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**CANADIAN BROADCAST STANDARDS COUNCIL  
ONTARIO REGIONAL COUNCIL**

DECISION CONCERNING THE SCHEDULING OF "ANOTHER 48 HOURS" ON  
CITY-TV (TORONTO)  
92/93-0090

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*June 4, 1993*

**FACTS OF THE CASE**

On January 26, 1993, CITY-TV aired the film, "Another 48 Hours", which started at 9 p.m.

The Canadian Radio-television and Telecommunications Commission (CRTC) received a complaint, dated January 27, 1993, about the film. The CRTC sent the complaint to the Canadian Broadcast Standards Council (CBSC) for consideration. In her letter, a viewer explained that,

" ... I had only turned on the power and stepped away from the TV when the first of a continuous stream of 'coarse' language blurted from the TV. It was accompanied by non-ending scenes of unrelenting violence and murder.

"Do you really consider this appropriate entertainment for that hour of the evening on public media? Your station advises 'viewer discretion' during commercial breaks. Where on earth is your discretion?...

"Adolescents who are watching TV without adult supervision are not generally mature enough to make moral decisions and should not be required to when seeking entertainment from TV ... your promotion and endorsement of this type of vulgar and violent 'entertainment' sends them a very significant message .....

The CBSC Secretariat sent the letter to the broadcaster for response. In its response, CITY-TV explained its programming philosophy and explained its choice in airing the film in question.

According to the broadcaster,

... We have tried to take a strong stand against gratuitous violence and endeavour to present programming in accordance with community standards. We do this by choosing not to run certain movies we deem extremely violent ... by editing out portions, by warning viewers of possible

controversial material and by scheduling movies at times when most children should not have unsupervised access to the television ....

" ... I believe that in the case of 'Another 48 Hours' we acted responsibly in all areas. We delayed the start of the movie to 9 p.m. (as opposed to our usual 8 p.m. start time) in deference to the content and to match the American network showing. There were disclaimers as you pointed out to allow our viewers to act in their own best interest and choose whether they or their children should watch as you did. There were also edits to eliminate some violence ..."

The viewer was unsatisfied with the broadcasters response and wrote to the CBSC, requesting that her complaint be considered by the CBSC's Ontario Regional Council. On May 4, 1993, the regional council considered the complaint.

## **CODE AT ISSUE**

The CBSC Secretariat determined that the complaint could be considered under the Canadian Association of Broadcasters' " Voluntary Code Regarding Violence on Television". More specifically, the provisions in clause 1 (a), regarding scheduling, state that:

"Scheduling of programs is the responsibility of the individual licensee. Broadcasters should make every effort to ensure that programming of a violent nature intended for mature, adult audiences be broadcast only during late evening hours and overnight hours."

## **CBSC DECISION**

The Ontario Regional Council viewed a tape of the film, and reviewed the broadcasters explanation of the situation, against the "scheduling" provisions (that such programs be scheduled during "late evening hours") of the "Voluntary Code Regarding Violence on Television." The regional council deemed 9 p.m. (the start time of the film) to constitute "late evening hours." In addition, the council considered more the precise definition of 9 p.m. as "late evening hours" in codes adopted in such countries as Australia and the United Kingdom.

The regional council unanimously decided that the broadcaster had ensured that the film, "intended for mature, adult audiences", was aired during "late evening hours," and that the broadcaster had not contravened the code.

Because the Ontario Regional Council decided that CITY-TV did not contravene the code, the broadcaster has the option of airing the decision. The decision will also be released to the regional media.