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**INTERNATIONAL COLLOQUIUM
ON TELEVISION VIOLENCE**

*Public Efforts to Address
TV Violence in Other Countries*

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PUBLIC EFFORTS TO ADDRESS TV VIOLENCE: WHAT OTHER COUNTRIES ARE DOING

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Public Measures to Address Violence on Television: Comparative Summary Analysis

Growing International Concern Over TV Violence

A nation is an association of reasonable beings united in a peaceful sharing of the things they cherish; therefore, to determine the quality of a nation, you must consider what those things are.

Massey Report, 1951, p.xxii

The recent stream of interest directed at violent television programming in Canada is not a unique phenomenon. The popularity of television viewing, combined with increased choice through commercialization of broadcasting cable and satellite distribution and the high portion of imported programming has fueled discussion and action around the world. Television, as social commentator of the twentieth century, increasingly illustrates a disturbing reality that violence is a global problem which leaves policy makers with an ideological battle. Essentially, whether or not the technology created violence or fuels the existing conflict in society, television is simply "an assembly line into everyone's home leaving policy makers to tread a thin line between censorship and sensitivity". (EBU, p.3)

Trends in scientific research, particularly in the United States and the United Kingdom, demonstrate a progression through various stages of thought since the 1960's. Numerous studies have attempted to show direct links between the effects of television violence and the development of children. Over the years research, which has offered a range of psychological and social rationalizations, has sometimes been challenged as inconclusive. Concurrently there has been a recent surge of public interest to curb the excessive portrayal of violence on television as the cause of an increase of violence in society.

It is often the marked increase of violent acts that has precipitated calls for public action to regulate violence on television. In Canada, an anti-violence campaign was initiated last fall by 14 year old Virginie Lariviere following the brutal rape and murder of her sister. Canadian authorities and industry have responded by initiating strategies which would ultimately introduce measures to address violence on television. Similarly in Britain policy-makers have been reexamining the issue of TV violence following the abduction and horrific murder of two year old James Bulger. In cooperation with public authorities, private and public broadcasters alike have begun to introduce voluntary codes of conduct as an alternative to regulatory action.

Recent Approaches: Balancing Responsibilities

Recognizing the rising demand for government intervention, authorities in New Zealand, Australia and the United Kingdom undertook extensive public opinion surveys evaluating the perceptions of and tolerance levels for violence in the media. Furthermore, broadcasting authorities from these countries sponsored detailed content analysis of violence in television programming over a specified period of time (usually one or two weeks) and initiated national inquiries facilitating government-industry cooperation. These consultations, held every five years, have become an integral part of the democratic tradition in the UK. The broadcasting authority in Australia is obligated to seek public comment on a regular basis while retaining control over determining program standards. Regulators in Belgium and in France receive advice on a continual basis from their Conseil superieur de l'audiovisuel, permanent consultative boards in each country, which exercise significant influence on the development of broadcasting standards.

Within the past four years, public authorities from Australia, Belgium, European Community, Council of Europe, France, New Zealand, United Kingdom and the United States, have introduced general principles supporting community and moral standards obliging public and private broadcasters to respect these values when developing and applying their own codes of conduct. Classification systems, viewer warnings and/or specified programming periods have been the most common measures adopted to date. Australia and New Zealand have developed specific classification systems categorizing children's television programming according to program type, age group and time of day. Other countries such as France and Belgium have on-screen warning symbols as tools for parents to use when selecting and evaluating programs for their children. The Council of Europe considers these types of warning signals as "an incentive for young persons to watch [restricted programs] and it was felt that prevention in this area was mainly a question of parental responsibility". (CoE, p28)

Despite the various measures adopted by each of these countries, there is a growing trend around the world to respect a safe harbour period for family viewing. Watersheds may range from 20h30 in Australia, Belgium, New Zealand and the United Kingdom to 22h30 in France and 24h00 in the United States. Care in the scheduling of programs has become a preoccupation which has inspired the creation of "family viewing policies". Adopted in the United Kingdom and France, this approach obligates broadcasters and parents to share in the responsibility for protecting children from explicit and implicit violent programming following a designated safeharbour period.

Recognizing that freedom of speech is paramount in open democratic societies, the majority of efforts to reduce violence on television are strictly voluntary. Accordingly, it is difficult for regulators to discipline and take action including the imposition of penalties on broadcasters who do not abide by these "voluntary" standards. Some countries have, however, decided that such measures are required. Authorities in France, the United Kingdom and New Zealand have legislated the imposition of fines on private broadcasters in breach of the fundamental principles safeguarding children against violent programming. In other countries, a range of disciplinary

measures exist including the condition, suspension, and/or denial of a broadcast license in Australia, Belgium and the United States respectively.

Application to Canada

Canada is faced with an increasing amount of imported violent programming. The establishment of a minimum set of standards for television programming would provide broadcasters with a common legal framework encouraging the free flow of audiovisual products suitable for adolescent viewing. The harmonization of standards governing violence on television requires considerable commitment from all parties involved as they consent to interpret a minimum set of principles into national legislation. Some broader issues arising from a transfrontier model to address violence on television include - conflict amongst existing national legislations; care in the scheduling of program classifications especially when there is a time difference between countries and; a range of diverse cultural and social values. The Commission of the European Community and the Council of Europe have been challenged to overcome these difficulties. Acknowledging that neither have a jurisdiction to enforce legislation, they have established general codes of conduct harmonizing guidelines for member states to translate into national regulation.

Public Measures to Address Violence on Television in Selected Countries

	Recent Legislation/Regulation	General Principles and Voluntary Codes	Classification System	Program Scheduling	Viewer Warnings	Penalties
Australia	Australian Broadcasting Authority (ABA) Broadcasting Services Act 1992, Children's Television Standards 1990	to reflect community standards	(P) preschool (C) primary school age G, PGR, AO, MA	appropriate viewing for children P,C,G: 20h30	none	condition of license renewal
Belgium	Conseil Supérieur de l'Audiotvisuel (CSA) - le décret du 19 juillet 1991	to avoid harming the mental and moral development of minors	none	20h30	"carré blanc" (for films only)	suspend brdcast license for up to 12 mnths
Council of Europe	Convention on trans-frontier brdcasting (drafted - 1989; entered into force Mar. 1993)	issues resp. to brdcasters to create prog. standards (to be respected by all member states)	none	brdcasters to respect children's viewing hours	none	none
European Community	Directive "Television Without Frontiers" (tabled - 1989; adopted - 1991)	protection of mental & moral development of minors (to be respected by all member states)	none	brdcasters to respect children's viewing hours	none	none
France	Conseil Supérieur de l'Audiotvisuel (CSA) directive relative à la protection de l'enfance... May 1989	family viewing emphasized	none	22h30	acceptable: green light caution: orange light adult: red light	fines
New Zealand	New Zealand Broadcasting Standards Authority (NZBSA) Code 1993	to develop safeguards against explicit or implied violence	G, (suitable for kids under 14 yrs) PGR, AO (suitable for over 18 yrs)	20h30	onscreen written warnings	fines, suspension of brdcasting up to 24 hrs
United Kingdom	Broadcasting Standards Council Code of Practice 1989, Broadcasting Act 1990	creation of a family viewing policy	none	20h30-21h00	none	fines, condition of license renewal, on-air apologies
United States	TV Violence Act 1990 Children's Television Act 1990	no gratuitous violence; no violent scenes inviting child imitation	none for television however Motion Picture Association of America (MPAA) film classifications exist	voluntary obligation to take care in the scheduling of programs; Federal Communications Commission (FCC) proposal to prohibit brdcast of indecent material from 6h00 to 24h00	none	proposal for denial of license renewal if voluntary standards are not applied

AUSTRALIA

Australian Broadcasting Authority (ABA)

The ABA is the regulatory body responsible for commercial, community and subscription television and radio broadcasters. In consultation with industry and the public, the ABA sets standards suitable for broadcast programmes. The two national broadcasters, the Australian Broadcasting Corporation (ABC) and the Special Broadcasting Service (SBS) are also required, through their own legislation, to develop codes of practice and to notify the ABA of their efforts.

The ABA was created on 5 October 1992 by the Broadcasting Services Act. The new Act sets out explicit policy objectives in addition to determining the functions and powers of the ABA. The purpose of the Act is to encourage broadcasters to respect community values and to ensure that they place a high priority on the protection of children from exposure to material which may be harmful to their development.

The primary functions of the ABA include conducting and/or commissioning research into community attitudes related to issues portrayed on television; to assist broadcasters to develop codes of practice that are in accordance with community standards; to develop program standards for Australian content on television, children's television and areas where codes have been demonstrated to fail or where codes do not exist; and to monitor compliance with codes and standards. These standards are voluntarily adopted by independent television stations as benchmarks for applying their own guidelines.

Broadcasting Services Act: Creating Standards for Children's Programming

Under the new legislation the primary responsibility for ensuring that programs reflect community standards has shifted to broadcasters themselves. The former system of the Australian Broadcasting Tribunal (ABT) has been replaced with a system of industry developed codes of practice. These industry codes use ABA standards as reference points in defining specific tolerance levels for violent material on television.

According to article 123.(1), of the new Broadcasting Services Act, industry groups representing commercial, community, subscription, subscription narrowcasting and open narrowcasting programming, must develop, in consultation with the ABA and public interest groups, codes of practice ensuring the protection of children from exposure to program material which may be harmful to their development. The ABA retains the authority to determine program standards when industry codes are inadequate or where no code of practice is developed. Before determining a standard, the ABA must seek public comment. Broadcasting industry groups representing commercial television, commercial radio and community radio are currently in the

process of developing codes of practice, in consultation with the ABA, related industries and the public. The ABA standards which were developed through a public inquiry process remain in force during this process and are forming the basis for code development.

According to part three, five and six of this Act, commercial, community and subscription broadcasters must comply with a series of program standards in order to qualify for licensing. Included in the list of requisites is a clause that "the licensee will not broadcast a program that has been refused classification, or has been classified as "X", by the Office of Film and Literature Classification". Subscription television broadcasters must also adhere to a proviso ensuring "that access to programs classified as "R" by the Office of Film and Literature Classification are restricted by disabling devices acceptable to the ABA and will not broadcast such an "R" classified program until the ABA has completed extensive, Australia-wide qualitative and quantitative research on **community standards of taste and decency** in relation to classifications for pay television and on what levels of violence and depiction of sex should be allowed, and the ABA has approved the broadcast of such programs".

ABA's Children's Television Standards - January 1990

The ABA's children's television standards were introduced in January 1990 after a public inquiry process which was initiated in February 1987 to review the existing standards that had been in force since 1984. Children's programs are categorized according to pre-school (P) or primary (C) school age. These programmes are shown between 16h30 and 20h30 on weekdays and 7h00 and 20h30 on the weekends. "P" programmes may also be shown 8h30 to 16h30 on weekdays. Unsuitable material includes the "depiction of images or events in a way which is unduly frightening or unduly distressing to children". Broadcasters are obligated to provide at least 390 hours of children's programming each year, including at least 130 hours of "P" programs and 260 hours of "C" programs.

The criteria for classification cover the representation of such things as violence, sex, nudity, use of offensive language and drugs. The standards set out the criteria by which television stations classify programs as G (general), PGR (parental guidance recommended), AO (adults only) and not suitable for television and determine specific viewing hours. The General viewing (G) code which is not necessarily directed towards children, prohibits programmes which contain materials unsuitable for children without the supervision of an adult. These programmes may be broadcast between the hours of 6h00 and 8h30 and between 16h00 and 19h30 on weekdays and between 6h00 and 19h30 on weekends.

Parental Guidance Recommended (PGR) programmes may contain adult themes or concepts but are considered suitable for children under the guidance of an adult. These programmes may be broadcast between 5h00 and 6h00, 8h30 and 12h00, 15h00 and 19h30 and onwards on weekdays and between 5h00 and 6h00 and after 19h30 on weekends. Implicit and discreet representations of violence may be presented if appropriate to the storyline or programme context.

Additional Classification Guidelines

Adult Only (AO) programmes are suitable for viewing by persons 18 years old and over. Violence may be realistically depicted if appropriate to the story line or programme context, but should not be unduly bloody or horrific and must not be presented as desirable in its own right. Intimate sexual behaviour may only be discreetly implied or simulated and must be relevant to the story line or programme context. The portrayal of nudity is permitted if relevant to the story line.

Industry Classification Codes

A public inquiry by the ABT into the issue of the portrayal of violence on television led to the introduction, in 1991, of an industry code of practice which operates in conjunction with the standards. Both the standards and the violence code will be replaced, within the next few months, by the codes of practice currently being developed by the commercial television industry.

According to the codes, television broadcasters are required to introduce a new classification, MA (mature adult audience), for programmes portraying higher levels of violence which will be restricted to viewing between 21h00 and 5h00. The new MA classification will also be introduced in May 1993 to the film and video classification system which is administered by the Office of Film and Literature Classification (OFLC). They will restrict "MA" films and videos to persons over the age of 15 unless accompanied by an adult.

Penalties

Policing mechanisms and penalties have not been included in the code. Industry is, however, subject to review by the ABA.

BELGIUM (FRENCH COMMUNITY)

With the federalization of the Belgian state, legislative responsibilities for radio and television (including commercial advertising) were transferred to the three Belgian communities (French, Flemish and German). The following pertains to the efforts of the Communauté française de Belgique which first promulgated degrees with respect to the audio-visual sector in 1977.

Radio-Télévision belge de la Communauté française (RTBF)

The RTBF is a public institute created by decree of the Conseil de la Communauté française on December 12, 1977. This institute is responsible for public radio and television services in this Community, as well as for public television programming which must meet the legal dispositions regarding violence described below.

Conseil supérieur de l'Audiovisuel (CSA) en Communauté française de Belgique

The CSA was created in 1987 to replace three commissions which had been given specific mandates. The Ministère de la Communauté française de Belgique seeks the advice of the CSA to determine its regulatory options. While the CSA has no regulatory authority it emits opinions which are:

[Fr] mandatory and must be given prior to the authorization or recognition of private radio and television services, pay TV services, cable networks, local and community television stations or any other service, as well as the suspension and/or withdrawal of that authorization or recognition.

The Ministère de la Communauté française de Belgique requested the opinion of the CSA regarding violence in television programs and asked that this organization examine the possibility of developing a *voluntary code of ethics*. As a result, a working group was established to examine problems concerning the presentation of violence on television and to look for possible solutions. Believing that strict regulations would not solve existing problems, the following recommendations were made:

1. *Educate viewers, especially teachers, children and adolescents.*
2. *Establish a code of ethics pertaining to the portrayal of violence.*

The CSA recommended the adoption of a code of ethics aimed at harmonizing preventive attitudes with respect to the broadcasting of violent programs by determining criteria that the networks would agree to respect. The CSA proposed that this code be based on the following principles:

- The public must be warned in advance of any program or film containing scenes of violence.
 - Details should be given regarding the content of violent scenes.
 - Violent scenes must not be emphasized and the public must be informed of the real nature of any program containing violent scenes. In addition, trailers may not include scenes of violence likely to shock viewers.
3. *Broadcasters must be responsible for the distribution of information on the content of programs to the media.*

Broadcasters must ensure that the press is given the information it needs to warn the public regarding the content of programs and enable parents and educators to assume their responsibilities with respect to programs containing scenes of violence.

Legal provisions regarding violence on television

Since 1991, the legal provision (Article 24 of the 1987 decree, amended in 1991) which applies to all television organizations under the authority of the French Community stipulates that the following may not be broadcast:

- programs which attack human dignity or promote hatred based on race, sex, religion or nationality; or
- programs likely to have a negative impact on the physical, mental or moral development of minors - particularly programs (including trailers) containing pornographic scenes or gratuitous violence unless steps are taken to ensure that minors do not normally watch these programs.

Broadcasters will ensure that authors and directors of fiction programs avoid the use of scenes likely to shock a significant portion of the audience. Violence must not be included unless it is absolutely necessary for the main action in the production and violence which is gratuitous or is used to compensate for a weak script is to be prohibited.

Broadcasters must commit themselves to making the authors, adapters, producers and directors with whom they enter into contracts aware of these provisions and to ensuring that they respect the spirit of these provisions and make their co-contractors aware of them.

Broadcasters must also commit themselves to not acquiring productions which cannot be adapted to the requirements set out in these provisions.

In response to the recommendations of the CSA, the French Community's television broadcasters (RTBF, RTL-TV1, Canal Plus TVCF, and the local and community television stations) adopted

(RTBF, RTL-TV1, Canal Plus TVCF, and the local and community television stations) adopted a code of ethics regarding the broadcasting of television programs containing scenes of violence.

Classification system

The Ministère de la Communauté française does not use a system of classification.

Program scheduling for children

Broadcasters must take into account the content of a program in deciding when to schedule it. A very large number of children watch the news at 8 pm, as well as the programs shown at 8:30 pm. More flexible criteria may be applied with regard to programs shown at the end of the evening, although broadcasters must be particularly careful with respect to programs shown in the evening on Wednesdays and Saturdays, as well as during school holidays.

Warning signals

The following warning signals are used to inform the public of the content of programs:

- Implicit reservations: Advertisements must inform the public of content susceptible of shocking the viewer such as violent or erotic images or situations, the use of rough language, particularly pessimistic treatment of given subjects, etc.
- Explicit reservations: Advertisements are of the same nature although emphasis is placed on concerns if the content of the program can be justified by its artistic or informative nature.
- White square: This signal is used to emphasize explicit reservations. It has only been used a dozen times in the past 5 years as it may act as an enticement rather than as a warning.

Penalties

Should provisions outlined in Article 24 regarding the broadcasting of violent programming at unsuitable times:

[Fr]The Executive may suspend the distribution authorization of the broadcasting bodies which are the subject of Article 22 of the same decree (networks whose programming is distributed via cable) if these bodies violate, on two occasions over a period of twelve months, in an obvious and serious manner, Article 24 of this decree.

If no solution has been found within fifteen days of the notification, and the violation continues, the Executive may decide, in accordance with the terms and conditions it determines, to suspend the broadcasting body's distribution authorization.

COUNCIL OF EUROPE

Established in 1949 with its headquarters in Strasbourg, the Council of Europe is an intergovernmental organisation which brings together 26 European countries committed to respecting human rights, democracy and the rule of law. The number of member States of the Council of Europe will shortly increase so as to embrace a number of Central and East European countries which show the same commitment to respecting a forementioned values. The Council of Europe is to be seen as an Organisation distinct from the European Community, although the 12 EEC states are members of the former. The Council of Europe includes among its missions protecting and strengthening human rights, pluralist democracy and the rule of law. It is mandated to work out at the European level solutions to a wide range of problems affecting European society. Particular prominence is given to the media and cultural sector.

The responsible intergovernmental body for matters of media law and policy, including the television sector, is the Steering Committee on the Mass Media (CDMM). This intergovernmental body is serviced by the Media Section which is located within the Directorate of Human Rights. The CDMM has the particular responsibility to work out, at the European level, solutions for a whole series of different issues arising in the media sector including media concentration and pluralism, copyright and neighbouring rights, transfrontier broadcasting, the legal protection of television services, audio-visual piracy, exclusivity rights, etc. The Steering Committee, together with its subordinate committees and other bodies, places particular emphasis on the need to seek the views of professional and other bodies concerned by the issues arising in the media sector. For example, an institutionalised dialogue exists between the Steering Committee (as well as other bodies within the Council of Europe dealing with aspects of cinematographic audio-visual policy) and the representatives of the European Cinema and Television Office. Moreover, the Steering Committee consults the professionals through the instrumentality of hearings, contact meetings and granting observer status to certain professional bodies.

The policies worked out by the CDMM in the area of the media may take the form of legal instruments, either non-binding legal instruments such as Recommendations, or binding legal instruments in the form of Conventions. An example of the latter is provided by the elaboration and adoption of the European Convention on Transfrontier Television. This key legal instrument is intended to provide a harmonised framework in Europe for the transfrontier broadcasting of programme services. The Convention has now been ratified by 8 European states and will enter into force on 1 May 1993. A considerable number of other European countries have signed the Convention. As each member state signs the Convention they are assuming responsibility for applying these terms within national legislation. As a protectionist mechanism, article 32 stipulates that at the time of signature, all states reserve the right to declare a "reservation" withdrawing their commitment to honor the terms and conditions of any clause they feel is inappropriate.

