
APPENDIX

CBSC Decision 09/10-0389 CITY-TV re *Trauma* (“Stuck”)

The Complaint

The CBSC received the following complaint dated November 5, 2009:

To whom it may concern:

I am articulating two concerns about Global TV [*sic*, it was subsequently determined that the broadcaster of *Trauma* was actually CITY-TV; see complainant's second letter below].

The first is an episode of *Trauma* that aired Oct. 19 or the week thereof. This episode begins with a graphic depiction of a traumatic amputation involving a maintenance worker falling on his own saw. My concern is similar to that re a pending complaint I have made to the CBSC & [a different broadcaster regarding a different program], in that I believe any show depicting traumatic amputation, vivisection, mutilation, dismemberment, bifurcation, decapitation or any other form of body-rending grievous bodily harm should be preceded by a viewer advisory. I concede certain viewers' interest and the broadcasters' right to air such programming; I ask merely that viewers are prepared for this sort of thing by broadcasters beforehand.

[The complainant then outlined his concerns about another program, which did air on Global, and was treated as a separate file.]

Thank you for your consideration.

The complainant sent another letter on November 13:

To whom it may concern:

I am writing re CITY-TV & [another broadcaster].

A CITY-TV broadcast of the show *Trauma* from October 19 or 26 depicted a traumatic amputation involving a construction worker losing his arm falling backward on his saw. For the purpose of policy development, I wish this complaint to deal with the necessity of always showing viewer advisories prior to shows depicting amputation, dismemberment, mutilation, decapitation, vivisection, bifurcation or body-rending injuries of this sort.

[He then provided additional thoughts on one of his other complaints.]

Thank you for your consideration.

Broadcaster Response

CITY-TV responded on December 1:

We have received your complaint to the Canadian Broadcast Standards Council (CBSC) regarding the program *Trauma* which was broadcast on Citytv Toronto (CITY-TV) on October 19, 2009 beginning at 9 pm.

As you may be aware, the CBSC is an independent organization created to administer codes and standards that have been proposed by the Canadian Association of Broadcasters (CAB) and approved by the CRTC. Citytv Toronto, is owned and operated by Rogers Broadcasting Limited. We are a member in good standing with the CBSC and we welcome the opportunity to respond to your concerns.

As noted above, the CBSC administers a number of codes and standards, including the *CAB Violence Code* (the Code). As a member of the CBSC, Citytv Toronto is subject to the Code. Relevant clauses are reproduced below for your reference:

3.0 Scheduling

3.1 Programming

3.1.1 Programming which contains scenes of violence intended for adult audiences shall not be telecast before the late evening viewing period, defined as 9 pm to 6 am.

3.1.2 Accepting that there are older children watching television after 9 pm, broadcasters shall adhere to the provisions of article 5.1 below (viewer advisories), enabling parents to make an informed decision as to the suitability of the programming for their family members.

3.1.3 In order to provide viewers with the benefit of Canadian program classification and viewer advisories not available on foreign distant signals, broadcasters who have CRTC-permitted substitution rights over programming which is imported into their markets before the late evening viewing period, may employ substitution, notwithstanding article 3.1.1.

3.1.4 Broadcasters shall exercise discretion in employing substitution in accordance with article 3.1.3 and shall at no time avail themselves of substitution rights over programming which contains gratuitous violence in any form or which sanctions, promotes or glamorizes violence.

3.1.5 Broadcasters shall take special precautions to advise viewers of the content of programming intended for adult audiences which is telecast before 9 pm in accordance with article 3.1.3.

(Note: To accommodate the reality of time zone differences, and Canadian distant signal importation, these guidelines shall be applied to the time zone in which the signal originates.)

5.0 Viewer Advisories

5.1 To assist consumers in making their viewing choices, broadcasters shall provide a viewer advisory, at the beginning of, and during the first hour of programming telecast in late evening hours which contains scenes of violence intended for adult audiences.

5.2 Broadcasters shall provide a viewer advisory at the beginning of, and during programming telecast outside of late evening hours, which contains scenes of violence not suitable for children.

Clause 3.1.1 states that programming which contains scenes of violence intended for adult audiences shall not be telecast before the late evening viewing period, defined as 9 pm to 6 am. As further set out in Clause 5.1, broadcasters must also provide a viewer advisory at the beginning of each program and during the first hour of programming telecast in late evening hours which contains scenes of violence intended for adult audiences.

Prior to dealing with the substance of your complaint, I would like to share with you our programming philosophy. At Citytv we try to select films and programs that will appeal to our viewers who are primarily urban adults. We try to treat our viewers in a mature and responsible way by offering them tools such as viewer advisories (when warranted) and rating icons, to help them decide for themselves whether they, or members of their family, should watch a particular film or program.

In your complaint you stated that shows depicting traumatic amputations should be preceded by a viewer advisory.

We have reviewed the logger tape of the episode in question. *Trauma* is a series about a group of paramedics in San Francisco, California. Due to the very nature of the series, scenes of people suffering from serious injuries are inherent to the plot. While we agree that this particular episode included a vivid scene of a construction worker falling on a saw resulting in the amputation of his arm, the camera angle was such that the viewer did not actually see the amputation. As such, we do not believe that this show contained scenes intended for adult audiences. Therefore, we did not believe that a viewer advisory was warranted.

Having said, that *Trauma* is rated 14+. Under the Canadian rating system 14+ is defined as follows:

Programming with this classification contains themes or content elements which might not be suitable for viewers under the age of 14. Parents are strongly cautioned to exercise discretion in permitting viewing by pre-teens and early teens without parent/guardian supervision, as programming with this classification could deal with mature themes and societal issues in a realistic fashion.

Violence Guidelines

- *while violence could be one of the dominant elements of the storyline, it must be integral to the development of plot or character*
- *might contain intense scenes of violence*

Given the fact that images of physical trauma is [sic] inherent to the series, the program was scheduled after the watershed hour of 9 pm, and included an AGVOT rating of 14+, we respectfully submit that we have not breached the Code.

That said, it is clear from your email that you were offended by the programming on Citytv. It was certainly not our intention to upset you, and for that we apologize. Thank you for taking the time to express your thoughts about the programs on our station. We value the opinion of all our viewers.

Additional Correspondence

The complainant filed his Ruling Request dated December 4 and added the following comments regarding this particular file:

To whom it may concern:

May it be known that I am dissatisfied with all of the responses to all of my pending complaints.

Re CBSC File 09/10-0389 (*Trauma*, CITY-TV) & a broadcast of [a different program on a different broadcaster], I feel it necessary to address the apparently heretofore unexamined issue of how to caution viewers about depictions of grievous body-rending harm such as traumatic amputation so that clear policy is set.

[He then made specific comments about his other files.]

I find the fulsomeness of the networks' responses to be tonally patronizing & condescendingly invalidating, filled as they are with mind-fogging folderol such as "we at this network", "in good CBSC standing", "your valued opinion" (which is often not addressed until at least a page along) & quotations of broadcast policy. I'd rather have my opinion responded to, timely & succinctly.

[He then complained specifically about the response & programming of another station.]

Thank you for your consideration.