
APPENDIX

CBSC Decision 08/09-0668 CTV re a promotional spot for *Flashpoint*

The Complaint

The following complaint dated January 12, 2009 was sent to the CRTC and forwarded to the CBSC in due course:

Network: CTVglobemedia

Station(s): National Network including CFTO (Toronto) and CKCO (Kitchener/Waterloo)

Program(s): NFL Playoffs

Date(s)/Time(s): Saturday, January 10 @ 4:00 pm; Sunday, January 11 @ 1:00 pm

Complaint:

The network ran self-promotional advertising during the NFL Playoff games for an upcoming episode of *Flashpoint*. The ad depicted a character that suspected her husband of infidelity holding hostage her husband's suspected mistress at knife point. Several shots showed both the perpetrator and victim in severe distress. Several shots showed the perpetrator wielding a large kitchen/carving knife with both characters clearly in distress. At least one shot showed the perpetrator holding the large knife within a close proximity of the victim's throat with the apparent intent to injure or even kill.

This ad, running in the middle of the afternoon during a sporting event, disturbed my young children so much that I was forced to change channels or turn off the television completely during the commercial's airtime. My youngest (three-years-old) had seen the commercial with me for the first time before I began censoring the ad. As a result he refused to watch the football game on the basis that the "scary movie" would make him cry again. This ad was completely inappropriate for the time slot in which it aired. The content was clearly disturbing to young children and came on during the broadcast of a football game without any warning or advisement. The fact that the ad was self-promotional and entirely at the control and discretion of the network, is most disturbing. Other ads from the network promoting other violent prime-time dramas (*CSI* and *CSI: Miami*) did not depict any actual violence during the ad. The same discretion should have been shown for the *Flashpoint* ad.

Broadcaster Response

CTV responded to the complainant on January 23:

The Canadian Broadcast Standards Council has forwarded your correspondence regarding the promotional announcement for *Flashpoint* to our attention.

Flashpoint is a Canadian program on CTV that focuses on the emergency response unit of the Toronto police. The stories presented often deal with hostage situations as was the case in this episodic promotion. It is very germane to the story line and important to relay the hostage situation in the promotion. We acknowledge that even though no direct violence was displayed in this promotion, it is intense. It is for that reason that we were careful to schedule the promotion in programming that is intended for a more mature audience. Football is such programming. Football is an inherently violent and intense sport. For those reasons we feel the scheduling of this promotional announcement during the football broadcast was an appropriate placement.

CTV is a member of the Canadian Broadcast Standards Council and follows the Council's standards and guidelines.

Additional Correspondence

The complainant filed his Ruling Request on January 23 with the following note:

Dear CBSC,

At the crux of the broadcaster's defence of their decision is the following:

It is for that reason that we were careful to schedule the promotion in programming that is intended for a more mature audience. Football is such programming. Football is an inherently violent and intense sport. For those reasons we feel the scheduling of this promotional announcement during the football broadcast was an appropriate placement.

The argument is that professional football is a violent sport intended for mature audiences for which this type of advertising is entirely appropriate. The broadcaster is attempting to have it both ways. Either NFL football is intended for mature audiences, should be aired at the appropriate time and should therefore contain the appropriate warnings and advisements, or it should be considered suitable for all audiences and continue to be aired at all hours of the day, without any warnings or advisements and with appropriate advertising suitable for a "general" audience.

Choosing one of these two scenarios would have an immediate impact on advertising revenue – the only possible reason for the broadcaster to defend a position in which the network knowingly intends "to schedule the promotion in programming that is intended for a more mature audience" even though the "violent and intense" programming is aired on a Sunday afternoon without ANY warning or advisement as [to] the program's violent content.

If the broadcaster is aware of any anecdotal or scientific evidence that viewing professional football is as potentially harmful to young children as watching the "emergency response unit of the Toronto police" ... "deal with hostage situations as was the case in this episodic promotion", then by all means the broadcaster should [be] taking every possible step to move NFL football broadcasts to more appropriate time slots and insert the appropriate warnings/advisements throughout the broadcast.

For the broadcaster to go on record as stating that "football is an inherently violent and intense sport" that warrants the "scheduling of this promotional announcement during the football broadcast", with absolutely NO warnings or advisements to address that precise fact is completely disingenuous and opportunistic.

The broadcaster has been able to air a broadcast they "know" to be intended for mature audiences to a much broader audience during a time-slot normally intended for a more "general" audience, all while avoiding warning and advisements that would assert their belief in the nature of the violent programming. This allows the broadcaster to achieve higher ratings/higher revenue than would be the case if professional football was restricted to certain time-slots and included proper warnings.

This is completely unacceptable!