The Convention of Transfrontier Television

The Convention, which was elaborated within the Steering Committee on the Mass Media, is similar in many respects to the EC Directive "Television without Frontiers". It was open to signature on 5 May 1989 and, as noted above, will enter into force on 1 May 1993. The Convention is also open to signature and accession by non-member States of the Council of Europe which are States party to the European Cultural Convention. It is also open for signature by the European Community. After the entry into force of the Convention, any other State may be invited to accede to the Convention in accordance with the procedure indicated in Article 30 thereof.

The Television Convention may be seen as the concrete application of Article 10 of the European Convention on Human Rights in the specific context of transfrontier broadcasting. The objective of the Convention is to ensure freedom of reception and retransmission in the context of transfrontier broadcasting, which may be seen as a technological reflection of the freedom of expression and information as guaranteed by Article 10 of the Human Rights Convention. Furthermore, it seeks to reinforce the free exchange of information and ideas throughout the European region by encouraging the circulation of television programmes on the basis of a certain number of general standards. The Convention provides a set of minimum standards which must be respected by broadcasters within the responsibility of Contracting Parties whenever their programmes are transmitted to the territories of other Contracting Parties.

Programming Standards

The provisions of the Convention specifically address the following matters:

- the protection of certain individual rights and values;
- the responsibility of broadcasters in regard to programming;
- advertising and sponsorship

As regards the responsibilities of broadcasters, Article 7 of the Convention provides as follows:

1. All items of programme services, as concerns their presentation and content, shall respect the dignity of the human being and the fundamental rights of others.

In particular, they shall not:

- a. be indecent and in particular contain pornography
- b. give undue prominence to violence or be likely to incite to racial hatred

2. The broadcaster shall ensure that news fairly represents facts and events and encourage the free formation of opinions.

A Committee bringing together the representatives of the Contracting Parties to the Convention is entrusted with its application and interpretation. In addition, this Standing Committee is also

competent to place itself at the disposal of contracting parties with a view to seeking solutions to possible disputes arising out of the implementation of the provision of the Convention.

EUROPEAN COMMUNITY

The Single European Act of 1986 facilitated the economic harmonization and integration of the twelve European states. The Treaty of Maastricht adopted in 1991 extends competence of the European Community to administer and introduce legislation to political, social and cultural areas. Article 128 of this Treaty, which has yet to be ratified, extends a limited cultural mandate to the EC to develop guidelines for the cultural industries and the circulation of cultural goods and services. As an industrial/economic activity, broadcasting has been the focal point to date of the EC's efforts towards harmonization in the cultural and communication sectors.

According to the EC's principle of subsidiarity, responsibility for the development and promotion of culture remains within the jurisdiction of each member state which acknowledges the diversity and distinctiveness of national, regional and local cultures. The Treaty is expected to be ratified by the Fall 1993.

"Television Without Frontiers" - Directive of 3 October 1989

On 3 October 1989 the Council of Ministers of the European Community approved the Commission's proposal to promote the free transmission of television programmes throughout the Community. The "Television without frontiers" directive, adopted October 1991, allows audiovisual programmes to circulate throughout the Community providing that programmes comply with national legislation of the broadcasting member state. Minimum rules of conduct, including advertising, protection of minors and the right of reply have been established by the Commission to provide a common legal framework for Community broadcasters.

DG III, the EC's Internal Market and Industrial Affairs directorate general, was initially responsible for the creation of this directive. Once the Treaty of Maastricht is ratified, DG X, the directorate general within the Commission responsible for audiovisual and cultural affairs, information and communications, will administer to the member states the terms and conditions of this directive, particularly ensuring that specific measures are introduced "to protect the physical, mental and moral development of minors in programmes and in television advertising".

In general, the purpose of a "directive" is to allow for increased flexibility between member states when applying its terms and conditions. This approach imparts national governments with the responsibility of translating these principles into state legislation.

Children's Television Classifications

The Commission does not have the jurisdiction to imposed a system of classification on "community broadcasters". They have, however, transferred this responsibility to national

governments in chapter five, article 22 of their directive. All member states are therefore obligated to:

"take appropriate measures to ensure that television broadcasts by broadcasters under their jurisdiction do not include programmes which might seriously impair the physical, mental or moral development of minors in particular those that involve pornography or gratuitous violence. This provision shall extend to other programmes which are likely to impair the physical, mental or moral development of minors, except where it is ensured, **by selecting the time of the broadcast or by any technical measure**, that minors in the area of transmission will not normally hear or see such broadcasts".

Disciplinary Action

Fundamentally, the Commission does not have the authority or capacity to police broadcasters throughout the twelve member states. Consequently, they rely on national governments to employ measures against broadcasters who repeatedly transmit programmes bringing serious harm to the physical, mental or moral development of minors as outlined in article 22.

THE EUROPEAN INSTITUTE FOR THE MEDIA

The European Institute for the Media (EIM) is an international centre for policy-oriented research and development in the fields of radio, television, the press and related issues in mass communications. It was established in January 1983 by the European Cultural Foundation in conjunction with the University of Manchester. In 1987, the EIM and the European Cultural Foundation appointed a Task Force to explore the changing environment of European television given technological developments, trends toward deregulation throughout Europe and the globalization of broadcasting. A significant recommendation from the Task Force's report, "Europe 2000: What Kind of Television", was the establishment of a European Forum to promote the harmonious and coherent development of television in Europe. It was suggested that the Forum, to be called the "European Television and Film Forum", be comprised of non-governmental officials representing an array of interests.

In 1989, the European Television and Film Forum held its first meeting where it established four working groups concerned with a variety of audiovisual issues. The Regulatory Agencies Working Group is comprised of twenty or more senior representatives from European regulatory agencies, the European Commission and the Council of Europe representing national and regional interests. To date, the Working Group, chaired by Anthony Pragnell, has given close attention to the provisions regarding the protection of minors in the Council of Europe's Convention, article 7, and the EC Directive, article 22 as well as individual national measures. At this point, the working group is of the opinion that:

"however desirable some minimum framework of international consensus might be, it was not going to be easy for countries to abandon their traditional cultural, social, religious and legal approaches to classification (or censorship).... and

views about public taste and morality had changed so much over the last twenty years or so that it was difficult to find any agreement even within one country, much less across a number of countries".

Nevertheless, efforts continue towards recommending a solution which can be applied across borders. In this regard, questions currently under consideration by the Working Group include:

1. Does the regulatory or self-regulatory machinery exist at the national level to consider what should or should not be broadcast? If not, is there a feasible alternative?
2. Should the same rules apply to encoded services as to openly available ones, and should the same rules apply throughout the day or can they vary according to the time of transmission? How are disputes to be resolved?
3. Does any control sought to be exercised over programme material conflict with any constitutionally guaranteed rights to freedom of expression?

FRANCE

Commission nationale pour la communication et les libertés (CNCL)

The 1986 *Broadcasting Act*, made specific provisions for the establishment of la Commission nationale pour la communication et les libertés (CNCL), to ensure that principals governing the protection of children and adolescents are respected.

In the late 1980's the CNCL became concerned with the significant increase in violent and erotic films and telefilms broadcast during the earlier part of the evening and established a code which forbids the broadcasting of violent or erotic programmes before 22h30. The CNCL restricted programs which had previously been rated "Adult" for theatrical release by the now defunct television station La Cinq. Fines of up to one million FF were imposed on broadcasters who did not respect this scheduling period.

Despite the CNCL's efforts the levels of violent and erotic programming continued to increase, with the number of films rated Adult broadcast before 22h30 growing from 20 in 1985 to 93 in 1988. In response to criticism from the CNCL, broadcasters sought to establish their own guidelines which were published in 1989. Unfortunately, these guidelines were not followed by private broadcasters and were not endorsed by the various television stations.

Conseil Supérieur de l'Audiovisuel (CSA)

In response to the level of violence on television, and the CNCL's limited ability to impose standards, the 1986 *Broadcasting Act* was modified in 1989 to create an independent body, the Conseil Supérieur de l'Audiovisuel (CSA), to amend amongst other responsibilities existing guidelines governing freedom of expression in television and radio programming. The CSA's guidelines include provisions for the protection of children and adolescents, under the age of 13, in the broadcasting of programmes by all public and private services.

As a result of the increase of gratuitous violence in regularly scheduled programming, the CSA introduced measures within the framework of a directive which would allow the CSA to impose penalties for non-compliance. More specifically, the CSA elaborated guidelines which support fundamental objectives for the protection of children and adolescents.

CSA Directive Concerning the Protection of Children and Young People in the Scheduling of Programs Broadcast by Public and Private Television Services

Published on 5 May 1989, the CSA's directive outlined scheduling guidelines to protect children and adolescents from violent and erotic programming. The philosophy underpinning the CSA's guidelines is the recognition of television as an activity used in a "family context" which further obligates broadcasters to ensure that programmes transmitted before 22h30 are suitable for

"family viewing". Specifically, these guidelines stipulate that erotic or violent films are not to be broadcast "between 6h00 and 22h30 and the promotions of these films will not be broadcast prior to 20h30".

CSA Warning Signals

In the event of the portrayal of violent content during peak viewing hours which would affect the sensibilities of young people, broadcasters are required to provide appropriate signals to warn viewers. A visual symbol whose colour indicates a CSA rating will precede such a program. A green signal is used to flag programming considered suitable for all audiences, orange is used to caution audiences and a red is used to indicate adult-only programming.

Under the terms of the CSA directive, all public and private broadcasters are required to establish a viewing committee within their organization to ensure that their programmes comply with the CSA guidelines. The names of the viewing committee members must be presented to the CSA.

Classification System

A classification system rating television programmes does not exist in France.

Penalties

The CSA has the power to enforce its guidelines by serving written notice of any transgressions to broadcasters, by the imposition of fines or demanding the broadcast of announcements for which the CSA sets the terms and conditions. In the case of public broadcasters, however, the CSA's power is limited to serving written notice. The CSA normally intervenes in a less formal and on a more frequent basis by informing broadcasters of any problems and by compiling files on individual broadcasters.

In the case of private broadcasters, the CSA has the authority to impose fines on companies which do not comply with the terms and conditions of the Directive. In 1990, La Cinq and M6 were fined 5 million FF and 5.5 million FF respectively for broadcasting violent films before 22h30.

NEW ZEALAND

The New Zealand Broadcasting Standards Authority (NZBSA)

The NZBSA, founded in 1989 in conjunction with the restructuring of broadcasting in New Zealand, is responsible for establishing and maintaining acceptable standards of programming within the context of current social values. The primary goals of the Authority are to promote self-regulation by broadcasters and the principles of natural justice, openness, fairness and partnership.

The 1989 Broadcasting Act identified the protection of children, the portrayal of violence and the creation of a classification system of programmes as priority areas for action for the New Broadcasting Standards Authority. According to this Act, the NZBSA is responsible for cooperating with broadcasters in the development and observance of codes; publishing codes of conduct and information regarding complaint procedures; and developing expertise on standards issues primarily through research.

In 1991, the Authority organised a national seminar to examine the portrayal of violence on television. The seminar, which heard from a variety of experts, enabled the Authority to identify "inadequacies in the New Zealand Code" and suggest recommendations for the creation and implementation of a new code of conduct for broadcasters. Inspired by the British philosophy that "a society which delights in or encourages cruelty or brutality for its own sake is an ugly society, set on a path of self-destruction", the Authority adopted their model as the foundation for their new code which came into effect January 1 1993.

January 1993 Codes of Broadcasting Practice: Free-to-Air Television Programme Standards

The new comprehensive code on the portrayal of violence was developed in cooperation with public and private broadcasters and the Broadcasting Standards Authority (BSA). Its main objective is to provide broadcasters with guidance dealing with violent or distressing material when producing, compiling or presenting television programmes.

Furthermore, broadcasters are required to develop classifications safeguarding programmes from all forms of gratuitous violence, whether explicit or implied. They are urged to consider programme type, audience, time of day, community attitudes and values when developing their codes of conduct which are subject to approval by the Authority.

Eleven general standards of the code preamble a series of specific standards on reducing violence in children's programs. These guidelines oblige broadcasters ensure that any violence shown is justifiable and essential within a given context. Broadcasters are required to issue warnings at the beginning of such programmes.

NZBSA's Children's Television Classifications

The generally accepted viewing period for children extends to 20h30. Programmes classified as **general (G)** exclude material likely unsuitable for children under 14 years of age. "G" type programmes may be screened by anyone at any time. In this case, unacceptable violence include any physical, emotional or verbal act which is likely to disturb, alarm or distress children.

Programmes containing material more suited to adult audiences, but not necessarily unsuitable for child viewers when subject to the guidance of a parent or adult, are classified as **parental guidance recommended (PGR)**. These programmes are aired between 9h00 and 14h00 and after 19h00 until 6h00. Unacceptable portrayals of violence include acts which are realistic and "particularly horrific" and scenes depicting gross ill-treatment of people, especially children, and animals.

Adults only (AO) are programmes classified as unsuitable for persons under 18 years of age as a result of "adult themes". These programmes are restricted to screening between 12h00 and 15h00 on weekdays (except during school and public holidays) and after 20h30 until 5h00. Scenes of gratuitous violence, sexual assault, realistic accounts of physical, psychological or verbal violence are permitted provided they are not unduly prolonged or explicitly depicted.

Inevitably there are programmes which fall outside of the adult only guidelines. In these cases the appropriate viewing period is after 21h30. On-screen warnings identifying violent content are required.

Other Considerations

While guidelines have proven to be effective tools for classification, not every programme or situation falls directly within the boundaries laid out by the Authority. Accordingly, the Authority has developed a "public interest" test to be applied during times of uncertainty. Programmes may be evaluated based on the following questions:

- Is the material centrally relevant?
- Is violence used for heightened impact or shock value, i.e. gratuitously?
- Who is watching and what is the likely impact?
- What is the cumulative impact? Is there a repetition of violence?
- What are the audience's expectations?

Penalties

The 1989 Broadcasting Act provides the Authority with sanctions for breaches of code ranging from requiring a statement, correction or apology from a broadcaster to taking his/her advertising or all broadcasting off the air for up to 24 hours. According to section 13 (1) (b) (i) and article 14 of the Act, a fine not exceeding \$100,000 will be imposed if a broadcaster fails to comply with the terms issued by the Authority.

UNITED KINGDOM

British Broadcasting

British television broadcasting consists of a public-service sector, of which the British Broadcasting Corporation (BBC) is the sole embodiment, and a commercially-funded sector, regulated since 1991 by the Independent Television Commission (ITC). The commercial sector is governed by statute while the BBC retains its original constitution operating under a Royal Charter due for renewal at the end of 1996. Originally, the presence of the Royal Charter vanquished the question of any specific standards in British broadcasting. It was not until the Television Act of 1954 that concern over the possible effects of television was raised. At this time the Government added a clause which stated that "nothing should be included in programmes which offended against good taste or decency or might encourage or incite crime or lead to disorder or be offensive to public feeling". The spirit of this clause has been repeated in subsequent legislation, most recently in the *1990 Broadcasting Act*.

1990 Broadcasting Act

The 1990 Act established the British Broadcasting Standards Council (BSC), an advisory body of eight members appointed by the Secretary of State for National Heritage, who has an overall responsibility for broadcasting. Ultimately the BSC has limited regulatory authority. The Council is, however, required to produce a Code of Practice on the matters within its remit including violence, sexual conduct and matters of taste and decency. The 1990 Act requires the broadcasters to take account of the Council's Code in preparing their own codes and guidelines.

In December 1992, the Broadcasting Standards Council released a study entitled "The Future of Children's Television in Britain: An Enquiry for the British Standards Council" which made recommendations to the ITC in the following areas.

- scheduling considerations
- the creation of a British Broadcasting Corporation (BBC) and Independent Television (ITV) system-wide set of standards for children's programming
- recommends the creation of a joint BBC-ITV advisory Children's Television Council and a voluntary body with public support
- a study to profile the viewing habits of children in Britain and identify problems categorizing children's programs

Family Viewing Policy

The ITC (Independent Television Commission) is responsible for the elaboration of a programme

code which interprets the intentions of the 1990 Act with respect to programme standards. More specifically, the programme code sets family viewing hours, between 6h00 and 20h30, eliminating the broadcast of material unsuitable for children during times when the largest numbers of children are expected to be watching television. Programme trailers promoting "adult" films transmitted later on in the evening must ensure that the trailer is suitable for family viewing.

Since the 1950's both the BBC and the ITV (Independent Television) have observed a Family Viewing Policy, with a 21h00 watershed, in their regulations. After 21h00 a "gradual and progressive move towards adult programming" which is considered less suitable for children is permitted. Consequently, the majority of "Adult Programmes" are frequently scheduled after 22h00. According to their policy, after 21h00 and until 5h30, parents are expected to share with them the responsibility of protecting children from violent programming.

Standards for Cable and Satellite Operators

The standards established by the ITC for terrestrial broadcasters apply equally to cable and satellite operators, with one exception. The watershed hour for programmes considered unsuitable for children during the "family viewing hours" is 20h00 as opposed to 21h00. The cable operators claimed that if they were unable to begin a 15-rated film (see classification section below) before 21h00 their profitability margins decreased.

Classifications Systems

According to the "family viewing policy" unsuitable programmes for children are those which contain explicit sexual content, bad language and gratuitous violence, including concealing, minimizing and presenting the consequences of violence in a ritualistic way. In the UK, a classification system for television does not yet exist. They do however have a system in place to evaluate film and video content. The British Board of Film Classification (BBFC) is responsible for creating these voluntary classifications.

The BBFC operates a voluntary system for feature-films for cinema showings. Its classification are generally accepted throughout the country by local authorities responsible for cinemas. This board also has a statutory responsibility for classifying videos, applying standards different from those for the cinema and being subject to an appeals procedure.

Those films which are classified as "U" where "no theme, scene, action, or dialogue that could be construed as disturbing, harmful or offensive" are suitable for audiences of all ages. A separate "Ue" category for videos denotes "particular suitability for younger children". Parental Guidance or "PG" films are appropriate for a general viewing audience however some scenes may be unsuitable for younger children as a result of "mild violence, some nudity (even full frontal in some contexts) and language. The BBFC also applies classification in relation to "suitability-for-age-group" including:

- No. 12 rating - Films containing use of strong language, implications of sex within a relationship and realistic images of violence. These films are considered appropriate for persons twelve years of age and over.
- No. 15 rating - Films containing themes requiring a mature understanding due to the presence of impressionistic sex, mildly graphic violence and horror. These films are considered appropriate for persons fifteen years of age and over.
- No. 18 rating - Films requiring adult understanding as a result of explicit sex scenes, nudity in a sexual context and graphic violence. These films are considered appropriate for persons eighteen years of age and over.
- No. 18-R rating - Films containing sexual explicitness limited only by the law

Penalties

The ITC does not police programming content but rather relies on broadcasters themselves to determine whether they are operating within the boundaries of the programme code. However, the ITC does have a mandate to impose penalties on broadcasters in breach of this code including, on-air apologies, fines up to millions of pounds, and the shortening or cancellation of a license to broadcast. Such actions would be subject to judicial review if an application to the Courts succeeded.

UNITED STATES

Federal Communications Commission

Although, the Federal Communications Commission regulates broadcasting and issues licences, it exercises a limited policy role. They have not shown a predilection for examining the issue of violence in the media, for two reasons: the strong, overriding concern in the United States for free speech and freedom from censorship; and the certain knowledge that U.S. films and programming sell around the world, accounting for a significant portion of their trade surplus.

The measures to restrict violence, advertising in children's television programming, and pornography in the United States have been raised in Congress by particular Congressmen or Senators who have been lobbied by their constituents or by lobby groups such as the National Coalition on Television Violence. Such measures are viewed as acceptable, despite free speech concerns, when considered as meeting particular "community standards". Recently, however, the tide of public and academic opinion has been rising steadily against the present levels of violence in film and programming, with the result that several legislative and self-regulatory initiatives are afoot.

