
APPENDIX

CBSC Decision 07/08-1173 YTV re a promo for the *Naked Brothers Band*

The Complaint

The following complaint was sent to the CRTC on January 27, 2008 and forwarded to the CBSC in due course:

Shortly after 1100h MST on Sunday, 27 Jan 2008 on YTV (channel 14) after the introduction to the *SpongeBob SquarePants* show, YTV aired an advertisement for its show *Naked Brothers Band* that depicted a teenage male kicking a "chicken" character after the character had purportedly fallen down. I believe the depiction of this kind of violence on a channel devoted to youth programming is completely inappropriate. I think advertising of this nature (depicting violence on purportedly helpless individuals) should be banned from YTV (and indeed all television where children and youth may see it). I specifically want YTV and Corus Entertainment to apologize to myself [*sic*] and my seven-year-old granddaughter, and further to assure us that this kind of advertising will no longer appear on the station. The person or persons responsible for making that programming decision should be censured for their action, and the station executive should exercise more control over their staff.

Broadcaster Response

YTV responded on February 21:

We want to assure you that we take our responsibility as a broadcaster seriously and continually work to ensure that all of our programming complies with the regulations, codes and standards expected of us as a member of the CBSC, including the Canadian Association of Broadcasters' (CAB) *Voluntary Code Regarding Violence in Television Programming* (The Code). As primarily a children's network, we are acutely aware of our obligation to use particular caution in the depiction of any violence within our programming.

We are sorry you feel that the promotional material in question seems to encourage violent behaviour. Adhering to The Code, YTV will not air programming which contains gratuitous violence in any form. We will not air programming which we believe sanctions, promotes or glamorizes violence. This on-air promotion is our tongue-in-cheek treatment of actual footage from the *Naked Brothers Band* series. In this documentary/mockumentary style program cameras track real-life brothers Nat and Alex Wolff as they set out to conquer the music industry. As tweens themselves, they deal with issues that our audience can relate to such as girls, music, peer relationships and sibling rivalry.

Taking your concerns into consideration, we have reevaluated this on-air promotion and stand behind our original decision to air it. At no point does this segment portray Nat's actions as brutality or suggest any intensity or aggression. In reality any implied physical impact doesn't actually take place on-screen. The result is simply a display of sibling frustration and it is not our intent to suggest that Nat is harming his brother in any way.

That being said, we do appreciate you taking the time to voice your opinion. At YTV, we welcome all feedback and believe that television watching should be a collaborative effort. It is encouraging to see that you are not only watching television with your granddaughter, but viewing it with a critical eye. Should you have any further inquiries regarding our programming, we encourage you to contact us directly at info@ytv.com.

Additional Correspondence

The complainant wrote back to YTV on February 21:

I am willing to reconsider my complaint in light of your explanation below before considering any other follow up action. However, in order to do so, I will have to review the promotional material in question. Unfortunately, I was not taping your programming at the time, and now have no way to view the segment. Could you please send me a DVD with the segment on it from your archives (or some other way of getting that segment to me, like a VHS tape)?

He then filed his Ruling Request on February 28 with the following letter:

The broadcaster (through [D. K.], Vice President, Creative Director, Corus Television) sent a response to my original complaint, together with a copy of the 30-second commercial for my review. After carefully reviewing both her comments and the commercial, I find that TECHNICALLY she is correct in her assertion that "any implied physical impact doesn't actually take place on-screen." However, after having watched the segment several times, I find it difficult to believe that any rational viewer (including children) would not interpret what appears in the segment from 18 to 24 seconds to NOT depict violence. [The Vice President] states "At no point does this segment portray Nat's actions as brutality or suggest any intensity or aggression." There is no change in the point of view during the segment. The character takes action in the scene that can only be interpreted as kicking the "chicken" character as the kick is delivered to the location where the chicken character would be laying after falling (albeit off screen).

I do not agree with [the Vice President] that "At no point does this segment portray Nat's actions as brutality or suggest any intensity or aggression." I believe that the segment does indeed strongly suggest "aggression" and violence to an individual (the chicken character). I stand by my original complaint, and seek a formal apology from the broadcaster as originally requested, and an assurance that appropriate actions regarding censure of those responsible for airing the segment have been taken, and that such blatantly suggestive materials will not be aired in the future on YTV where no "viewer discretion" warning is provided.