every commercial break returning to program content to assist the viewer in making their viewing choices for themselves and their families primarily when appropriateness of content is of concern for all audiences. In addition, the *Voluntary Code Regarding Violence on Television Programming* states that violence, if

present, must not be gratuitous and must be relevant to the development of character, or to the advancement of the theme or plot.

It is not CTV's intention to offend any of our viewers. That is why we take every opportunity to provide our viewers with information as to the content of the program being viewed.

Understanding that the nature of this program may not be of interest or suitable to all viewers, CTV (CKY-TV) aired this program with a viewer advisory which stated:

"The following program contains scenes of violence. Viewer discretion is advised."

This viewer advisory aired at the top of the show, and following every commercial break returning to the program content.

This program was also rated with an AGVOT classification code of 14+, which aired at the start of the program. As per the guidelines issued by AGVOT (Action Group on Violence on Television), a 14+ rating means that the program contains themes or content elements which might not be suitable for viewers under the age of 14. Parents are also strongly cautioned to exercise discretion in permitting viewing by pre-teens and early teens without parent/guardian supervision, as programming with this classification could deal with mature themes and societal issues in a realistic fashion. The violence guidelines for this classification also state that the program might contain intense scenes of violence. The violence in this program was not gratuitous and it was relevant to the development of the character and storyline.

As a responsible broadcaster, we are confident in the steps we took to alert our viewers to the nature of this program but we recognize that there are limitations to what an advisory or rating can convey to a viewer and we do apologize that you were offended.

We hope that we have addressed your concern in regards to this program and thank you again for bringing it to our attention.

## **Additional Correspondence**

The complainant expressed her dissatisfaction with CTV's response on April 8:

I see they played by the rules. If you don't catch the first few seconds of a show you wouldn't know about it being rated 14+ until the next commercial. That gives a child under 14 the opportunity to see something they shouldn't like blood, killers, rapists, sex and offensive language. I suggest you change the rating requirements, display the rating on the screen throughout the entire program. That way if you aren't watching during the first few seconds you still know its rating and that it's inappropriate for youngsters. Even at that, it still bothers me that you would allow such programming before 9:00 pm.