The Children's Television Act of 1990

Precursors of this Act had been vetoed by President Reagan, on the grounds that they were an unconstitutional infringement of free speech. President Bush did not sign this bill, but neither did he veto it, so the Act became law in 1990. It provides for two things: the regulation of children's television, and an endowment for the production of quality programming. In the first case, advertising shall be limited to not more than 10.5 minutes on weekends, and 12 minutes on weekdays; program length commercials, or cartoons based on popular toys shall be restricted; and stations shall be judged, at the time of renewal of their licences, on whether or not they have made efforts to serve the educational and informational needs of children, starting January 1, 1993. In the second case, a fund of two million in 1991 and four million in 1992 was set up, to be administered in consultation with the Advisory Council on Children's Educational Television in support of the generation of quality educational television programming.

The FCC has been reviewing the track record of stations as they come up for licence renewal, and they have now opened a proceeding to get comments on what constitutes quality programming for children (FCC Notice of Inquiry 93-123). The closing date for comments is May 7, for reply comments June 7. Should the FCC issue a report and order after this proceeding, it would be the first "guidelines" to appear from the regulatory agency.

The Television Violence Act of 1990

This Act, sponsored by Senator Paul Simon in the Senate, was passed in order to provide a mechanism for the networks to collaborate and develop voluntary guidelines to discipline the degree of violent material aired during times of children's viewing. Such a mechanism was necessary to avoid anti-trust legislation which prevented this type of cooperative effort, and this bill therefore has only a three year life span. The networks complied by issuing a set of voluntary guidelines in December 1992. It remains to be seen how effective these guidelines will be, since there is no oversight mechanism.

Key elements in the Standards issued by ABC, CBS, and NBC are:

- * totally voluntary, with no suggested quantifiers
- * depictions of violence must be necessary to the plot, not gratuitous, glamorous, or calculated to stimulate or shock the audience
- * care is to be taken in the depiction of dangerous behaviour which could be imitated by children
- * extreme caution must be used in scenes which mix sex and violence
- * scheduling of programs and promotional material alike must take into account the composition of the intended audience
- * exceptions to these standards may be acceptable, as in the presentation of material whose overall theme is clearly and unambiguously anti-violent.

The National Telecommunications and Information Administration (NTIA) of the Department of Commerce

The NTIA is the Executive Branch agency principally responsible for development and articulation of domestic and international communications and information policy. They play a role in the allocation of the funds provided for programming in the Children's Television Act, and they have an overall policy role. In March 1993, they released a Notice of Inquiry requesting comment on the use of telecommunications, including broadcasting, in crimes of hate and violent acts against individuals based on ethnicity, religion, race, and sexual preference. While this is quite separate from the issue of violent television programming in its main thrust, it is likely that there will be comment on this aspect of the issue. It is also significant that the NTIA is exploring content issues more thoroughly than hitherto.

Program Scheduling

Complying with the terms of Senator Simon's Television Violence Act, industry has recently developed voluntary guidelines sensitive to, amongst other issues, the scheduling of programs. The FCC has tried to establish through regulation a "safeharbour period" prohibiting the broadcast of indecent material from 6h00 to 24h00, but this is currently being contested in the Courts. Furthermore, broadcasters are questioning the FCC's definition of indecent material in

the Courts.

Classification System

The United States has not developed a classification system for television programmes, however, the Motion Picture Association of America (MPAA) has developed a system which classifies films.

Penalties

The FCC is empowered to deny a license to broadcasters who do not comply with their regulations; since January 1993, this now would include the ability to refuse renewal of licence to broadcasters who had not made efforts to comply with the Children's Television Act, although how this compliance would be measured is rather vague.

THE FOUNDATION TO IMPROVE TELEVISION

The Foundation to Improve Television (FIT) is a non-profit, public interest, educational organization based in Boston, Massachusetts. Founded in 1969, it has been dedicated to responsible change and improvements in the quality of television viewing, with a focus on reducing televised violence aimed at children. The Foundation has undertaken a three-pronged approach to achieving its mission. First, it will raise public awareness of the threat violent television poses to our children. Second, the Foundation will be working with business leaders to enlist their support to limit the advertising that keeps fictional violence on the air. Third, it will seek regulatory and legislative remedies before the FCC and the courts to help restrict the broadcast of excessively violent programming to adult viewing hours.

On March 25, 1993, the Foundation filed a petition with the FCC with suggestions for how the Commission could act to curb television violence during peak family viewing hours. Responding to recent comments by the Chairman of the FCC regarding the Commission's inability to initiate action to deal with excessive violence, President William Abbott stated "The FCC's duty is to regulate communications in the public interest, and it is clear that both experts and the American public believe excessive TV violence runs counter to the public interest."

Key elements of the petition to the FCC include:

- * FCC to withhold licence from broadcasters carrying excessively violent programs between 6:00 am and 10:00 pm, and for programming aired between these hours, the following:
 - audio and visual advisories of violent content
 - no promotional spots with excessive violence
 - FCC to provide media literacy programming regarding implications and effects of violence, violent behaviour, and harmful effect of TV violence
- * FCC to convene hearings, solicit public comments, and develop guidelines regarding broadcast of excessively violent programming between 6:00 am & 10:00 pm.

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CHRONOLOGY OF RECENT DEVELOPMENTS IN CANADA

REGARDING VIOLENCE ON TELEVISION

- June 1990 The Minister of Communications writes to the Chairman of the CRTC requesting the Commission to study the possible links between violence in society and violence on television.
- February 1992 The Canadian Association of Broadcasters begin its review of the Voluntary Code on Violence in Television Programming.
- May 1992 Two studies on television violence are released by the CRTC: "Scientific Knowledge about Television Violence" prepared by the CRTC's Television Programming Directorate, and "Summary and Analysis of Various Studies on Violence and Television", completed under the direction of Florian Sauvageau of Insitut Québecois de recherche sur la culture and Université Laval.
- June 1992 Canadian Association of Broadcasters (CAB) undertakes to revise the Voluntary Code on Violence in Television Programming in consultation with the CRTC and concerned consumer groups.
- November 1992 The Department of Communications contributes \$10,000 to the International Conference held in Montreal on the issue of violence, ethics and the media. The conference is hosted by the Centre québécois d'études sur les médias, entitled: Colloque international sur "La violence à la télévision et au cinéma: Questions d'éthique".
- November 1992 A petition with 1.3 million signatures is presented to the Prime Minister of Canada by Virginie Larivière calling for legislation to eliminate gratuitous violence on television.
- December 1992 The Canadian Cable Television Association announces that media violence will be the topic of its "Community Channel Leadership Project", an outreach program bringing together cable programming staff and local citizens to develop media literacy initiatives. The cable industry also plans to provide free cable service to schools across the nation to facilitate the delivery of media training materials.

January 1993

The CAB sends the draft Voluntary Code on Violence in Television Programming to the CRTC for review.

February 1993

The C.M. Hincks Conference takes place in Toronto with parents, broadcasters, advertisers and educators. The Minister of Communications unveils a five-part strategy to deal with violence in television.

An Organizing Committee for a National Action Group is formed with representatives of the broadcasting, advertising and production industries, the CRTC and the DOC. The Organizing Committee is mandated to develop a plan of action to address a number of urgent priorities, including tougher industry codes, classification systems and dialogue with parents and teachers groups.

The Standing Committee on Communications and Culture carries out hearings on television violence with representatives from industry, research organizations, advocacy groups and government.

The Canadian Association of Broadcasters announces that societal violence will be focus of its annual public service campaign. Private broadcasters will contribute some \$10 million in free airtime to promote public education and awareness of violence issues.

March 1993

The federal government's Advertising Management Group (AMG) adopts a specific guideline indicating the government's intention to avoid booking federal government messages on programs containing scenes of violence or explicit sex.

The Institute of Canadian Advertising recommends that member agencies increase their knowledge and awareness of violent television shows, and include a "violent assessment" in the criteria they use to evaluate television buys.

April 1993

Astral Communications announces that its pay television movie services have begun inserting a flashing white "V" in a red square as a viewer warning that will appear before, and every half-hour through, all films containing violent scenes.

April 1993

In collaboration with the Department of Communications, the Organizing Committee for The National Action Group hosts an International Colloquium on Television Violence in Montreal with Canadian and international participants. The purpose of the colloquium is to determine what lessons are applicable to Canada from the international experiences in developing program classification systems, voluntary codes of conduct and viewer advisory measures.

Q: TELEVISION VIOLENCE HAS BEEN THE SUBJECT OF NUMEROUS STUDIES AND CONFERENCES, WHEN CAN THE PUBLIC EXPECT TO SEE SOME REAL RESULTS?

- A:**
- This is a highly complex issue and involves a large number of stakeholders. Considerable progress has been made in the short two months since the Hincks conference. Both the establishment of the National Action Group and the organization of this colloquium are evidence of real progress.
 - The National Action Group, which was formed as an outcome of the highly successful Hincks Conference last February, is firmly committed to addressing the issue of media violence.
 - The National Action Group is comprised of all major industry stakeholders and has identified the development of a strong code and classification system as one of the issues it wants to deal with on an urgent basis.
 - The International Colloquium is a necessary next step in order to learn from the experiences of other countries in developing and implementing codes and classification systems.
 - I am convinced that the efforts put into today's colloquium by the National Action Group will be of tremendous help to all the stakeholders and expedite the development of a code that meets the needs and expectations of all Canadians.

Q: WHY HAS THE NATIONAL ACTION GROUP BEEN ASKED TO HOST THE INTERNATIONAL COLLOQUIUM?

- A:**
- The National Action Group, comprised of all stakeholders, was formed in February as a direct result of the successful conference sponsored by the Hincks Institute in Toronto.
 - At that time, the Action Group identified a number of urgent initiatives that it wished to address, including tougher industry codes and classification systems.
 - The International Colloquium is an opportunity for the National Action Group and other concerned Canadians to learn from the experience of other countries in developing and implementing viewer codes and classification systems.
 - I am very pleased that the National Action Group has taken this initiative. It is a clear demonstration of the seriousness with which all stakeholders are treating the issue of media violence and of the steady progress that we are making.

Q. WHY DOES THE GOVERNMENT NOT INTERVENE AND LEGISLATE AN END TO VIOLENCE ON TELEVISION?

- A:**
- In our view, Canadians and Canadian parents don't want further government intervention into their private lives.
 - The key to success in this issue is not in governments' running our lives for us, it is the educated choices of viewers and parents that will make the difference.
 - Parents will make the right choices for their children. What they need are the tools to do the job.
 - The knowledge gained from this International Colloquium will greatly assist the work of the National Action Group in developing the tools to help parents, such as codes and classification systems.

Q: THERE ARE ALL KINDS OF PROBLEMS IN SOCIETY THAT LEAD TO VIOLENCE: POVERTY, RACISM, DRUG ABUSE. ARE YOU NOT ADDRESSING THE SYMPTOMS RATHER THAN THE CAUSE?

- A:
- We all know that violence on television is as much a reflection of violence in society as a contributor to it.
 - But we also know that television has an ability to affect our society, as well as reflect it. It can be a powerful agent of change.
 - This government is committed to providing a healthy and safe environment for our children. Part of that environment must be quality children's programming and protecting children from excessively violent programming.

Q: WHAT SPECIFIC COURSE OF ACTION DID THE LARIVIERE PETITION REQUEST OF THE GOVERNMENT?

- A:**
- The wording of the petition simply calls for legislation that would gradually eliminate violence on television within ten years.
 - In conversations with myself, the Prime Minister and the media, Virginie Larivière has elaborated on her plan by suggesting that a tax be imposed on advertisers who sponsor violent programs; mandatory viewer warnings; subsidies for non-violent programs; and, a total ban on films and programs containing scenes of gratuitous or unjustified violence.
 - Introducing legislation that would tax corporations who advertise in violent programs is simply not practical nor enforceable. I would rather garner their support to place their ads in non-violent programming.
 - My five point strategy is designed to encourage action on the part of stakeholders to cause a gradual, yet dramatic change in public attitude, that violent, aggressive images lead to aggressive and antisocial behaviour and are therefore unacceptable.
 - The elements of the strategy are: a strong and enforceable Code on Violence (which the CAB is currently developing in concert with the CRTC); public awareness and media literacy programs, enlisting the support of advertisers to place their ads within violence-free programming; seeking collaborative approaches on American programming of a violent nature; and the Virginie Larivière award which will give recognition to industry efforts to fund or promote quality children's programming which is of a non-violent nature.

Q: HOW DOES ONE GO ABOUT ELIMINATING VIOLENCE ON TELEVISION WITHOUT INTERFERING WITH THE ARTISTIC AND CREATIVE EXPRESSION OF WRITERS, PRODUCERS AND DIRECTORS?

- A:**
- The government has no desire whatsoever to intervene directly in the creative process nor to become a censor of program content.
 - The government's strategy is designed to change public attitudes toward violent programs, through education and media literacy.
 - We all know that two or three rating points can make or break a program. People can vote with their clickers. When the popularity for these programs drops to a level that makes them uneconomical, stations and networks will air programs that better reflect the changing tastes and attitudes.
 - The government is committed to working with industry and the artistic community to facilitate positive change on behalf of all Canadians.

Q: WHY ARE YOU FOCUSING ON CHILDREN'S PROGRAMMING?

- A:**
- Children are particularly vulnerable because, as studies seem to indicate, habits and attitudes are imbedded during their formative years. Kids love their heros. Contemporary heros seem to be more macho and less fair-minded than those of a previous era. Slapstick characters have been replaced by vengeful turtles.
 - A key factor is parental responsibility. Television cannot simply be a baby sitter. Its potential for teaching life skills and social harmony should be exploited through the creation of this genre of programming, and by the avoidance of anti-social material.

Q: DO YOU CONSIDER THAT DOMESTIC PROGRAMS ARE A CONTRIBUTING FACTOR IN THIS ISSUE?

- A:**
- By and large, Canadian programs are far less violent than those originating in the U.S. This is simply a reflection of the different levels of acceptance of violence in the two cultures.
 - There are some worrying trends however. I refer to the increasing globalization of the media. The economic need for co-productions, often with American partners, can tend to skew the script and images toward the tastes of the American marketplace, as in "Top Cop" and "Night Heat".
 - This is one reason why I am particularly pleased to see the National Action Group sponsoring this International Colloquium. It is an opportunity to learn from the experiences of other countries in dealing with these difficult and complex issues.

Q: OTHER COUNTRIES HAVE ADOPTED CRITERIA TO ASSIST PARENTS IN MAKING PROPER VIEWING CHOICES FOR THEIR CHILDREN. DO YOU FAVOUR SUCH A MECHANISM FOR CANADA?

- A:**
- My strategy contains elements aimed at providing the necessary tools to assist parents in making responsible viewing choices and avoiding less desirable programs.
 - Media violence is a concern for most industrialized countries, and we will take advantage of their experiences in developing solutions applicable to the needs of Canadians.
 - While it is premature to comment on what the recommendation of the NAG may be, I am pleased that they have taken the initiative to organize this Colloquium and learn from the experiences of other countries. It clearly demonstrates their commitment to addressing this issue of media violence in a substantive and timely fashion.

Q. HOW REALISTIC IS IT TO EXPECT THE U.S. NETWORKS TO TONE DOWN THE AMOUNT OF VIOLENT CONTENT, WHICH, IT MUST BE ASSUMED, HAS BEEN FINANCIALLY REWARDING FOR THEM?

A. • There is a growing tide of disapproval for this type of programming in the U.S. Senator Simon will be monitoring the performance of the networks starting with this fall's lineup. However, we can't expect to witness dramatic changes overnight. Both the FCC and the NTIA have called for public comments on violence and children's television.

Q. DO YOU HAVE ANY RECOMMENDATIONS ON HOW TO DEAL WITH THE VIDEO RENTAL PROBLEM?

A. • Unfortunately, neither my department nor the CRTC has the legal authority to deal directly with this problem. I learned at the Hincks Conference that a sampling of 11 year old had all seen the slasher movie, Friday the Thirteenth. We need tougher regulations for this industry.

• The film and video distributors associations have drafted a proposal for a single national classification system for film and video products. Such a system, if adopted, could help arrest this problem of minors accessing adult material.

• I understand that representatives from provincial film regulatory agencies are attending this Colloquium. I sincerely hope that we can all learn from the experiences of other countries and do our own share, within our respective jurisdiction to curb the violence that our children are watching on T.V.

Q. THE CAB HAS PROPOSED A 9 P.M. WATERSHED FOR SAFE CHILDREN'S VIEWING, WHILE OTHER PARTIES FAVOUR A LATER TIME OF 10-10:30. WHAT IS YOUR POSITION ON THIS?

A. • I will let the CRTC and the CAB continue their discussions and negotiations in private. However, all parties are aware that each sector must do its part to curb violence. The CRTC has asked the pay television and specialty services to review their codes and policies.

Q. DOES THE GOVERNMENT EXPECT TO SEE CONCRETE RESULTS FROM THE NATIONAL ACTION GROUP?

- A.
- The National Action Group, chaired by Laurier Lapierre and comprised of industry associations, the DOC and the CRTC is expected to develop an action plan, budget and framework by the end of April.
 - The National Action Group is mandated to find solutions to the complex questions of a stronger code and a uniform classification system to empower parents to make informed viewing choices.
 - The government is demonstrating moral leadership through a five point strategy on media violence which includes a strong code, public education, "marketing" non-violent attitudes, international collaboration, and recognition of excellence in children's programming.
 - The government's five point strategy will ensure that the momentum flowing out of the Hincks Conference will be sustained and focused on concrete results.
 - As noted in the Minister's speech at the Hincks Conference, the government is prepared to direct the CRTC to develop its own code if the CAB is unable to produce one that provides adequate safeguards against violent programming.
 - This Colloquium is a visible demonstration of the seriousness with which all stakeholder view the issue of media violence, and of the progress that is being made.

Q. THE CAB HAS RELEASED TO THE MEDIA THE EXCHANGE OF LETTERS WITH THE CRTC REGARDING THE CODE ON VIOLENCE. CAB HAS EXPRESSED CONCERN THAT ITS MEMBERS ARE BEING SINGLED OUT ON THIS ISSUE?

- A.
- The Canadian Association of Broadcasters voluntary code on violence in television programming applies only to private broadcasters.
 - the CAB has indicated to the CRTC that the same rules must apply to American signals available through cable.
 - A strengthened code does not address the entire problem. There is a need for all sectors to work together to develop common principles in reducing television violence.
 - Since the Hincks Conference, a number of initiatives have been undertaken. Representatives of the advertising and broadcasting industries joined together last february as an organizing committee to establish a national action group.
 - The organizing committee for the national action group has established committees to look at how to address the priority issues it has identified: The development of a uniform code and classification system; the development of media literacy and public education initiatives; and liaison with advocacy groups.

Q. WHAT PROGRESS HAS THE GOVERNMENT MADE WITH REGARD TO THE ISSUE OF VIOLENCE ON TELEVISION SINCE THE HINCKS CONFERENCE?

- A.
- Since the Hincks Conference, a number of initiatives have been undertaken. Representatives of the advertising and broadcasting industries joined together last February as an organizing committee to establish a National Action Group.
 - The organizing committee for the national Action Group has established committees to look at how to address the priority issues it has identified: the development of a uniform code and classification system; the development of media literacy and public education initiatives; and liaison with advocacy groups.
 - This international Colloquium on television violence is visible demonstration on the progress that is being made, and will be important in gathering information.
 - Participants at the Colloquium will benefit from international experiences in developing program classification systems, voluntary codes of conduct and viewer advisory systems.

Q. HAVE YOU MADE PROGRESS IN OPENING UP THE DIALOGUE WITH US STAKEHOLDERS?

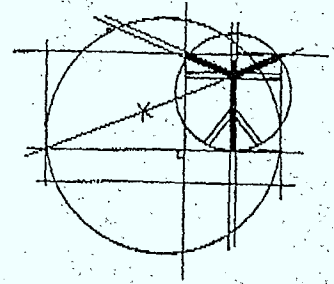
- I spoke with Senator Paul Simon in February and he is encouraged by the progress underway in Canada.
- I am planning a trip to Washington in early June to meet with Senator Simon, James Quello, head of the FCC and advocacy groups such as the Children's Television Coalition and the National Coalition on TV Violence.
- Unfortunately, both Senator Simon and Mr. Quello were unable to free themselves from their heavy legislative and regulatory commitments to be in Montreal.

