
APPENDIX
To
CITY-TV re the feature film Jade (CBSC Decision 03/04-0382, October 22,
2004)

I. The Complaint

The following complaint was received by the CBSC on November 28, 2003:

Channel- City Tv- Toronto
Date- Nov. 8/03
Time- Sat. evening 9-11
Program- "Jade"- the movie

Directors-

City-Tv seems to be making a habit of delivering movies with the compulsory warning popping up every now and then but Saturday evening Nov. 8, they really "pushed" too far. This movie-Jade- was not only pornographic- it was downright OBSCENE.

There is a place for this kind of "entertainment" – sex, violence, coarse language – and it's not City Tv!

Now, please do not come back at me demanding certain segments and actual times. The WHOLE movie was OBSCENE!

I await your action on this.

II. Broadcaster Response

The broadcaster responded to the complainant's letter on December 18, with the following:

We are in receipt of your letter regarding the movie JADE, forwarded to us by the CBSC.

First, a bit about our programming philosophy. We have always tried to select films and programs that will appeal to our urban skewing adult viewers.

Whenever possible, Citytv attempts to show films in their entirety rather than a make major edits which gravely alter a film's integrity. We try to treat our viewers in a mature and responsible way and offer them the tools (through viewer advisories, rating icons, etc.) to choose for themselves whether they or their children should watch a particular film.

The movie "Jade" was handled in exactly this manner. It was judiciously edited to remove some material, carried a rating icon of 18+ and did not begin until 9pm – all in accordance with Canadian broadcasting industry and government standards.

Perhaps some background about this film may be appropriate. It was rated 'R' by the Motion Picture Association in the United States not NC17 meaning any teenager with an adult accompanying them could see the movie. In Ontario, the movie was also rated R – we gave

it the equivalent Canadian television rating of 18+ as noted above. We also ran viewer advisories at the beginning of the film and out of each commercial break to specifically give our audience the information needed to make their viewing decisions.

The Oscar-winning director of THE FRENCH CONNECTION and Oscar nominee for the EXORCIST, William Friedkin, directed this movie. It stars main stream Hollywood actors David Caruso (CSI: MIAMI), Linda Fiorentino (MEN IN BLACK) and Oscar nominee Chazz Palmiteri. This film also had the honour of appearing at the Venice Film Festival. JADE does have a muted and grungy feel to it which may contribute to your sense that the movie had seamy excesses but it's that engaging attention to detail that makes the movie work. The anger, the fear and the passion of the characters all feel genuine. I mention all this only to point out that a movie crafted and released such as this one cannot be deemed pornographic in the legal sense of the term. I would agree that it has a rather juvenile tastelessness to it but what may be "obscene" or repugnant to you personally is not necessarily applicable in broadcast terms.

While I cannot agree with your assessment of this film, it is never our intention to offend our viewers and I do apologize for inadvertently doing so. All viewer feedback is important to us as we continue to strive to improve our programming. Please feel free to contact me directly should you have any further questions.

III. Additional Correspondence

On January 26, the complainant wrote the following note addressed to the broadcaster but sent to the CBSC:

I cannot believe you actually viewed this film- JADE.

Tell me what exactly is an "urban skewing" adult viewer?

Please do not patronize me. I am an avid film viewer and have some knowledge of film production. I do not care who directed the film, starred in the film, or what honours it received. Its "seamy excesses" and "engaging attention to detail" was not only pornographic, it was obscene!

Its place is on PAY TV.