
APPENDIX

CBSC Decision 09/10-1703 Out TV re *L.I.E.*

The Complaint

The CBSC received the following complaint via e-mail on May 28, 2010:

Last night:

TV movie *L.I.E.* was shown at 8:00 pm (CST) on OUTtv.

To my knowledge child pornography is still illegal. The premise of the show was of an ex-marine seducing a young boy, propositioning him for oral sex, etc.

I hope you get lots of complaints for this channel teaching vile acts on a child. We make laws against sexual predators and then use TV to teach predators how easily [*sic*] it is to seduce the innocent.

Please take action!

The broadcaster wrote to the complainant on June 21:

Dear [complainant],

Prior to providing a full response to this complaint, can you kindly provide us with the specific section of the CBSC rules which you feel have been violated by this feature film. It is not clear from your complaint.

Chief Operating Officer, OUTtv

The complainant replied that same day by simply citing Clause 2 of the *CAB Code of Ethics*:

Clause 2 – Human Rights

Recognizing that every person has the right to full and equal recognition and to enjoy certain fundamental rights and freedoms, broadcasters shall ensure that their programming contains no abusive or unduly discriminatory material or comment which is based on matters of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status or physical or mental disability.

Broadcaster's Response

OUTtv then provided a more fulsome reply dated June 21:

Dear [complainant]:

We write in response to your complaint concerning the feature film *L.I.E.*, which OUTtv broadcast at 9:00 pm EST on May 27, 2010 preceded by a warning of its mature subject matter and with an 18+ V-Chip rating.

This multiple award-winning movie, produced in 2001, did garner some controversy due to the difficult subject matter. However, we feel that it deals with that subject in a straightforward, non-judgmental way. The topic requires **understanding** – not **acceptance** – since it is something that is going on all the time. We feel that both parents and teenagers could benefit by watching this film.

In the movie, the 15-year-old protagonist finds himself completely without guidance and is acting out by hanging out with a “bad” crowd and breaking into houses. When his friend persuades him to break into a specific house, they’re almost caught, leaving behind a piece of evidence that leads the ex-Marine owner of that house to track them down. “Big John” is a complex person and one who can still feel shame for the feelings he has for adolescent boys. Over time, as John gets to know Howie more personally, he sees similarities between Howie and his adolescent self, and when the opportunity finally presents itself for him to have sex with the teen, he makes the right decision. In doing so, John becomes, in Howie’s eyes, more of a father figure than Howie’s own father.

You may be uncomfortable with a partially sympathetic portrayal of a sexual predator, but that does not invalidate the film’s potential value as a teaching tool. How can society solve a problem such as this, when it won’t even talk about it or attempt to understand it?

You have indicated that you consider that, in airing this film, we have breached the terms of Clause 2 of the Canadian Broadcast Standards Council *Code of Ethics*. We are confused by this. Clause 2 was included in the *Code of Ethics* to prevent the broadcast of programs that discriminate against or are unduly abusive or hateful against one group or another, on the basis of race, national or ethnic origin, religion, age, sex, sexual orientation, marital status or physical or mental disability. This film does neither.

Even if you interpret the word “abusive” in Clause 2 to mean the portrayal of a specific form of abuse (i.e. sexual abuse), which we certainly do not, there is no such abuse portrayed in the film. There is a potential for abuse to have occurred, but it in fact did not in the particular case of the protagonist. Any other abuse that you may have flagged is implied rather than overt. This film does not celebrate these issues, but serves as a warning. We believe that any person who has viewed the film would clearly understand this.

We stand behind this film, which is a remarkable one, and our decision to license it, and will continue to air it, after 9:00 pm EST at our discretion. We have attached some reviews of the film, as well as a list of awards it has won for your consideration.

Additional Correspondence

The complainant wrote back to the CBSC on June 22:

I still feel this is completely wrong and unacceptable!

The clip I saw was a young boy being asked if he ever had a BJ by the ex-marine and in the background x-rated movies were playing ...I feel for the child that was asked to play this part.

It concerns me that this was allowed on TV before 10:00.

If the rating showed a warning about adult content, how come the boy was not an adult. (I never saw a warning).

This channel should be pay-per-view, but better yet blocked.

The complainant also sent a short note to the broadcaster on June 22:

Your response is confusing – can you explain these two questions:

Why is this a valuable teaching tool?

What is the lesson being taught?

The CBSC is not aware if the station responded to that e-mail, but it was under no obligation to do so under CBSC membership requirements.