Q. WHAT PROGRESS HAS BEEN MADE IN THE AREA OF PUBLIC EDUCATION AND MEDIA LITERACY?

- A subcommittee of the National Action Group is exploring means of opening up dialogue with parent/teacher groups in order to assist educators in delivering educational material.
- The CAB is embarking on a multi-year public education campaign. Private broadcasters have promised to provide tens of millions in free airtime over several years. CAB is currently working with a number of government departments in designing this campaign.
- The CCTA has undertaken an extensive "Community Leadership Project" to facilitate dialogue in each community served by a cable community channel. The cable industry is also providing free cable outlets in all schools across the country.

Q. WHY ARE THERE NO REPRESENTATIVES OF THE U.S. GOVERNMENT AT THIS COLLOQUIUM?

- A.**
- * We have invited representatives from the United States, but unfortunately, due to circumstances beyond their control they were unable to attend. We invited Senator Paul Simon, sponsor of the Television Violence Act of 1990, but the Senate votes today and he is unable to attend.
 - * FCC interim Chairman James Quello has expressed considerable interest in this issue of late, but is tied up with an extremely busy schedule while the FCC is short-staffed by a number of Commissioners.
 - * Mr. Larry Irving, Chairman designate of the National Telecommunications and Information Agency of the Department of Commerce has not completed his confirmation hearings as yet, and is therefore unable to come representing the NTIA.
 - * The issue of children's television and violence in the media is rapidly growing in importance in the United States, with two notices of enquiry currently open at the FCC and the NTIA seeking comment on various aspects of the issues. We will have many other opportunities to discuss this issue with our American counterparts.
 - * We are pleased to have with us, representing the Boston based Foundation to Improve Television, President William Abbott and Executive Director, David Abbott. They have made their position known to the FCC, and I'm sure their work on the practical methods of curbing TV violence and warning viewers about program content will be most useful to other participants in this conference.



February 22, 1993

Television Industry Announces National Action Group on Violence

TORONTO -- The Canadian television industry today announced the formation of a National Action Group to address the problem of societal violence. The action group is the direct outcome of the C.M. Hincks Institute conference: "Reclaiming childhood: Responsible solutions to TV violence and our children" held in Toronto on February 19 & 20. The conference brought together over 140 representatives of parent and teacher organizations, the broadcasting, cable, pay television and advertising industries, as well as researchers and other relevant community groups.

"This is a major step forward in dealing not only with television violence, but the whole issue of violence in our society," said Dr. Freda Martin, Director of the C.M. Hincks Institute. "We're delighted that our conference served as a catalyst for concrete action by the broadcasting, cable and advertising industries and that ongoing cooperative dialogue with parents and teachers groups is envisioned."

An organizing committee representing all sectors of the television industry, the CRTC and the federal Department of Communications is now developing an action plan, budget and framework for the national action group.

.../2

C.M. HINCKS
Training, Research and
Resource Institute
Silverman Building
114 Maitland Street,

The organizing committee will be chaired by Dr. Laurier LaPierre, with the CBC acting as the secretariat. Organizing support will be provided by the Canadian Association of Broadcasters, the Canadian Cable Television Association and the other partners in the National Action Group (list attached). The initial organizing phase is expected to be completed by the end of April 1993.

"The action group has already identified a number of urgent initiatives, including tougher industry codes, classification systems, as well as media literacy and other projects to help empower parents, teachers and children to make the best use of television," said organizing committee chairman Dr. Laurier LaPierre.

"The longer-term objective is to develop pathways and structures for ongoing initiatives in collaboration with parents, teachers and other community groups. We'll be basing our plans on the wide range of excellent ideas contributed by delegates to the Hincks Institute conference."

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Contact: Edythe Nerlich, Hincks Institute
416-972-1935

Industry Action Group on Violence

Organizing Committee

Chairman

Dr. Laurier LaPierre

Members

Association of Canadian Advertisers

Canadian Association of Broadcasters

Canadian Broadcasting Corporation

Canadian Cable Television Association

Canadian Film and Television Production Association

Pay television/pay-per-view services

Specialty programming services

Canadian Radio-television and Telecommunications Commission

Department of Communications

PROFILE OF THE ORGANIZING COMMITTEE FOR THE NATIONAL ACTION GROUP

The Organizing Committee for the National Action Group was formed following the February 1993 C.M. Hincks Conference held in Toronto in which the Minister of Communications unveiled a five-part strategy to deal with violence on television. The members of the committee include representatives of the broadcasting, distribution, advertising and production industries, the Canadian Radio-television and Telecommunications Commission (CRTC) and the Department of Communications (DOC).

The Organizing Committee for the National Action Group is mandated to develop a plan of action to address a number of priorities, including uniform and stronger industry codes, classification systems and dialogue with parents and teacher groups. Its inaugural meeting on April 7 was a difficult one because not all of the members were in agreement that a permanent National Action Group was necessary. However, the Committee established subcommittees to research and examine options related to possible industry action on the key issues. The subcommittees will report back to the Organizing Committee with their findings in mid-May. The subcommittees and their Chairs are:

- **Code of Conduct**
André Bureau, Astral Communications
- **Classification Systems**
Al MacKay,
CJOH-TV and member of CAB Board of Directors
- **Public Education**
Elizabeth MacDonald,
Vice-President, Programming, CCTA
- **Public Liaison/Communications**
Tina Van Dusen, Vice-President,
Communications, CAB

In holding a Colloquium on Television Violence, the Organizing Committee of the National Group aspires to determine what lessons are applicable to Canada from the international experiences in developing program classification systems, voluntary codes of conduct and viewer advisory measures.

A list of members of the Organizing Committee for the National Action Group are included in Annex A.

**LIST OF MEMBERS
ORGANIZING COMMITTEE FOR
THE NATIONAL ACTION GROUP COMMITTEE**

Dr. Laurier L. LaPierre
Interim Chair
Organizing Committee for
the National Action Group

Ms. Joan Gordon
Secretary
Organizing Committee for
the National Action Group
c/o CBC Headquarters

M. Claude Godbout
Coprésident
Association des producteurs de films
et de télévision du Québec

Mr. Michael McCabe
President
Canadian Association of Broadcasters

Mr. John Foss
President
Association of Canadian Advertisers Incorporated

Mr. Ken Stein
President
Canadian Cable Television Association

Ms. Trina McQueen
Vice-President
Regional Broadcasting Operations
Canadian Broadcasting Corporation

Ms. Sandra MacDonald
President
Canadian Film and Television
Production Association

M. Gerald Janneteau
Président directeur général
Le Réseau des Sports

Mr. Charles Allard
Chairman
SuperChannel

Mr. Kevin Shea
President and CEO
YTV Canada, Inc.

Mr. Moses Znaimer
President
CITY-TV/MuchMusic

Mme Louise Baillargeon
Présidente-directrice générale
Association des producteurs de
films et de télévision du Québec

M. André Bureau
Président et chef de la
direction pour le groupe de
radiodiffusion Astral

André Provencher
Directeur général
TVA+
Télé-Métropole Inc.

Ms. Susan Scotti
Director General
Broadcast Policy
Department of Communications

Mr. Keith Spicer
Chairman
Canadian Radio-television and
Telecommunications Commission

Mr. Millard Roth
President
Canadian Motion Picture
Distributors Association

FEBRUARY 19, 1993

FOR IMMEDIATE RELEASE

Perrin Beatty announces 5-part strategy against children's TV violence

TORONTO -- Canada's Minister of Communications, Perrin Beatty, today announced a 5-part strategy to deal with violence in children's television. This announcement was made at the Hincks Institute Conference.

"As a parent, I am convinced that violence has reached and exceeded its reasonable limit of daily television fare," said Mr. Beatty. "As a father of two small boys, I have a keen interest in this issue. We are so careful about what goes into our children's bodies. What goes into their minds should be just as important."

The strategy is based on informed parent and viewer choices, not on Government control. "We have to make sure that every parent has the tools needed to make choices freely," said Mr. Beatty.

The five parts of the strategy are:

- **A strong code of ethics**, which would set the boundaries for drama and music videos. The Canadian Association of Broadcasters has recently rewritten their code. If it is not judged to be effective, Mr. Beatty will ask the CRTC to develop, and enforce, an industry code that is.

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- **A public education campaign, including public service announcements and a number of media-literacy initiatives. Campaigns will be launched by The Canadian Association of Broadcasters, The Canadian Cable Television Association, and the Government through the National Film Board/Health and Welfare Canada.**
- **Encouraging Canada's major advertisers not to place ads within violent television programs. Advertisers will also be encouraged to develop educational tools for parents and children and to sponsor public awareness campaigns.**
- **Collaboration with the United States in dealing with violent TV programming. Mr. Beatty has made contact with Senator Paul Simon, and will insist Washington develop joint initiatives between the two countries.**
- **An award to recognize those whose contributions help to make television less violent, or who have funded or promoted quality children's programming. This recognition would be in the form of the "Virginie Larivière Television Award", so named after 14-year old Virginie Larivière, the driving force behind the petition against violence on television that has received more than one and a half million signatures, with more people signing each day. This award will be presented during the annual Gemini and Gémeaux Awards ceremonies.**

"In summary, this five-part strategy is an important step in solving a complex, and very serious, problem," concluded Mr. Beatty.

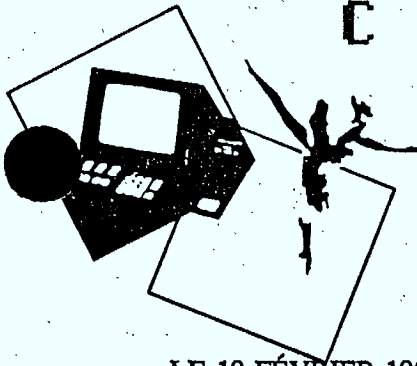
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NR-93-5228E



LE 19 FÉVRIER 1993

POUR DIFFUSION IMMÉDIATE

**Perrin Beatty annonce une stratégie en cinq parties pour contrer
la violence dans les émissions de télévision destinées aux enfants**

TORONTO -- Le ministre des Communications du Canada, M. Perrin Beatty, a annoncé aujourd'hui l'adoption d'une stratégie en cinq parties pour contrer la violence dans les émissions de télévision destinées aux enfants. Cette annonce a été faite à la conférence de l'institut Hincks.

«En tant que père, j'ai la certitude que la violence à la télévision a atteint et dépassé les limites raisonnables, a déclaré M. Beatty. J'ai deux jeunes fils, et je m'intéresse au plus haut point à ce dossier. Nous nous soucions tant de ce qui va dans le ventre de nos enfants; ce qui entre dans leur esprit est tout aussi important.»

La stratégie est fondée sur les choix que font les parents et les spectateurs informés, et non sur un contrôle gouvernemental. «Nous devons voir à ce que chaque parent ait les outils dont il ou elle a besoin pour choisir librement», a ajouté M. Beatty.

Les cinq parties de la stratégie sont:

- Un code d'éthique très ferme, qui fixerait les limites applicables aux émissions dramatiques et aux vidéoclips. L'Association canadienne des radiodiffuseurs vient tout juste de réécrire son code. S'il n'est pas jugé efficace, M. Beatty demandera au CRTC d'en rédiger un qui le sera et de le mettre en application.

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- Une campagne d'information, qui comprend des communiqués d'intérêt public et un certain nombre d'initiatives d'alphabétisation médiatique. La campagne sera lancée par l'Association canadienne des radiodiffuseurs, l'Association canadienne de la télévision par câble et le gouvernement via l'Office national du film et Santé et Bien-Être social Canada.
- Le concours des principaux annonceurs canadiens, que l'on encouragera à ne pas faire passer d'annonces publicitaires pendant des émissions comportant des scènes de violence. On incitera aussi les annonceurs à concevoir des instruments de formation à l'intention des parents et des enfants et à commanditer des campagnes de sensibilisation.
- La collaboration avec les États-Unis, pour s'attaquer au problème des émissions comportant des scènes de violence. M. Beatty a pris contact avec le sénateur Paul Simon et incitera Washington à coopérer à des initiatives conjointes avec le Canada.
- Un prix pour honorer ceux qui contribuent à réduire la violence à la télévision ou qui ont financé ou encouragé la production d'émissions jeunesse de qualité. Celui-ci s'appellera «Prix télévisuel Virginie Larivière», du nom de cette jeune fille de 14 ans qui a été l'initiatrice de la pétition contre la violence à la télévision, pétition que plus d'un million et demi de Canadiens ont déjà signée et à laquelle s'ajoutent chaque jour de nouveaux signataires. Le prix sera présenté au cours des cérémonies annuelles de remise des prix Gemini et Gémeaux.

«En somme, a conclu M. Beatty, cette stratégie constitue une étape importante en vue de résoudre un problème complexe et sérieux».

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PAY TELEVISION PROGRAMMING STANDARDS AND PRACTICES

A. Introduction

Pay television network licensees in Canada are committed to the presentation of programming services which are well balanced, of high quality, and of interest to a wide number of Canadians. The programming so presented is intended to appeal to a variety of interests and tastes.

A major appeal of the premium pay television services in Canada as well as in the United States is the ability to see feature films and other programming material in their original theatrical form, uninterrupted by commercials.

Pay television is distinguished from conventional television as it requires an affirmative decision by a subscriber to receive it "unscrambled" in the home. As a discretionary service, pay television has more latitude to program material that is intended for mature audiences than is the case with conventional television.

Therefore, pay television network licensees have a responsibility to ensure that the programming they provide is of high quality and meets general community standards within the context of a discretionary service.

B. Selection of Programs

1. Responsibility for Selection

As provided in the Broadcasting Act and in the conditions of licence, selection of programs is the responsibility of the particular pay television licensee. The network licensee is by law responsible for what is distributed and will not delegate this responsibility.

2. Relationship with Producers

In the course of approving the production, particularly prior to commencement of filming or taping, or in approving any changes during production, pay television licensees can influence producers positively in their exercise of good judgment and taste. In order to raise issues of concern with independent producers, pay television network licensees will distribute a copy of this document to all independent producers who apply for script and concept development funding, for pre-licensing of product, and to all regular program suppliers, whether Canadian or foreign.

3. Exercise of Discretion

The discretion in the selection of programs will be exercised by the programming personnel of the pay television network licensee, as directed by this policy statement, and by the management of the licensee. All material will be fully screened prior to airing.

4. Basis of Discretion

The discretion of programming personnel will be exercised responsibly and in good taste. In particular, no material should be selected that is

- a) contrary to law, including the Broadcasting Act and CRTC Regulations; or
- b) offensive to general community standards.

"Community standards" will necessarily change over time and therefore will be subject to continuing review and evaluation. Pay television licensees will not select programming that would go beyond an "R-rating" or its equivalent, as established under Part C hereof.

5. Previews

Notwithstanding the above, where the program is aired in preview periods (i.e. when the programming is unscrambled and may be received whether or not the subscriber ordered it), pay television licensees will select programming that meets the same standards of scheduling and content that apply to conventional broadcasters.

C. Classification and Cautionary Warnings

1. Program Guide

In order that viewers will be able to exercise an informed choice on what they wish to watch on pay television, pay television licensees will provide a monthly program guide to the cable companies for distribution to their subscribers. They will also send out program information to all media for inclusion in their television listings. In addition to the single-letter classifications described below, pay television licensees will provide in their program guide where possible appropriate and adequate descriptive warnings as to the nature of the material, e.g., "Adult situations and language", "graphic violence", "some nudity".

2. Single-Letter Classification

In order to provide broad guidance as to the suitability of the programming, pay television network licensees will regularly provide at least the following classification in their guides for each of their programs;

First Choice and Superchannel:

G: Suitable for viewing by a general audience of all ages;

PG: Parental Guidance suggested. Some material may not be suitable for children;

A: Parents are strongly cautioned that some material may be unsuitable for children and young teenagers. Discretion is advised;

R: Contains material that is recommended for adult viewing only.

Super Écran:

Tous - For all

14 and over

18 and over

3. On-Air Warning

Where appropriate, pay television licensees will provide a cautionary warning on-the-air at the beginning of the program, indicating the information set out in Appendix 'A'.

4. Decision on Classification

The decision as to classification will be made by the particular pay television licensee involved, based on screening the particular version intended to be aired. However, pay licensees will attempt to coordinate ratings of films so that the same types of classification are used on all pay networks where material is duplicated. In making this decision, licensees should take into consideration any ratings or classifications that may have been given to the program by other appropriate industry or government bodies. In some cases, however, there may be no other ratings upon which a comparison can be made; in such cases, the pay television licensee will use its best judgment in assigning an equivalent rating. All programs will be rated. X-rated films will not be shown. Descriptions of the meaning of classifications will be included in the program guide each month.

D. Program Concerns

1. Sex-Role Stereotyping

This question has been extensively explored in the Report of the Task Force on Sex-Role Stereotyping to the CRTC. While pay television networks depend on major studios as the primary source of their movie product, licensees have a responsibility to raise the issue with producers who seek script and concept development funding and the preclearing of product. Pay television networks will seek to fund programming that provides a balanced view of sex roles and will adhere to the CAB Sex-Role Stereotyping Guidelines in this respect.

2. Gratuitous violence

The portrayal of violence which when taken in context is gratuitous will not be shown and pay television licensees will reflect this policy in their selection process described in these guidelines. (Programming personnel will exercise particular care and discretion in pre-screening material and considering the context of any possibly objectionable material).

E. Scheduling of Programs

1. Scheduling

Pay Television generally includes fewer programs per month than conventional broadcasting, but such programs are repeated more frequently to suit the convenience of the schedules of the subscribers. At the same time, pay television licensees are sensitive to the concerns expressed by some that mature material should not be scheduled in periods when school-age children are home. There may also be certain mature material that should only be programmed in the late evening or early morning hours.

2. Family Viewing

Pay television licensees will exercise particular care for all time periods in the scheduling of programs that are likely to be considered as not suitable for viewing in a family context.

3. Adult Movies or Programming

In addition, pay television licensees will exercise their discretion carefully in regard to programs of which sexually explicit and/or violent material is the dominant element, so that such programming will be scheduled in the late evening or early morning hours only.

These guidelines will be reviewed after one year for adequacy.

Pay television licensees will establish an industry committee to oversee the implementation of the guidelines and to deal with complaints received.

APPENDIX A

1. "Pay licensee" is proud to present this program which is suitable for viewing by all ages.
2. The following program contains scenes of violence and therefore viewer discretion is advised.
3. The following program contains scenes which use coarse language. Viewer discretion is advised.
4. The following program contains scenes of nudity. Viewer discretion is advised.
5. The following program deals with mature subject matter. Viewer discretion is advised.
6. The following program contains scenes of extreme violence. Viewer discretion is advised.
7. The following program contains scenes of violence and coarse language. Viewer discretion is advised.
8. The following program contains scenes of nudity and violence. Viewer discretion is advised.
9. The following program deals with mature subject matter and contains scenes of violence and nudity. Viewer discretion is advised.
10. The following program contains scenes of nudity and coarse language. Viewer discretion is advised.
11. The following program deals with mature subject matter and contains scenes of nudity and coarse language. Viewer discretion is advised.
12. The following program contains scenes of extreme violence and coarse language. Viewer discretion is advised.
13. The following program contains scenes of explicit sexuality and nudity and may be offensive to some viewers. Therefore, this film is recommended for mature audiences only.
14. The following program contains scenes of extreme violence, nudity and coarse language. Therefore, this film is recommended for mature audiences only.

ation information information INIC

17 January 1985

FOR IMMEDIATE RELEASE

Pay Television Programming Standards and Practices

OTTAWA/HULL — The CRTC announced today that it has accepted the final version of the Programming Standards and Practices prepared by the pay television licensees (see attached copy).

These voluntary standards and practices address the Commission's concern that pay television programming be presented in good taste, adequately scheduled, and of high quality.

"The guidelines adopted by the industry are in keeping with the self-regulatory approach adopted by the CRTC," said CRTC Chairman André Bureau. "At the same time, they will provide the industry with the flexibility it requires to operate in this highly-competitive market."

The standards and practices were first made public on 29 February 1984, and the public was invited to comment on them by contacting the pay television licensees directly. At the end of May, the licensees submitted a report to the Commission on these comments and concerns. The Commission then met with the licensees to review these public comments and develop the final guidelines accepted today.

The pay television licensees have also announced that they will establish an industry committee to oversee the implementation of the guidelines and to deal with complaints received. The Commission will ask for periodic reports on complaints received and will review the standards and practices one year from now.

On 8 November 1984, the Commission announced that an Ontario firm, Erin Research Inc. had been contracted to conduct an analysis of program content, in order to measure the degree to which broadcasters, including the CBC, and advertisers are

-more-



Conseil de la radiodiffusion et des
télécommunications canadiennes

Ottawa, Ontario
K1A 0N2

Canadian Radio-television and
Telecommunications Commission

Ottawa, Ontario
K1A 0N2

Canada

adhering to their respective industry guidelines respecting sex-role stereotyping. This analysis jointly funded by the CRTC and the Department of Communications is presently under way.

Erin Research will also monitor pay television for sex-role stereotyping in commissioned programming and violence in acquired programming. The other elements of the standards and practices concerning previews, classification, cautionary warnings and scheduling, will be monitored by CRTC staff.

Contact: Information Services
Ottawa, Ontario K1A 0N2
(819) 997-0313
Visual Ear (819) 994-0423

or one of our following regional offices:

Barrington Tower
Room 428
Halifax, N.S. B3J 2A8
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Montréal, Qué. H2Z 1X4
(514) 283-6607

275 Portage Avenue
Kensington Building
Winnipeg, Man. R3B 2B3
(204) 949-6306

700 West Georgia, Suite 1130
Box 10105
Vancouver, B.C. V7Y 1C6
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PROGRAM POLICY

P.P. No. 14 / October 15, 1984

VIOLENCE IN GENERAL PROGRAMMING

The CBC shares the concern over violence in television expressed by responsible community leaders and social scientists in Canada and elsewhere. While there is room for debate about the cause-and-effect relationship between violence in television and outbursts of violence in society, the CBC's view is that as a broadcaster it cannot abdicate responsibility for making a judgment in this field.

The CBC does not broadcast programs that unduly exploit violence, and restricts the number of program series built around themes of violent action. The presentation of violence should be warranted by dramatic integrity and appropriateness to context. Violence merely for sensational effect, or as a substitute for other dramatic values, is not acceptable.

The type of program, the time of its showing, and the composition of the audience for whom it is intended are three major considerations that will condition the decision taken by producers and others responsible for what appears on the screen. They must then consider if the effect of including scenes of violence, brutality, or horror could lead in certain circumstances to imitation in viewers and cause such distress or resentment to a large number of viewers as to invalidate the program for those people.

POLITIQUE DES PROGRAMMES

P.P. No 14 / le 15 octobre 1984

VIOLENCE DANS LES ÉMISSIONS DE PROGRAMMATION GÉNÉRALE

Régulièrement, les voix les plus autorisées au sein de la population et des spécialistes en sciences sociales s'élèvent contre les dangers de la violence à la télévision. Radio-Canada partage ce souci. Si la relation de cause à effet entre la représentation de la violence à la télévision et ses manifestations concrètes n'est pas établie, la Société estime néanmoins qu'elle a l'obligation, comme radiodiffuseur, de faire preuve de discernement dans ce domaine.

Radio-Canada ne diffuse pas d'émissions où la violence est exploitée gratuitement, et limite le nombre des séries à thèmes violents. Les scènes de violence doivent être pertinentes et essentielles à l'action dramatique. Utilisée uniquement à des fins de sensationnalisme ou en remplacement d'autres procédés dramatiques, la violence n'est jamais acceptable.

Trois considérations majeures devraient fonder les choix des réalisateurs et des responsables des programmes quant au contenu des émissions: le genre de l'émission, l'heure de diffusion et la composition probable de l'auditoire à laquelle elle s'adresse. Ils doivent alors se demander si des scènes de violence, de brutalité ou d'horreur ne risquent pas, dans certaines circonstances, d'entraîner leur imitation par les téléspectateurs, de perturber ou d'aliéner un grand nombre d'entre eux au point que l'émission s'en dévalorise.

Some practical considerations should also be taken into account; for example:

- 1) any violent sequence, even one that is a natural part of the plot, should not be unduly prolonged;
- 2) no sequence should include shots that dwell upon the more gruesome and bloody physical aspects of combat or the use of weapons;
- 3) sound effects and sound tracks should not unduly distort or magnify the impact of violence;
- 4) violence inflicted on anyone in a disadvantaged position requires special scrutiny;
- 5) scenes of cruelty to animals should be avoided.

While this policy largely relates to television, its general principles are applicable to radio as well.

Reference:

- Recognition of Audience Sensitivities

Secretariat
Ottawa, October 15, 1984

Sur le plan pratique, il existe d'autres considérations qui doivent être prises en compte, notamment:

- 1) il ne faut pas trop multiplier les plans montrant des scènes de violence, même s'ils s'intègrent naturellement à l'action;
- 2) la caméra ne doit pas s'attarder sur des images montrant les aspects les plus sanglants et les plus répugnants d'un combat, de même que l'utilisation d'armes;
- 3) on ne doit pas accentuer l'impact des scènes de violence en modifiant la bande sonore ou en ajoutant des effets accoustiques;
- 4) il faut faire preuve de discernement lorsque la violence s'exerce contre toute personne en état d'infériorité;
- 5) on doit éviter les scènes de cruauté à l'égard des animaux.

Bien que la présente politique regarde surtout la télévision, les principes qui la sous-tendent valent également pour la radio.

Voir aussi:

- Prévenance à l'endroit des auditoires

Secrétariat
Ottawa, le 15 octobre 1984

VIOLENCE IN CHILDREN'S PROGRAMMING

The CBC produces children's programs and selects films and TV series whose content and treatment are consistent with what is known about the creative growth and development of Canadian children. The Corporation does not consider that young people should be sheltered from the realities of life, but neither does it assume that children are prepared for adult entertainment from the beginning.

The Corporation recognizes the dangers in aggressive action that may lead to anxiety in the already disturbed child the child not yet ready to cope with this experience, as well as the risks for the very young if they view or hear programs prepared for older children or adults. To the extent possible the Corporation will attempt to safeguard such sensitivities, at the same time realizing that it is the adults in the child's daily life who are ultimately responsible for the programming brought into their homes.

Further, recognizing that the viewing of violent programs may contribute to aggressive behaviour but that violence, both fictional and real, is part of the child's daily environment, the CBC accords the highest importance to positive role models in its productions. Cooperative interaction and non-violent resolution of conflict is stressed. To enhance the child's self-esteem, children and adolescents are portrayed as full participants in society.

VIOLENCE DANS LES ÉMISSIONS POUR LA JEUNESSE

La réalisation et la composition du programme jeunesse de Radio-Canada tiennent compte, tant sur le plan du contenu que de la forme, des connaissances actuelles sur le développement de la créativité chez les enfants canadiens. La Société ne croit pas qu'il soit bon de cacher la réalité de la vie à ceux-ci, sans pour autant souscrire à l'idée que les jeunes peuvent, dès l'enfance, être exposés aux émissions destinées aux adultes.

Radio-Canada mesure les dangers que représente l'agression pour les enfants souffrant de troubles émotifs ou psychologiques, et les risques encourus par ceux qui entendent ou regardent des programmes s'adressant à des adolescents ou à des adultes. Elle cherche à ménager la sensibilité de son jeune auditoire, consciente toutefois que ce sont les parents, en dernière analyse, qui décident des émissions que leurs enfants peuvent regarder.

Elle se rend compte aussi que le visionnage d'émissions violentes peut stimuler l'instinct d'agression, reconnaissant néanmoins que la violence imaginée ou réelle du petit écran fait partie de l'environnement quotidien de l'enfant. D'où l'importance d'accentuer dans les émissions les rôles inspirants et exemplaires, et d'encourager le règlement pacifique des différends et la coopération. Pour valoriser l'opinion que les enfants et les adolescents ont d'eux-mêmes, les émissions les présentent comme des membres à part entière de notre société.

CAB CODE REGARDING VIOLENCE IN TELEVISION PROGRAMMING

DRAFT

JANUARY 14, 1993

I. BACKGROUND

The purpose of this code is to establish guidelines with respect to the portrayal of violence in television programs broadcast by Canadian privately owned programming undertakings.

The issue of violence in our society is one of real concern to the public, and by extension to Canadian private, over-the-air broadcasters who are deeply involved with and committed to the communities they serve.

Private broadcasters recognized and responded to this concern in 1987, and the Canadian Association of Broadcasters (CAB) developed its first Voluntary Code Regarding Violence in Television Programming in consultation with a wide range of public interest groups and industry-related associations.

Appreciating that social change creates evolving pressures on any set of industry guidelines, the CAB initiated a review of its code in February 1992, resulting in this new version published in 1993, which will be reviewed formally every five years.

Following the procedural criteria set by the Canadian Radio-television and Telecommunications Commission in P 88-13 (Guidelines for Developing Industry-Administered Standards), the CAB again sought input from a wide range of public groups with an interest in the issue of violence. A list of these organizations is appended to the revised code. The CAB also made extensive use of the CRTC staff report on Violence in Television, released May 27, 1992.

The guidelines set out in this code are designed to complement the general principles set out in other CAB codes, and are provided to CAB members to assist them in the creation, scheduling, purchase, broadcast and distribution of their programs, as they carry out their responsibilities as licensed television programming undertakings under the provisions of the Broadcasting Act.

II. INTRODUCTION

In addressing the issue of violence in television with this code, the CAB believes it is important to set parameters for the role that Canadian private, over-the-air broadcasters can perform in reflecting society's concern over this issue.

Canadian broadcasters exist in the most heavily populated media environment in the world, with almost all Canadian viewers having access via cable and over-the-air signals to a vast array of programming which is exempt from Canadian regulation.

Therefore, it is important to note that while Canadian broadcasters are demonstrating a responsible and proactive approach to the issue of violence, there are many foreign signals which have been licensed for distribution in Canada, and programs available off-air to Canadian viewers, over which this code will have no impact.

In adopting the principles of this code, Canadian over-the-air broadcasters are committing to undertake the production and acquisition of programming which they believe to be suitable for their individual markets, which addresses their responsibilities under the Broadcasting Act, and which will provide the competitive schedules necessary to survive in the environment of the "100-channel universe".

Canadian private broadcasters shall not undertake the role of censor in the application of this code. Subjective issues such as violence, good taste and relevance must be defined by the individual viewer, based on his or her personal values. Just as Canadian broadcasters are responsible under the Broadcasting Act for the content and scheduling of their programming, individuals must accept a share of responsibility for their own viewing, by establishing personal and consistent codes of conduct. The public, in the end, is the final arbiter of what programming succeeds on Canadian private television.

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III. STATEMENT OF PRINCIPLE

This code is designed to assure that violence in programming telecast by over-the-air private broadcasters is interpreted and assessed based on the nature of the programming and the context in which it is broadcast.

Portrayals of violence within entertainment programming shall be relevant and necessary to the development of character, or to the advancement of the theme or plot.

Within news and public affairs programming, the depiction of violence shall be relevant to the nature of the event or story being reported.

Both in entertainment and informational programming, the portrayal of violence shall be evaluated in relation to the intended audience and the time of broadcast.

IV. THE CODE

GUIDELINES:

Broadcasters shall avoid programming which:

- a) contains gratuitous violence in any form;
(NOTE: *Gratuitous violence is interpreted as the depiction of excessive use of violent acts which have no relation to creative expression, or violence which is exploitive and has no redeeming social value*)
- b) contains violence with no solid thematic justification;
- c) contains violence which is not appropriate for the expected audience;
- d) focuses unduly on the graphic portrayal of violence;
- e) minimizes the effects of violence;
- f) glamorizes violence or endorses other forms of violent disregard for others

SCHEDULING AND VIEWER ADVISORIES:

1. SCHEDULING:

Broadcasters shall ensure that programming containing scenes of extreme violence and intended for mature, adult audiences, is broadcast only during late evening hours. Late evening hours means from 9 p.m. to 6 a.m.

NOTE: Scheduling of programs during prime time is sometimes determined by simulcast with foreign signals which originate in different time zones. Broadcasters who, for competitive reasons, elect to maintain simulcast and air programs intended for mature, adult audiences outside of late evening hours shall provide a minimum of two viewer advisories before 9 p.m.

2. VIEWER ADVISORIES:

a) Broadcasters shall provide a viewer advisory, before and during programming containing scenes of extreme violence, intended for mature, adult audiences, which are telecast in late evening hours. The advisory will indicate the intended audience for the programme, and will indicate that the programme contains scenes of extreme violence which may be disturbing to some viewers.

b) Broadcasters shall provide a viewer advisory at the beginning of a programme broadcast outside of late evening hours, which contains scenes of violence that may be disturbing to some viewers. The advisory shall indicate the nature of the material and suggest a suitable audience.

NOTE: Guidelines for viewer advisories are outlined in Appendix "A"

SPECIAL PROVISIONS:

1. VIOLENCE IN NEWS AND PUBLIC AFFAIRS PROGRAMMING

Television journalists shall advise viewers in advance of showing scenes of extreme violence, or reporting on delicate subject matter, particularly during afternoon or early evening news programming, which could disturb children or offend the general audience.

NOTE: Broadcasters shall use appropriate editorial judgement in the reporting of violence, aggression or destruction within their news and public affairs programming.

Caution shall be used in the repetition of video depicting violence.

Television journalists shall employ discretion in the use of explicit graphic language related to stories of violence and sexual assault which could disturb their viewers.

Broadcasters shall exercise particular judgement during live coverage of domestic terrorist events or civil disorders, to ensure news coverage does not impinge on the safety of those involved, or become a factor in influencing the actions of the participants in the incident.

While broadcast journalists shall not exaggerate or exploit situations of conflict or confrontation, equal care shall be taken not to sanitize the reality of the human condition.

Broadcasters shall refer to the Code of Ethics of the Radio-Television News Directors' Association of Canada (RTNDA) for guidance regarding broadcast journalism in general.

2. VIOLENCE TOWARDS WOMEN

Broadcasters shall refrain from broadcasting programming that encourages, promotes or condones violence (physical, emotional, sexual or verbal abuse) towards women.

NOTE: Broadcasters have a responsibility to ensure that women are not depicted as victims of violence unless the violence is integral to the story being told. Broadcasters must be particularly sensitive to not perpetuate the link between women in a sexual context and women as victims of violence. When scheduling programmes with violence against women, broadcasters should not schedule them at a time when school-aged children are most likely to be a part of the viewing audience.

Broadcasters are expected to refer to the CAB's code on Sex-Role Stereotyping.

3. VIOLENCE IN CHILDREN'S PROGRAMMING

Broadcasters shall refrain from broadcasting children's programming which contains scenes of gratuitous violence.

NOTE: Broadcasters shall take particular caution in the portrayal of violence in programming intended for children and youth. Guidelines which apply to the industry shall be applied in a much stricter manner at times when viewers are likely to be children.

While taking into account the fantasy aspects of animation, particular caution shall be exercised in the portrayal of violence in all types of programming - animation, live action dramas, feature films, and informational programming.

Broadcasters are expected to refer to the relevant principles and guidelines in the CAB's Broadcast Code for Advertising to Children.

4. PROGRAMME PROMOTION

Broadcasters shall ensure that excerpts selected for the promotion of programmes which contain scenes of extreme violence and are intended for mature, adult audiences shall be scheduled in late evening hours.

5. PAID ADVERTISING FOR FEATURE FILMS

Broadcasters shall schedule advertising messages for feature films in theatrical release, which contain scenes of extreme violence and are intended for mature, adult audiences, in late evening hours.

6. VIOLENCE IN ASSOCIATION WITH SPECIFIC GROUPS

Broadcasters shall refrain from broadcasting programming that promotes, encourages or sanctions violence based on race, national or ethnic origin, colour, religion, gender, sexual orientation, age or mental or physical disability.

7. VIOLENCE IN MUSIC VIDEOS

Broadcasters shall refrain from airing music videos that depict scenes of gratuitous violence.

NOTE: Broadcasters that include music videos in their programming schedules should establish internal review committees to ensure that music videos are evaluated and selected in accordance with the criteria established in this and other CAB codes.

8. VIOLENCE IN SPORTS PROGRAMMING

In the coverage of sporting events or the promotion of sporting events, broadcasters shall not exploit, extol or highlight violent action which is outside the sanctioned activity of the sport in question.

NOTE: In relation to sports programming which involves animals, broadcasters are to refer to the special clause on violence in association with animals.

9. VIOLENCE IN ASSOCIATION WITH ANIMALS

Broadcasters shall refrain from broadcasting programmes that promote, encourage or condone violence against animals.

NOTE: This is not intended to prohibit the broadcasting of legally sanctioned activities associated with animals. In such cases, particular discretion shall be exercised in selection of sound and visual items.

V. CODE APPLICATION AND ADMINISTRATION

Application of this code is the responsibility of the individual licensee. Complaints and inquiries should be addressed to and dealt with by the broadcasting entity involved.

Complaints not resolved between the complainant and the television station may be referred to the Canadian Broadcast Standards Council (CBSC), which is charged with supervising the adherence of CBSC members to this code, and the process which that entails. The CBSC can be reached by writing:

CBSC
P.O. Box 3265, Stn. "D"
Ottawa, Ontario
K1P 6H8
ph: (613) 233-4607
fax: (613) 236-9241

The CAB will work with the Canadian Broadcast Standards Council to create awareness of this code, by distributing copies to interested parties as well as encouraging those broadcasters who subscribe to the code to broadcast relevant public service announcements. The CAB and the CBSC will also work together to offer workshops and/or educational seminars on the code to front-line employees who are responsible for its application.

The CAB will work to create an ongoing public awareness campaign to encourage the development of discretionary and critical viewing skills.

The CAB will encourage families and those responsible for academic curricula to develop discretionary and critical viewing habits for children and youth. Adults should be encouraged to watch television with their children and clearly distinguish between reality and fantasy in television programming.

Canadian and foreign programme producers and distributors will be advised of the code. Broadcasters shall also, where feasible, attempt to consult with programme producers at an early stage of project development regarding observance of this code. The CAB will distribute this code to other components of the Canadian broadcasting system and urge them to take a similar proactive approach.

Although the CAB will maintain an active committee that will monitor and assess societal issues and trends on an on-going basis, this code will be formally reviewed every five years.

APPENDIX "A"

OPTIONS FOR VIEWER ADVISORIES REGARDING VIOLENCE IN TELEVISION PROGRAMMING

Broadcasters may wish to preface their advisories with the following:

"As a member of the Canadian Broadcast Standards Council, CAB Broadcasting is providing this advisory to assist its viewers in making their program choices. The following program contains"

"As a member of the Canadian Broadcast Standards Council, CAB Broadcasting is pleased to provide this viewer advisory. The following program contains..."

"As a member of the Canadian Broadcast Standards Council, CAB Broadcasting is responding to viewer concerns by providing this programming advisory. The following program contains...."

The following are examples of advisories pertaining to the portrayal of violence and other subject matter. They are meant to assist broadcasters in fulfilling their viewer advisory obligations in the code. Broadcasters are encouraged to further develop or edit these advisories to suit specific programming and target audiences in their market.

1. *The following program contains scenes of violence and therefore viewer discretion is advised.*
2. *The following program contains scenes of extreme violence which may be offensive to some viewers.*
3. *The following programs contains scenes of violence and coarse language and is intended for mature, adult viewers.*
4. *The following program contains scenes of nudity and violence and is intended for mature, adult viewers.*
5. *The following program deals with mature subject matter and contains scenes of violence and nudity. It is intended for mature, adult viewers.*
6. *The following program contains scenes of extreme violence and coarse language. It is intended for mature, adult viewers.*

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7. The following program contains scenes of violence and therefore parental supervision is advised.
8. The following program contains scenes of extreme violence not suitable for young viewers and is recommended for adult viewers only.
9. The following program contains scenes of violence and coarse language and is intended for mature, adult viewers and is not suitable for young viewers.
10. The following program contains scenes of nudity and violence and is intended for mature, adult viewers and not suitable for young viewers.
11. The following program deals with mature subject matter and contains scenes of violence and nudity. It is intended for mature, adult viewers and is not suitable for young viewers.

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APPENDIX "B"

CONSULTATIONS

During the development of this code, the CAB invited comments from the following groups:

The Canadian Broadcast Standards Council
The Canadian Film and Television Production Association
JLL Broadcast Group
Department of Communications
MediaWatch
Owl Centre for Children's Film and Television
Radio and Television News Directors Association
CBC
The Alliance for Children and Television (formerly the Children's Broadcast Institute)
Toronto Women in Film and Television
Canadian Women in Radio and Television
Canadians Concerned About Violence in Entertainment
Animal Alliance of Canada
CBC Newsworld
MUCHMUSIC Network
VISION TV
YTV Canada Inc.
The Family Channel Inc.
First Choice Canadian Communications Corporation
SUPER CHANNEL (Allarcom Pay Television Limited)
Canadian Cable Television Association
MUSIQUEPLUS
Météomédia inc/The Weather Network
LE RÉSEAU DES SPORTS
Association nationale des téléspectateurs
Groupe de recherche sur les jeunes et les médias
Pour la coalition contre la violence dans les émissions pour enfants
Conseil du statut de la femme
Canal Famille
Premier Choix: TVEC Inc. (Super Écran et le Canal Famille)

In addition, a number of meetings took place with senior staff and Commissioners of the Canadian Radio-television and Telecommunications Commission.

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OVERVIEW OF DOMESTIC CODES AND CLASSIFICATION SYSTEMS

Background

In Canada, the Broadcasting Act, 1990, makes no specific reference to violence or the protection of children from the potential harmful effects of the medium. Historically, the issue of violence has been addressed through voluntary codes of conduct developed by industry in concert with the CRTC. The regulator has not developed a policy framework for either violence or children's programming. However, it has required individual licensees to address these issues at the time of license renewal. No broadcasting licence has ever been suspended because of non-compliance with the voluntary codes.

Section 3(1)(d)(i) of the Act states that the broadcasting system should "serve to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada", while 3(1)(g) states that "the programming originated by broadcasting undertakings should be of high standard". Either or both of these clauses could be interpreted by the CRTC, if it wished, for the purpose of developing an overall policy on violence.

Codes

A number of domestic industry-developed voluntary codes have been in place for several years: The Pay Television Standards and Practices (1985); the CBC's internal policies on violence in general programming, violence in children's programming and violence in journalism (1984); the CAB Code (1987); and Vision TV's Code of Ethics and Program Practices (1987). The CCTA has adopted the CAB code for cable-originated programming. There are a number of advertising codes (CBC, CAB and CAF) which prohibit the depiction of gratuitous violence or violence combined with sexual implications. In addition, services such as YTV, MuchMusic and Musique Plus have screening committees and criteria standards for music videos. A chart outlining the various domestic codes is appended as Annex 1.

The revised CAB Code Regarding Violence in Television Programming was submitted to the CRTC in January. The Code is administered by the Broadcast Standards Council, an independent body funded by private broadcasters and established by the CAB. Although the new Code incorporated a number of improvements over the 1987 Code, it fell short of CRTC expectations and is currently being redrafted. The new code employs imperative language such as "broadcasters shall ensure that...shall refrain from...shall provide" in place of the former "should, where appropriate". An assessment of changes embodied in the new Code, along with the CRTC's concerns, is provided as Annex 2.

The existence of the CAB code has been somewhat effective in

sensitizing broadcasters to the issue of violence, however, the use of non-imperative language in the old Code has allowed broadcasters to adopt a liberal interpretation of the Code's principles. The effectiveness of the Code can best be measured by the level of adherence by broadcasters. Although the CBSC report would suggest that adherence is high because they have received only ten complaints, this may be due to a lack of awareness of the code or of the existence of the CBSC. Furthermore, there is no information on the total number of complaints received directly by broadcasters.

The Pay Television Programming Standards and Practices were accepted by the CRTC in January 1985. The pay television Code forbids the broadcast of gratuitous violence. Pay licensees must exercise discretion in regard to programs of which sexually explicit and/or violent material is the dominant theme, so that such programming will be scheduled in late evening or early morning hours. Unlike the CAB Code, there is no equivalent to the CBSC to administer or enforce the Pay TV Code. Licensees could be required to report on the effectiveness of their Code at the time of licence renewal, which should be this year.

Recognizing that they have become somewhat dated, and at the urging of the CRTC, the pay licensees have indicated that a review will take place. As a first step, Astral recently announced that Super Ecran and First Choice The Movie Network will, as of May 1, insert a rating label warning if the movie has violent content. These viewer warnings are comprised of a white "V" in a red box, and are inserted in the picture before and during films containing violent scenes.

The CBC's 1984 Violence in General Programming policy forbids programs that unduly exploit violence. The presence of violence should be warranted by dramatic integrity and the scheduling should take into consideration the intended audience. Its Violence in Children's Programming policy notes that "it is the adults in the child's daily life who are ultimately responsible for the programming brought into their homes." Programming should avoid aggression, cruelty to animals, torture, gruesome scenes, or criminal actions that children can easily imitate. The CBC's Journalistic Policy notes that violent scenes or events must be an accurate reflection of reality, be warranted, not for shock value, in context, not dwelled upon or distorted. None of these codes are as comprehensive as the draft CAB code submitted to the CRTC for consideration in January. Like the Pay TV code, there is no formal enforcement mechanism. However, viewers can file a complaint with the CBC Ombudsman on the content of journalism programs.

As for the specialty services, TSN and RDS are in the process of developing a self-regulatory code that would avoid the depiction of excessive or gratuitous violence in sports programming. Both Vision TV and MuchMusic have internal guidelines prohibiting glorified or gratuitous violence, particularly in a sexual context.

The CCTA has adopted the CAB Code on television violence for cable-originated programming.

Classification Systems

In Canada, there is no formal classification system for television. YTV does restrict its feature film acquisitions to "Family" or "Parental Guidance", or their equivalent, and ensures that these classifications are included in the TV listings. The Pay Television Standards and Practices Code requires all pay television services to publish the appropriate provincial film classifications in their monthly viewing guides and in media listings, and to provide viewer warnings prior to broadcast.

Theatrical film and video classification in Canada is the responsibility of the provinces. Most provinces have classification boards. Nova Scotia does the classification for the Maritime provinces. As a result of the application of the different provincial standards, there is no uniform system. It is estimated that film classification costs taxpayers around \$6 million annually. The major film and video distributors associations have drafted a proposal for the creation of a single national body to classify films and videos. This body would be funded entirely by the private sector and would include a representative from each participating province. The associations are currently lobbying the provincial governments to gain their agreement.

Issues Surrounding the Development of Domestic Codes

There are three key issues in the development of domestic codes: the determination of a "safe viewing period", standard viewer advisory warnings, and a uniform code that applies to the whole industry.

The "safe viewing period", currently proposed by the CAB is 21h00. There will be pressure from public interest groups, and possibly the CRTC, to extend this to 22h00, or to 22h30 as in France. The CAB has argued that Australia, Belgium and New Zealand permit adult oriented programming starting at 20h30, and Australia and the United Kingdom at 21h00. However, one of the interesting possibilities stemming from the U.K. is the "gradual and progressive" move toward adult programming after 21h00. This might suggest that parental guidance should be exercised between 21h00 and 22h00, and that any material intended strictly for 18 years and over be aired after 22h00.

As to viewer warning measures, the industry may wish to incorporate a system of colour-coded flashing symbols before and during each program. This would imply that each broadcaster would set up an internal committee to screen and designate each program according to common set of guidelines. Alternatively, one national

system could be developed to do the screening for the broadcasters (this is discussed below).

Your speech at the Hincks conference has proposed a strong uniform code for all elements of the industry. Clearly, this would be ideal, but there is some concern that the Pay TV sector would attempt to dilute the code in order to accommodate the scheduling and content considerations inherent in services which rely on Hollywood feature films. Pay licensees would prefer to maintain their own code, which is currently under review. While the CBC's code is vastly outdated, the Corporation has historically shunned CAB codes and policies in favour of its own, tailored to the unique characteristics of the CBC. The CBC has been silent on this issue and it is unclear whether it intends to update its internal codes and policies on violence. Conversely, the CCTA has often adopted CAB codes for cable-originated programming, such as gender portrayal, and may be willing to endorse the CAB code when it is finalized.

Looking to the future, it is questionable whether it would be feasible to apply the CAB code to such services as video on demand. The scheduling restrictions applicable to conventional broadcasters, such as the 9 pm safe harbour, would be incongruent with the nature of new technologies such as video on demand, and may be even now to pay-per-view. Consumers will subscribe to these services primarily for the viewing flexibility they are designed to offer.

There is also the question of timing. Keith Spicer advised the Standing Committee he hoped the CAB code could be finalized by April. Clearly, the earliest release would be early summer, but more likely by September. If the Pay TV sector is required to adopt the CAB code in its entirety, the timeline could be pushed even further by the negotiations that would be required. A possible compromise to one uniform code may be the adoption of a statement of principles that all sectors would adopt as the foundation for their own separate codes specifically tailored to reflect the unique characteristics of their services, including target audience, operating requirements and method of delivery (i.e. scrambled or unscrambled). This would likely be acceptable to conventional broadcasters, cable and pay services.

Issues Surrounding a Common Classification System

Recent months have witnessed a growing movement toward a common classification system. Both the CRTC, the CFTPA and the CAB voiced support for this proposal during their appearances before the Standing Committee. A more tangible development is the proposal put forward by a coalition of film and video distributors associations entitled "A National Classification Program for Film and Video in Canada". Although not originally envisaged to apply

to broadcasting, it is nevertheless a pragmatic approach which sets out a model that could eventually encompass theatrical, video rental and broadcast outlets.

This proposal seeks the cooperation of all ten provinces, and would carry out its work on their behalf through a non-profit corporation made up of provincial representatives. It is designed to remove the vast amount of duplicated effort currently in place between the industry and the provinces, thereby saving the distribution companies time and money. Of particular advantage to broadcasters would be its ability to provide more easily dispensable and recognized consumer information regarding standards and advisory symbols. Although provinces would retain the right to add specific descriptive material to meet local needs, some provinces, particularly in Atlantic Canada, do not want to rescind their role in setting content standards that reflect local community values. It is expected that Québec will want to retain its own system. The CMPDA has indicated that the proposal could be implemented if only three or four provinces buy into it. They believe they have the support of Ontario, B.C. and Manitoba to date.

Since the development of one single body to administer and classify theatrical, rental and broadcast material is difficult, a classification system for television, may have to be a stand-alone system, separate from the theatrical proposal. Nevertheless, administering a television classification system would be a daunting task. Whereas film review boards classify fewer than a dozen titles a week, how could a single body screen and classify the hundreds of hours of television exhibited each week? Would it classify American programs? Some, like the daily soap operas and "Entertainment Tonight", are produced in a sausage factory environment and delivered to broadcasters live from a U.S. satellite. Public affairs shows such as "the fifth estate" and "W5" are packaged at the very last minute.

The CAB has raised the question of who would fund and administer such a system. To date there has been no examination of costs, or whether government should take the lead role as the provinces have with film classification. Clearly, the logistics, volume and cost of administration are serious issues that will need to be explored.

With the Australian and New Zealand models, Australian taxpayers, through the Australian Broadcasting Authority, absorb the cost, while New Zealand delegates responsibility to broadcasters to classify their programs according to a common set of standards. However, neither country has the large number of English and French, public, private, educational, multilingual, aboriginal, community, pay and specialty services that Canada has, nor are they exposed to as much foreign content.

The CRTC wishes to retain the self-regulatory, if not voluntary, approach to television violence. This would suggest that the New Zealand model would be the most appropriate. A set of guidelines would be drawn up, in a similar fashion to the guidelines employed by provincial film review boards, but involving public input and acceptance by the CRTC. These will always be somewhat subjective in nature. It would be the role of the Broadcast Standards Council to arbitrate any complaints arising from the interpretation of these guidelines.

Finally, it remains to be seen whether a classification system, if developed, would form part of the CAB code or whether it would stand alone as a separate initiative. If incorporated, it would suggest that the CAB code would be delayed until the classification system (terms of reference, guidelines, administration, etc.) is drafted, vetted and accepted by the CRTC. As this could take six to nine months, it may be more auspicious to place the classification system outside the code so as to not unduly delay the code's release.

Conclusion:

It is doubtful the average Canadian is aware of the existence of all these codes and classifications systems, although recent media attention has heightened awareness of the overall issue of television violence. Clearly, the industry has to dramatically expand its public information activities. A code, no matter how strong, will only be deemed effective if the public can evaluate the industry's performance against the principles and criteria provided in the code.

There is also an apparent requirement for stricter accountability measures. While conventional private broadcasters have the CBSC to pass judgement on their performance, the other industry sectors only have the CRTC licence renewal process as an accountability mechanism. Since a single compliance mechanism for the whole industry would be resisted, it is likely the CRTC will need to take a more visible role in dealing with non-compliance.

	Recent Legislation/Regulation	Statement of Intention
1A) CAB - VOLUNTARY CODE REGARDING VIOLENCE IN TELEVISION PROGRAMMING	Under Review by CAB and CRTC.	a) Self regulation of violence in programming b) Broadcasters not to condone programs w -include gratuitous violence -glorify violence -minimize the consequences of viol acts c) Violence to be considered within dramatic informational context. d) Joint responsibility for programming and viewing shared by broadcasters and consi
1B) CAB - BROADCAST CODE FOR ADVERTISING TO CHILDREN		a) Must not encourage/portray range of valu inconsistent with moral, ethical, or legal standards of Canadian Society. b) Discretion and sensitivity to be exercised clearance committee when reviewing child commercials with reference to violence or sex-role stereotyping.
2A) PAY TELEVISION PROGRAMMING STANDARDS AND PRACTICES	February 29, 1984 and January 17, 1985.	Violence and Sexual Stereotype: See CAB (
2B) VISION TV	Upon being licensed.	Violence and Sexual Stereotype: a) Community Standards. b) Violence shall neither be glorified nor exp c) No sexual exploitation for purposes of titi
2C) MUCHMUSIC NETWORK	Letters and guidelines: 1984-1992.	Reduce gratuitous and excessive violence.
2D) FAMILY CHANNEL		a) Encourages producers to refrain from incl in programs scenes depicting violence. b) Violence can be used as part of storyline cannot be gratuitous, glorified, or explicit, gruesome or bloody. c) No vulgar or profane language. d) Balanced view of sex roles and adheres to CAB's Code Regarding Sex Role Portrayal. e) No sexual references which are explicit or poor taste. f) No brief or partial nudity. g) No teen sexual issues.
3) CBC	Violence in Children's programming - 1984. Violence - General programming - 1984. Journalistic Policy - 1988. Advertising Standards of Taste - 1985. Advertising Standards for Children under 12 - 1990.	a) Does not broadcast programs that unduly exploit violence. b) Violence for effect not acceptable. c) Reduce gratuitous and excessive violence d) Apply careful standards of judgement in selecting scripts, commissioning or purch program material, in scheduling times of program. a) No advertising during children's program b) Ads rejected containing violence.
4) ASSOCIATION OF CANADIAN ADVERTISERS	Canadian Code of Advertising Standards	Must not present/exploit violence or sexualit manner which is offensive to generally prev standards.

STATUS OF CAB CODE

- The CRTC and the CAB are currently negotiating the provisions of the CAB draft code.
- The CRTC's February 15th letter to the CRTC indicated that the code needed to be improved substantially in several areas. Specifically the code needed to: reflect in its overall tone broadcasters' responsibility for the purchase or production of violent programming; contain a clear prohibition against the broadcast of gratuitous violence in any form and programming that condones, promotes or glamorizes violence; contain a classification system which takes into account the age of the audience, the time of broadcast and the quantity and quality of violence; contain a scheduling provision requiring broadcasts of programs classified for mature audiences later than 9 p.m.; the development of guidelines respecting children's programming; and contain adequate enforcement measures.
- The CAB responded on April 15th. Their letter was made public following the CRTC's decision on April 14th to release both the draft CAB code and their February 15th letter to the CAB because of several requests under Access to Information. While newspaper articles described a confrontational situation between the CAB and the CRTC indicating that the CAB threatened court action if the CRTC tries to impose an anti-violence code on the industry, the tone of their letter indicated general continued willingness to seriously consider the CRTC's comments and suggestions.
- However, there is strong disagreement with the CRTC's notion that the scheduling provisions of the code would over-ride broadcasters ability to take full advantage of simultaneous substitution. What this implies is that if an American crime drama was deemed unfit for family audiences, and would normally be aired at 8.30 p.m., for example, the CRTC expects the broadcaster to delay broadcast until after the safe viewing hour of 9 or 10 pm.. (It should be noted that the CRTC has not stated firmly that it disagrees with the 9 pm cut-off, rather it notes that France reserves family viewing until 10:30 pm.).
- The attached document highlights the differences between the old CAB code and the new provisions.

SUMMARY OF PROPOSED REVISIONS TO CAB CODE

Gratuitous violence

Old code:

"Broadcasters do not condone programs containing gratuitous violence nor programs which glorify violence or which minimize the consequences of violent acts...assuring that all violence in programs is considered within its dramatic or informational context."

New code:

"Broadcasters shall avoid programming which:
a) contains gratuitous violence in any form (interpreted as the depiction of excessive use of violent acts which have no relation to creative expression, or violence which is exploitive and has no redeeming social value);
b) contains violence with no solid thematic justification;
c) contains violence which is not appropriate for the expected audience;
d) focuses unduly on the graphic portrayal of violence;
e) minimizes the effects of violence;
f) glamorizes violence or endorses other forms of violent disregard for others."

CRTC concern:

"There must be a clear prohibition against the broadcast of gratuitous violence in any form, or programming that condones, promotes, encourages or glamorizes violence."

CAB reaction:

- intends to strengthen and clarify

Scheduling

Old code:

"Broadcasters should make every effort to ensure that programming of a violent nature intended for mature, adult audiences be broadcast only during late evening and overnight hours. Broadcasters are sensitive to concerns that mature material should not be scheduled in so-called family viewing hours when school-aged children [may be viewing]."

New code:

"Broadcasters shall ensure that programming containing scenes of extreme violence and intended for mature, adult audiences, is broadcast only during late evening hours, from 9 pm to 6 am." [CAB advises that simulcast with foreign signals may override this clause. Broadcasters would then provide two viewer warnings where violent programs are aired before 9 pm.]

CRTC concern:

"There must be a classification system which takes into account the age of the audience, the quantity and quality of the violence and the time of broadcast. The time during which programs classified for adult audiences can be broadcast must commence later than 9 pm. [notes 10:30 pm for France]. Any provisions dealing with simultaneous substitution must respect the classification system of the code."

CAB response:

- CAB notes that the National Action Group is exploring the question of program classification. CAB rejects extending the safe viewing period beyond 9 pm. CAB strongly objects to any measures that would restrict simultaneous substitution, unless cable operators were required to block out the U.S. network signals so that subscribers would be denied access to American programs that did not comply with domestic restrictions on violent content.

Children's programming

Old code:

"Whether in animated programs, dramas, feature films or informational programs, caution should be exercised in depicting actions."

New code:

"Broadcasters shall refrain from broadcasting children's programs which contains scenes of gratuitous violence. Broadcasters shall take particular caution in the portrayal of violence in programming intended for children and youth. Guidelines which apply to the industry shall be applied in a much stricter manner at times when viewers are likely to be children. While taking into account the fantasy aspects of animation, particular caution shall be exercised in the portrayal of violence in all types of programming."

CRTC concern:

"Specific concerns that arise with regard to children's programming, including animated programs, must be addressed in detail. The particular susceptibility and vulnerability of children to the media must be taken into account. In this respect, guidelines should be developed respecting:

- a) themes or incidents that could threaten children's sense of security;
- b) subjects that may invite dangerous imitation;
- c) frightening effects;
- d) violence as a way of resolving conflict; and
- e) the portrayal of the immediate consequences of violence on perpetrators and victims."

CAB response:

- intends to adopt more detailed provisions.

The Canadian Broadcast Standards Council is charged with administering the various voluntary codes of the CAB. Although it is funded by CAB members, it operates as an independent body mandated to deal with viewer and listener complaints about private sector radio and television programming. Any complaints not resolved directly between the public and the broadcaster may be referred to the Council. In its first year, 1992, the Council received only ten complaints regarding violence. In one instance, the complaint was about a wrestler punching the wife of his opponent. The broadcaster agreed that the program promoted violence against women, and advised the supplier that such programs would not be aired in the future. In another case, the broadcaster simply stated that parents who object to "Teenage Mutant Ninja Turtles" should restrict their children's viewing.

In its letter to the CAB outlining its concerns respecting the Code, the CRTC noted its concern over the lack of resources of the CBSC to adequately enforce and administer the code, particularly when the code is to be more demanding. The CRTC also noted the apparent lack of intent to publicizing the Code and the role of the CBSC. This seems to imply that the Commission attributes the small number of complaints to the general lack of awareness of the Council, its mandate and procedures. The CAB has indicated that it is looking into possible improvements to the financing and structure of the CBSC.

CLASSIFICATION ET AVERTISSEMENTS

CLASSIFICATION AND WARNINGS

TYPES DE CONTENU

TYPES OF CONTENT

GROUPE D'ÂGES CIBLÉS

TARGETED AGE GROUPS

UNIFORMISATION DES CODES

STANDARDIZATION OF CODES

PÉRIODE D'ÉCOUTE FAMILIALE

FAMILY VIEWING TIME

DISPONIBILITÉ DE L'AUDITOIRE

AUDIENCE AVAILABILITY

**VARIATION DES HORAIRES DE
PROGRAMMATION**

**VARIATIONS IN PROGRAM
SCHEDULING**

**PROGRESSION VERS DES CONTENUS
PLUS ADULTES**

**PROGRESSION TOWARDS ADULT-
ORIENTED CONTENTS**

**MÉCANISME D'ÉQUITÉ ENTRE LES
TÉLÉDIFFUSEURS ET L'INDUSTRIE DU
CÂBLE**

**EQUITY AND FAIRNESS BETWEEN
BROADCAST AND CABLE INDUSTRIES**

MÉCANISMES D'APPLICATION

ENFORCEMENT PROCESS

**DIFFUSION D'INFORMATIONS SUR LE
CODE**

PUBLIC AWARENESS OF THE CODE

**MÉCANISMES DE RÉTROACTION ET DE
VÉRIFICATION DE L'EFFICACITÉ DU
CODE**

**FEEDBACK PROCESSES AND
ASSESSMENT OF THE CODE'S
EFFECTIVENESS**

**LE RÔLE DES ASSOCIATIONS DE
TÉLÉSPECTATEURS**

**THE ROLE OF VIEWERS'
ASSOCIATIONS**

L'ÉDUCATION AUX MÉDIAS

MEDIA LITERACY

PROPOSAL

FOR

A NATIONAL CLASSIFICATION
PROGRAM

FOR

FILM AND VIDEO
IN CANADA

NOVEMBER 1992

A NATIONAL CLASSIFICATION PROGRAM
FOR FILM AND VIDEO
IN CANADA

A PROPOSAL TO THE PROVINCES
from

Canadian Association of Video Distributors
National Association of Canadian Film & Video Distributors
The Canadian Motion Picture Distributors Association
The Motion Picture Theatres Association of Canada
Video Software Dealers Association

1. THE PROPOSAL

Provincial Governments are asked to support the creation of a *single national classification facility which will classify all films and videos released in Canada*. The mission of the board will be to offer to viewers and parents consistent, easily understood and useful advance guidance and consumer information about movies and videos. Provincial legislation (which does not already do so) would have to be changed so as to allow a province to adopt the classification decisions of the national body.

The Board of Directors of the National Classification Corporation would be composed of a *representative from each participating Province* and a *representative from each industry association*, with the provincial representatives being the majority. The Corporation would be *funded entirely by the private sector*.

The proposal will offer *significant savings* to the industry which will have only one board to deal with instead of seven. It will allow for *standard signage* and messages across the country, thus *enhancing consumer information* and eliminating confusion between provinces. It will provide service to those parts of the country which currently have no classification board or which do not classify videos. It has the *potential for the creation of national consumer information and media education programmes*. (as compared to 11 systems that are currently operational).²

¹ The membership of the five industry trade associations is detailed in Appendix I.

² 7 Provincial systems, 3 Pay TV systems, 1 U.S. system

It will allow *provincial governments to redeploy resources* currently used for classification of films and videos and places decision making in a non-political environment. *Provinces will retain the power to add specific advisory information* when deemed appropriate and appeal procedures will be built into the system for consumers and the industry.

The film and video industries will aggressively promote the classification system by ensuring permanent display of classification symbols in theatre box offices and video retail stores, and by ensuring that descriptive information is available in advertising and at point of sale. Brochures and speaking engagements will be used to reach consumers, and a WATS telephone number will be installed for both information and complaints.

2. ADVANTAGES AND DISADVANTAGES

The following table sets out the advantages and disadvantages of the proposal.

	Advantages	Disadvantages
A. FOR FILM AND VIDEO CONSUMERS	Consistent and readily available classification information across Canada	Potential inaccessibility of a national board.
	Uniformity of admission and rental restrictions.	
	Potential for improved consumer information and media education programmes on national basis.	
	National interpretation of "community standards" is consistent with recent court decisions.	Concern that national system is not as responsive to local community standards. (Note 1.)
	Improved, simplified and easily recognizable symbols uniform across Canada.	
	Continued provincial involvement allows for local groups to have some recourse to politicians when required.	
	Potential for standardization with T.V. and Pay T.V. classification systems	

	Advantages	Disadvantages
C. FOR INDUSTRY	Easier incorporation of technological change and new media technologies.	
	Consistent practice in notification of classification information and enforcement of rental and admission restrictions.	Possible short term confusion and/or resistance by public to acceptance of national system and symbols.
	Substantial cost savings for Classification.	Costly initial set up of facility and staffing.
	Improved efficiency in scheduling, product delivery and marketing.	Costs associated with marketing new system.
	Efficient, less costly national advertising to apply to both theatrical and retail outlets (Note 3).	

NOTES:

1. A 1991 survey done by New Brunswick indicated a very high level of consistency between Provinces in terms of the classification categories assigned to films.
2. A survey of revenue received by each Province is provided in Appendix II.
3. Theatre chains and owners; film distributors; video retailers; video wholesalers; studio manufacturers; and Canadian film producers are all supportive of this initiative and are prepared to cooperate to ensure that the national system works

	Advantages	Disadvantages
B. FOR GOVERNMENTS	Cost savings for some provinces.	Net loss of revenue for some provinces. (Note 2)
	Insulates politicians from potential controversy.	Possible public resistance to transfer of responsibility to board which, in part, has industry representation.
	Eliminates future problems with regulating new technologies (e.g. pay per view).	Legislative change may present problems in some provinces.
	Provides service to provinces and territories which have no board.	Possible public resistance to national, rather than local or provincial standards.
	More efficient clearance through a single Customs port.	
	Uniform standards eliminate confusion by public across provincial borders.	Costs associated with continuing enforcement and provincial presence on national board.
	Consistent with government initiatives towards partnerships with private enterprise.	
	Consistent treatment of ethnic and adult videos.	
	Fill certain provincial gaps with respect to consumer information and education.	



3. HOW WILL THE BOARD WORK?

The National Classification Corporation will be a non-profit corporation *empowered to carry out its work on behalf of the provinces*. Each participating province will have one member on the Board of Directors, and each industry association will have one member. The board will elect its own chairman and executive committee.

The mandate of the Board of Directors will be one of policy formation, not administration. It will:

- Establish policies and fee schedules.
- Approve operating and capital budgets.
- Recruit and hire an Executive Director.
- Determine classification process and categories, and approve any changes to these.
- Determine and approve procedures to integrate film and video classification.
- Ensure that there is a review process in place for both the industry and consumers.
- Report regularly to governments and industry.

The actual classification of materials will be done by a Review Board, consisting of full time, professional classifiers who will bring consistency and knowledge to the task. The Review Board will not have the power to censor materials, but may reject material by providing no classification and returning it to the vendor. (Appendix III). It will exercise its mandate across the whole range of film and video, including adult video, non-English language materials and materials of a cultural or educational nature. The Review Board will have sufficient staff to handle the volume of material which it has to view and will have the power to co-opt people from the community who can assist in understanding distinct cultural and social values when material from other countries is being assessed. The Review Board *may classify material based on written documentation* in such areas as children's and religious videos; how-to videos; previously classified material now converted to video or being submitted for pay television.

The Review Board will report to the Executive Director and, through that person, to the Board of Directors.

CONSUMER INFORMATION

Each film and video will be classified and identified using an easily recognized, publicly acceptable set of symbols. These will be colourful, clear and in recognizable shapes using symbols and numbers rather than wording. There would be *five classification categories*: General; Parental Guidance; Accompanied under 14; Accompanied under 18; and, Restricted.

Descriptive material will be supplied for advertising and for the exhibitor and retailer which *will provide information on the content of the film or video*. In addition to a variety of standard phrases, the Board may add "information pieces" if it feels that this would be advantageous to the viewer or to parents.

Theatres will display a listing of categories in their box offices; video retailers will display the categories permanently and prominently in their stores. All theatrically originated films and videos will incorporate the appropriate classification category, as will theatre trailers, television and print advertising, and motion pictures distributed to T.V., Pay T.V. and Pay Per View systems.³ Video boxes and cassette labels will incorporate the classification symbol and "information pieces".

The Board of Directors will initiate a *cross country tour to explain the new system*; the approach being adopted by the Board and the nomenclature and signage being used. An *explanatory brochure will be developed* explaining the system and will be widely distributed through retail stores, theatres, libraries, schools and organizations serving young people and their parents. *In theatre and in-store magazines and catalogues* will routinely carry the nomenclature and signage.

A *national WATS line* will be installed to provide consumer information and receive concerns about board decisions.

³ Will require the approval of the CRTC.

ENFORCEMENT AND APPEAL

Enforcement of board decisions will be chiefly carried out by self regulation within the industries. It is expected that exhibitors and video retailers will act responsibly. Provincial governments will be requested to ensure that some form of penalty is available, so that offenders can be penalized. In cases where counselling or discussion does not result in improvement, normal enforcement of the statute by use of the police could be the method used.

Appeals by the industry would be dealt with by convening a separate review board for the title at issue.

Appeals or complaints by the public could be channelled either to the Board or to the Minister responsible in a Province. Such appeals could also be handled by a separate review board, by the Board of Directors itself or by the Minister convening a citizen board to review the decision. In the latter case, more specific "information pieces" could be issued, but the classification could not be changed.

4. ROLE OF PROVINCIAL GOVERNMENTS

Governments will have to facilitate the work of the Board by passing permissive legislation which gives the Board the ability to exercise its powers within and on behalf of each participating Province and Territory. This legislation will also have to provide some penalties for non-compliance with Board decisions.

Governments will continue to exercise the right to license those who distribute, exhibit or sell film and video where this now exists, and other governments may wish to incorporate such a power in order to ensure compliance.

Governments will continue to protect the rights of their citizens with regard to the location and operation of drive-in theatres.

Governments will retain the right to add "information pieces", specific descriptive material about the content of films or videos to meet local needs and conditions when required.

Governments would establish a procedure whereby any film/video which has been classified by the National Board would not give rise to charges under the Criminal Code without the personal intervention of individuals at the highest level within the Attorney General Departments.

Governments would designate one person on staff who would act as a liaison officer to the Review Board. That person would act as a consumer information officer; will work with exhibitors and retailers in explaining and enforcing board rulings where required; and will work with the Board and industry in implementing educational programmes aimed at consumers so that they have sufficient information which to judge materials.

Governments would retain a local appeal process which would allow for a review of material and the addition of more specific "information pieces" where warranted.

APPENDIX I

FILM AND VIDEO TRADE ASSOCIATIONS

1. CANADIAN ASSOCIATION OF VIDEO DISTRIBUTORS (CAVD)

Video One Canada Limited
Bellevue Home Entertainment
TSC Shannock Corporation

2. NATIONAL ASS'N. OF CANADIAN FILM & VIDEO DISTRIBUTORS

C/FP Distribution Inc.
Astral Film Enterprises Inc.
Max Film Distributors Inc.
Norstar Releasing Inc.

Malo Film Distribution (Canada) Inc.
Alliance & Vivafilm
Cineplex Odeon Films

3. CANADIAN MOTION PICTURE DISTRIBUTORS ASSOCIATION (CMPDA) - HOME VIDEO COMMITTEE

J. L. Bowerbank and Associates
Buena Vista Home Video
Fox Video Canada Limited
MCA Home Video Canada
Paramount Pictures (Canada) Inc. - Home Video Division
Columbia TriStar Home Video
Warner Home Video (Canada) Ltd.

**4. CANADIAN MOTION PICTURE DISTRIBUTORS ASSOCIATION
(CMPDA)- THEATRICAL COMMITTEE**

Buena Vista Pictures Distribution Canada Inc.
Columbia TriStar Films of Canada
MGM/UA Distribution Company of Canada
Paramount Pictures (Canada) Inc.
Twentieth Century Fox Film Corporation
Universal Films Canada
Warner Bros. Canada

5. MOTION PICTURE THEATRE ASSOCIATIONS OF CANADA (MPTAC)

Representing 95% - 98% of all theatres in Canada (approximately 800):

Atlantic Independant Theatre Exhibitors Association
Atlantic Motion Picture Exhibitors Association
Association des Proprietaires de Cinemas et de Cineparcs du Quebec Inc.
Motion Picture Theatres Association of Ontario
Motion Picture Theatre Association of Manitoba
Motion Picture Theatre Association of Saskatchewan
Motion Picture Theatre Association of Alberta
Motion Picture Theatre Association of British Columbia

6. VIDEO SOFTWARE DEALERS ASSOCIATION (VSDA)

420 members, organized into 7 provincial chapters:

British Columbia
Manitoba
Ontario (2)
Quebec
New Brunswick
Nova Scotia

APPENDIX II

COMPARISON OF PROVINCIAL CLASSIFICATION PROGRAMS (FILM/VIDEO)

PROVINCE	VID.REG.	LIC. RETAIL.	LIC. DIST.	CLASS. FEES	CAT.	STICKERS
British Columbia	Yes, but adult only.	\$55 Regular \$150 "adult"	\$150 Reg. \$450 "adult"	\$1.10 Reg. \$3.30/min. "porn" (min. 10 mins.)	No	Yes, for "adult" only.
Alberta	No, film only	NA	NA	1st print \$2.00/min. Subs. \$1.00/min. Trlrs. - \$10.00	NA	NA
Saskatchewan	Yes	No	No	\$3.00/min.	Yes	Yes
Manitoba	Yes	\$75.	\$250.	\$2.00/min.vid for public/\$0 ret.\$24./snsgl. reel.	Yes	Yes
Quebec	Yes	\$50.	\$400. (Spec. dist. \$300.)	Nil	No	Yes-\$0.50 per sticker for ea. cassette.
Nova Scotia	Yes	\$50	\$350	None	Yes	Yes
Ontario	Yes	\$50	\$500	\$4.00/min.	Yes	No
P.E.I.	Yes	\$50/year \$80/2 years	No	No	Yes	Yes
New Brunswick	Yes	\$50-under 300 titles; \$200-300 and over	\$500	None	Yes	Yes

APPENDIX II (Cont'd.)

COMPARISON OF PROVINCIAL CLASSIFICATION PROGRAMS (FILM/VIDEO)

PROVINCE	APPLIED BY	BUDGET*	REVENUE	NOTES	CLASSES
British Columbia	Distributor	\$710,000	\$900,000	Views only "adult product"	5 - G; M; 14; R; RD
Alberta	NA	\$208,000	\$200,000*	Reg. film only	4 - G; PG; M; RA
Saskatchewan	Retailer	\$75,000	\$75,000	Procedure similar to one used in East	4 - G; PG; PA; R
Manitoba	Retailer	\$130,000	\$75,000	Procedure similar to one used in East	5 - G; PG; PA; R; 18+
Quebec	Distributor	\$3,008,000	\$2,141,000	Program expanded to incl. retail video trade in 1992	4 - G; 13; 16; R (New in '92)
Nova Scotia	Retailer	\$300,000	\$60,000		3 - G; A; R
Ontario		\$1,300,000	\$1,000,000	Except for stickers, procedure is same as East	4 - F; PG; AA; R
P.E.I.	Retailer	\$6,000 est.	\$6,000	Use N.S. classes; expenses are paid centrally	3 - G; A; R
New Brunswick	Retailer	\$120,000 (actual exp. \$62,000)	\$117,000	Uses N.S. classes	3 - G; A; R

APPENDIX III

REFUSAL TO CLASSIFY

In order to preserve the integrity of the national classification system, *the Board must have the ability to refuse classification*. Such refusal would be based upon the Board's judgement that a particular film or video *exceeds national "community standards" in Canada*. Ideally, the distribution or exhibition of a classified film or video should never result in criminal prosecution (or even the threat of same). If it is not possible for such approval to be a complete defence or an absolute barrier to prosecution, the consent of the Attorney-General should be required before charges can be laid with respect to films and videos that have been approved and classified by the national classification board.

Consumers, distributors, retailers, exhibitors, provincial governments and even local police would benefit from an effective national classification board which would refuse to classify films or videos deemed to offend national community standards. The resulting benefits would include the reduction of confusion, cost savings, and increased confidence in both the classification system and the criminal justice system.

Provinces will have to assume that it is an offence to rent, sell, exhibit or distribute any film that is not classified. *Theatres and video retailers will have to agree not to carry unclassified material.*

Proposal for National Classification Board for Film and Video

- The Board Proposal is the result of extensive industry consultation. An April 1992 Industry symposium resulted in a Working Group created to outline this proposal to provincial governments. The Group includes :

- National Association of Canadian film and Video Distributors
- Canadian Association of Video Distributors
- Canadian Motion Picture Distributors Association (CMPDA)
- Motion Picture Theatres Association (MPTAC)
- Video Software Dealers Association (VSDA)

- The Proposal is the result of several years of industry discussions on the issue of establishing a single system of film/video classification. The CMPDA, representing the major U.S. based distributors, have played a lead role in developing this proposal, as a national system would clearly be a more efficient one than the various provincial systems, for large volume distributors. However, the proposal is also strongly supported by the domestic distributors, theatre owners and wholesalers, and by the Canadian Film and Television Production Association (CFTPA). Millard Roth, President of the CMPDA, has become the main spokesperson for the proposal.

Proposal Summary

- Proposal directed at provincial governments to create a single classification facility for every film and video released in Canada. A Board of Directors would be created, composed of representatives from each province and a representative from each industry association.

- funded by private sector, primarily through classification fee structure.

- objectives are to develop standard classification categories and identification across the country to enhance information, public recognition and standards of consistency.

- Provinces will retain power to add special advisory information.

- System would be aggressively promoted by industry in advertising and promotion.

Cons

- continuing difficulties achieving consensus with provinces.
- strong industry role and self-regulation may be seen as self-serving and imposing industry commercial standards on communities.
- perception of possible abdication of role by provinces in setting standards.
- strong CMPDA could be viewed by some as major Distributors dictating agenda, although this would be misplaced in this case.

Conclusion

- implementation of this proposal would be seen as a practical solution to the current regime of duplication and inefficiency.
- although this is an industry-led initiative, the distributors associations would appreciate any public support from the Minister or government officials. As previously noted, the main hurdle in moving ahead on this proposal is the lack of political will on the part of some provincial governments.

Administration/Board of Directors

- Board of Directors would represent each province and association.
- Board would establish budgets, fees schedules and determine classification process and categories.
- Board would establish a Review Board of full-time, professional classifiers. Review Board would not censor, but would reject material by providing no classification. It would review the entire range of video market, including adult and educational.
- System is viewed as self-supporting. Costs would be covered by a fee schedule, although this is not covered in any detail within the proposal.
- Five categories suggested - General, Parental Guidance, Accompanied Under 14, Accompanied under 18 and Adult.

Enforcement

- self-regulation although provincial legislation could provide for some penalty related to distribution licence.
- Governments would retain a connection through legislation recognizing authority of Board, licensing of distributors and establishment of a local Appeal Process.

Analysis

Pros

- Some provincial government support, although Nova Scotia has resisted and Ontario and B.C. are still considering it. Quebec views provincial regulation as a strong part of its cultural mandate.
- national standards would be supported by industry generally, Canadian and foreign-owned.
- consistent with reduction of duplication and reducing unnecessary bureaucracy
- cost-effective (only one application process).
- organizational structure interesting partnership between government and industry and also responsive to regional needs

STANDARDS FOR DEPICTION OF VIOLENCE IN TELEVISION PROGRAMS

These written standards cannot cover every situation and must, therefore, be worded broadly. Moreover, the Standards must be considered against the creative context, character and tone of each individual program. Each scene should be evaluated on its own merits with due consideration for its creative integrity.

- 1) Conflict and strife are the essence of drama and conflict often results in physical or psychological violence. However, all depictions of violence should be relevant and necessary to the development of character, or to the advancement of theme or plot.
- 2) Gratuitous or excessive depictions of violence, (or redundant violence shown solely for its own sake), are not acceptable.
- 3) Programs should not depict violence as glamorous, nor as an acceptable solution to human conflict.
- 4) Depictions of violence may not be used to shock or stimulate the audience.
- 5) Scenes showing excessive gore, pain or physical suffering are not acceptable.
- 6) The intensity and frequency of the use of force, and other factors relating to the manner of its portrayal, should be measured under a standard of reasonableness so that the program, on the whole, is appropriate for a home viewing medium.
- 7) Scenes which may be instructive in nature, e.g., which depict in an imitable manner, the use of harmful devices or weapons, describe readily usable techniques for the commission of crimes, or show replicable methods for the evasion of detection or apprehension, should be avoided. Similarly, ingenious, unique or otherwise unfamiliar methods of inflicting pain or injury are unacceptable if easily capable of imitation.
- 8) Realistic depictions of violence should also portray, in human terms, the consequences of that violence to its victims and its perpetrators. Callousness or indifference to suffering experienced by victims of violence should be avoided.
- 9) Exceptional care must be taken in stories or scenes where children are victims of, or are threatened by

acts of violence (physical, psychological or verbal).

- 10) The portrayal of dangerous behavior which would invite imitation by children, including portrayals of the use of weapons or implements readily accessible to this impressionable group, should be avoided.
- 11) Realistic portrayals of violence as well as scenes, images or events which are unduly frightening or distressing to children should not be included in any program specifically designed for that audience.
- 12) The use of real animals shall conform to accepted standards of humane treatment. Fictionalized portrayals of abusive treatment should be strictly limited to the legitimate requirements of plot development.
- 13) Extreme caution must be exercised in any themes, plots or scenes which mix sex and violence. Rape and other sexual assaults are violent, not erotic, behavior.
- 14) The scheduling of any program, commercial or promotional material, including those containing violent depictions, should take into consideration the nature of the program, its content and the likely composition of the intended audience.
- 15) Certain exceptions to the foregoing may be acceptable, as in the presentation of material whose overall theme is clearly and unambiguously anti-violent.

Visions des Canadiens sur un code d'éthique pour la télévision.

**Préparé par
Nicole Boily
François Lambert**

28-04-93

Introduction

Ce rapport a pour but de sensibiliser l'industrie de la télévision aux demandes de la population canadienne.

Le pouls de la population canadienne vient de la lecture par Nicole Boily et François Lambert des **20,000** lettres qu'a reçues Virginie Larivière durant les douze derniers mois. Mlle Larivière a fait circuler à travers le Canada une pétition contre la violence à la télévision. **1,500,000** Canadiens ont signé sa pétition, soit approximativement **un Canadien sur vingt**.

Nous avons essayé de définir qui a participé. Nous avons fait une courte présentation du courrier dont nous avons tiré les demandes les plus mentionnées.

Nous avons, à partir du courrier, élaboré **un code simple, facile à mettre en application** et reflétant l'opinion de la majorité des Canadiens.

Nous espérons que ce document vous sera utile et vous inspirera dans l'élaboration de votre code d'éthique.

St-Polycarpe, le 13 avril 1992
Formulaire de Pétition

LA PÉTITION SE TERMINE LE 31/10/92.
 Vous pouvez faire des copies avant de l'utiliser.
 Retourner dès que complétée à:
 Virginie Larivière
 C.P. 263, St-Polycarpe, (Qué.), J0P 1X0.
 Merci pour votre participation.

Bonjour à tous et toutes,

Je me nomme Virginie Larivière et j'ai 13 ans et demi. Le 7 mars dernier, un cauchemar horrible s'est installé dans ma vie et celle de ma famille. Ma soeur Marie-Eve Larivière, est morte assassinée après avoir été abusée sexuellement, puis volée.

Ma soeur Marie-Eve était : délicate, souriante,
 artistique, écrivaine, comédienne et intelligente.
 ELLE AVAIT UN AVENIR PROMETTEUR ET
 PUIS PLUS RIEN... MAINTENANT ELLE
 N'EXISTE PLUS QUE DANS NOS COEURS.



J'aimerais que vous m'aidiez à réduire peu à peu la violence que nous propose la télévision et que nous regardons avec plaisir. VOUS ÊTES LA NOUVELLE GÉNÉRATION ET C'EST À VOUS D'EN REFAIRE UNE AUTRE. Pourquoi ne pas la faire améliorée celle-là? En signant ma pétition contre la violence, il est certain que la violence ne s'arrêtera pas comme ça. Mais en signant ma pétition et en boycottant la violence, il se peut que celle-ci diminue peu à peu.

Il est certain que si nous nous engageons tous ensemble à boycotter cette violence et que nous proposons au Premier Ministre du Canada, Monsieur Brian Mulroney, de PASSER UNE LOI POUR OBLIGER LES POSTES DE TÉLÉVISION À RÉDUIRE GRADUELLEMENT LE CONTENU DE LA VIOLENCE sur les ondes, dans 10 ans, cette violence ne paraîtrait plus sur nos écrans.

Alors avant que la mort violente ne frappe à votre porte, signez ma pétition et respectez votre engagement!!

MERCI.

Virginie Larivière

Formulaire de Pétition

MONSIEUR LE PREMIER MINISTRE DU CANADA,

Nous avons lu la lettre de Virginie et nous partageons sa peine. Nous nous engageons personnellement à faire notre part pour enrayer la violence à la télévision et nous aimerions que votre gouvernement passe une loi telle que Virginie propose dans sa lettre.

Nom:

Adresse:[illegible]

Contenu des discours de Virginie Larivière

- * J'ai besoin que les politiciens qui font les lois et qui dirigent notre pays et les provinces m'expliquent comment on peut arriver à passer des lois ou des règlements qui permettent qu'un film que l'on considère pour 18 ans et plus, donc pour adulte, un film qui comporte beaucoup de scènes de violence et de nudité, un film que l'on ne peut voir au cinéma que si on a 18 ans et plus, ce même film pour adulte est diffusé à la télévision le dimanche à 20 h 00 et loué à des enfants dans un centre vidéo.
- * La première chose à faire pour arriver à la non-violence à la télévision est de définir un acte de violence de façon à ce que l'on ne puisse pas contourner le sens de la loi. Aujourd'hui, si on ne montre pas de sang on ne considère pas l'image violente. C'est comme ça que l'on peut diffuser des émissions aux enfants comme les Ninja Turtles qui comportent jusqu'à 100 actes de violence par émission. Pas de sang, pas violent.

La seconde étape est d'éliminer de la grille horaire qui s'adresse aux enfants, tous émissions, films, bandes dessinées qui prônent la violence comme mode privilégié pour régler les conflits. À titre de balise, une émission pour enfants devrait être interdite lorsqu'elle comporte **plus de 15 actes violents à l'heure**.

Troisième étape, toutes les émissions et tous les films violents devraient être diffusés après **23 h 00**. Les films de violence gratuite devraient être bannis de nos écrans. Exemple: Rambo, Terminator, Robocop. . .

Quatrième étape , sachant que ces films et émissions violents engendrent des coûts pour la société, il devrait y avoir une T.C.V. , soit une taxe contre la violence chargée aux annonceurs. La cigarette engendre des coûts pour la société, nos gouvernements ont décidé de faire payer les fumeurs. 75% du coût des cigarettes sont des taxes. Si les télédiffuseurs veulent vraiment diffuser des films ou émissions violents qu'ils le fassent, mais ils devront le faire après **23 h 00** et les annonceurs supportant ces émissions devront être taxés comme pour les cigarettes.

De plus, on devrait donner des avertissements contre la violence avant et pendant le film. On pourrait dire **"Danger, cette émission peut influencer de façon dommageable le comportement et la santé mentale"** comme c'est le cas sur les paquets de cigarettes.

Cinquième étape, la presque totalité des émissions produites au Canada ne sont pas violentes. Nous sommes un pays pacifique. On pourrait prendre ces taxes et s'en servir pour promouvoir notre industrie et produire des émissions de remplacement. Ça pourrait créer des emplois. Beaucoup de jeunes voudraient être comédiens. Je suis convaincue que beaucoup de pays cherchent des produits de qualité sans violence.

- * La seule façon de changer les choses, c'est de s'impliquer. Impliquez-vous, je compte sur vous tous. Je sais que je peux compter sur les Québécois et les Canadiens pour qu'ils s'impliquent. J'ai reçu plus de 20,000 lettres de citoyens qui me demandent comment ils peuvent m'aider davantage.

Qui a participé

Le problème étant omniprésent dans tous les foyers canadiens et toutes les classes de la société, les Canadiens se sont empressés de répondre à l'appel de Virginie Larivière.

Les gens qui ont fait parvenir une demande de formulaire pour faire circuler la pétition étaient âgés de 7 à 91 ans. Certaines personnes ont correspondu de façon régulière avec Mlle Larivière. Elles se sont impliquées dans leur milieu car ils ou elles trouvaient très importante la démarche entreprise par Mlle Larivière. Les femmes et les hommes se sont impliqués de façon égale. Pour ce qui est de la compilation d'information des 1,500,000 signataires, la seule information que l'on a compilé, c'est le nombre de signatures par région. Ce qui donne approximativement ceci :

Le Québec	40 %
La Colombie Britannique	30 %
Les Maritimes	11 %
L'Ontario	9 %
Les Prairies	8 %
Les territoires, les ambassades et les forces armées	2%

Nous avons remarqué que toutes les ethnies qui constituent notre pays étaient présentes. Beaucoup d'écoles et de commissions scolaires se sont impliquées à la grandeur du pays. Nos éducateurs sont de plus en plus concernés par la violence dans les écoles. Plusieurs organismes se sont impliqués dans la cause de Virginie Larivière. Voici une liste partielle par ordre alphabétique.

Catholic Women's league
Centraide
Centre d'aide aux victimes d'actes criminels
Conseil québécois pour l'enfance et la jeunesse
Fédération des dames d'Acadie inc.

Focus on the Family
 Fondation québécoise des maladies mentales
 Jeunesse au Soleil
 Kiwanis International
 L'assemblée des évêques du Québec
 L'association des centres de service sociaux du Québec
 L'association Marie-Reine
 La C.E.Q.
 La C.S.N.
 La F.T.Q.
 La fédération canadienne des municipalités
 La fédération de l'âge d'or du Québec
 La fraternité des policiers et policières de la C.U.M.
 La société Saint-Jean Baptiste du Québec
 Le Conseil canadien sur la situation de la femme
 Les Afeas du Québec
 Les cercles des fermières du Québec
 Les chambres de commerce du Québec
 Les clubs Optimistes
 Les clubs Richelieu
 Les commissions scolaires du Québec
 Les Métallos
 L'Ordre des Filles d'Isabelle
 Manitoba women's advisory Council
 Municipalités canadiennes (une centaine)
 Pacijou
 Plusieurs congrégations religieuses
 Plusieurs pénitenciers canadiens
 T.R.O.P.
 YMCA
 Youth Service Bureau of Ottawa

Présentation du courrier

Parmi les 20,000 lettres qu'a reçues Virginie Larivière on retrouve des appuis de tailles. Plusieurs venaient de politiciens tel que:

M. Brian Mulroney,	<i>Premier Ministre du Canada.</i>
M. Perrin Beatty,	<i>Ministre des Communications.</i>
M. Keith Spicer,	<i>Président du CRTC.</i>
Mme. Lise Bacon,	<i>Vice-Première Ministre du Québec.</i>
Mme. Solange Chaput-Rolland,	<i>Sénateur.</i>

La majorité des députés provinciaux québécois et plusieurs députés fédéraux ont appuyé Virginie Larivière dans sa démarche.

Les points saillants du courrier se présentent comme suit.

Les personnes âgées et les grands-parents ont développé une peur et croient que la violence va les frapper à tout moment. Ils vivent dans la peur. Ils sont convaincus que la croissance de la violence à la télévision a contribué à augmenter la violence dans la vie de tous les jours. Ils craignent pour leurs enfants et petits enfants.

Les jeunes parents ont la même impression que leurs aînés et veulent un monde meilleur pour leurs enfants. Ils sont inquiets. Drogues, meurtres, aucun respect pour autrui, violence sont véhiculés comme modèles à leurs enfants par le truchement de la télévision. Ils sont terrifiés et se sentent impuissants et pas écoutés par l'industrie et le gouvernement. Ils constatent qu'au Québec depuis Passe-Partout, aucune nouvelle programmation n'a été faite pour les petits. Au Canada anglais, on se plaint de la pauvre

qualité des émissions pour les petits et du lavage de cerveau qui vient avec la programmation pour enfants. On réussit toujours à justifier la violence car on doit sauver la princesse, le pays, la planète, ou ... , ou

Les adolescents (secondaire) ont été réveillés par la démarche de Virginie Larivière qui leurs a fait comprendre les conséquences de toute cette violence télévisuelle. Voici quelques extraits de lettres provenant de ce groupe.

Il y a presque 4 ans, aujourd'hui, que mon père s'est fait arrêter par la police pour "Violence conjugale". Tout ça pour te dire; quand il voyait un homme battre sa femme à la télévision, il était très content et encourageait l'homme à continuer. Par la suite, j'ai vécu l'inceste avec mon frère, celui-ci, regardait des films de viol et aimait ça!

C.D. (18 ans)

Au début, je me suis dit que s'il n'y avait plus de violence à la télévision, il n'y aurait plus grand-chose sur l'écran mais j'ai eu honte. Honte parce que je ne pensais pas à l'ensemble de la société. Qu'est-ce que c'est que de se priver de certaines émissions si ça peut faire un monde meilleur?

J.-F. (15 ans)

Les enfants du primaires sont en général d'accord avec Virginie Larivière et sont concients des effets néfastes qu'a la violence à la télévision. Ils lui disent comment la violence affecte leurs petits frères ou petites soeurs mais affirment qu'eux sont plus vieux et que c'est pas pareil.

Des victimes d'actes criminels nous ont rapporté plusieurs témoignages de liens directs de la violence ou du meurtre commis et les films violents que leurs agresseurs avaient consommés.

La Fédération Canadienne des Municipalités représentant 70% de la population canadienne a passé une résolution durant son dernier congrès appuyant la pétition de

Mlle Larivière et demande au gouvernement d'agir dans les plus brefs délais dans ce dossier.

Demandes et opinions les plus mentionnées

Les gens ne veulent pas voir la violence diminuer sur une période de 10 ans comme mentionner dans la pétition de Virginie Larivière mais de façon immédiate et totale. Le public croit que l'on n'a pas exercé de contrôle sur la télévision depuis son introduction.

Une contradiction revient souvent et nous croyons qu'elle montre à quel point les gens sont écoeurés et désespérés. Les Canadiens ont l'impression que le gouvernement n'est là que pour défendre les intérêts financiers des grandes compagnies et son propre intérêt financier. Ainsi on voit le gouvernement agir rapidement dans les dossiers tels que la T.P.S., la loi sur les brevets pharmaceutiques, l'assurance chômage, etc. mais quand vient le temps de défendre la santé mentale de ses citoyens et de ses enfants, le gouvernement utilise des faux-fuyants et ne cherche qu'à implanter de gentils codes de conduite sans mordant.

Beaucoup ont critiqué la publicité des télédiffuseurs qui dit qu'ils sont bons citoyens et qu'ils ne présentent que des émissions de qualité mais que si nous ne sommes pas d'accord avec eux nous pouvons nous plaindre à leur association. Mais on néglige de donner une adresse ou un numéro de téléphone. Veut-on vraiment savoir ce que le public pense?

Ce qui dérange le plus, c'est la violence dirigée aux enfants tel que Cop, GI Joe, Ninja Turtles et toutes les bandes dessinées qui sont remplies de violence. Ainsi les gens

demandent que les émissions pour enfants privilégiant la violence comme solution de conflits soient bannies des ondes.

On veut que les scènes de nudité et de sexe soient bannies des ondes.

Que les scènes de violence et de nudité soient présentées après 23 h 00.

Que la loi soit sévère envers les contrevenants. Quand la population ou les entreprises contreviennent à des règlements elles sont punies par des amendes. C'est la façon normale pour les Canadiens de faire face à la justice. On s'attend au même traitement pour les télédiffuseurs. D'autres moyens donnent au public l'impression que cette industrie est au dessus des autres.

Beaucoup de gens qui nous ont demandé des formulaires de pétition nous disaient qu'ils s'étaient fixés un objectif de noms à recueillir. Ce nombre variait entre une centaine, allant jusqu'à vingt mille. Quand les gens retournaient leurs formulaires remplis de signatures, ils disaient comment il a été facile de faire signer les gens et comment enthousiaste ces gens étaient quand ils signaient.

Code d'éthique

1. Le premier critère concerne les émissions pour les petits (3 à 10 ans). Il faut bannir des ondes (incluant ce qui passe par la cablodistribution) les émissions pour enfants qui proposent la violence comme mode normal de solution des conflits, notamment toutes les émissions comptant **plus de 15 scènes de violence par heure** telles Transformers, G.I. Joe, COPS, etc..

2. Le second critère concerne les films et émissions violents et films cotés pour adulte par la régie du cinéma. Nous ne demandons pas la lune mais simplement d'en retarder la diffusion après **22 h 00** et avant **6 h 00**. Pas 21 h 00 mais **22 h 00**. Le vendredi et samedi, la plupart des enfants de 10 à 12 ans se couchent plus tard que 21 h 00.

3. Le critère pour définir un film ou une émission violente ? Tous les films et émissions qui comptent **plus de cinq meurtres** en bonne et due forme. Ce critère permet de laisser en ondes les films policiers du genre Colombo. Il élimine à peu près tous les films violents d'Hollywood produits depuis cinq ans. Quant aux chefs-d'oeuvres qui correspondraient à ce critère, et bien les esthètes pourront toujours les regarder après **22 h 00** et avant **6 h 00**. Est-ce tant demander pour éviter à notre jeunesse ce déferlement de violence gratuite qui les éclabousse actuellement ? Nous sommes certains que les esthètes et amateurs de grand cinéma sauront accepter ce léger inconvénient par rapport à l'immense avantage d'un tel critère pour la santé mentale des enfants.

Enfin, si cette grille s'avérait difficile à appliquer pour un film en particulier, nous sommes prêts à donner le bénéfice du doute au producteur.

4. Sachant que ces films et émissions violents engendrent des coûts pour la société, il devrait y avoir une T.C.V. ; soit une taxe contre la violence chargée aux annonceurs. La cigarette engendre des coûts pour la société, nos gouvernements ont décidé de faire payer les fumeurs. 75% du coût des cigarettes sont des taxes. Si les télédiffuseurs veulent vraiment diffuser des films ou émissions violents qu'ils le fassent, mais ils devront le faire entre **22 h 00** et avant **6 h 00** et les annonceurs supportant ces émissions devront être taxés comme pour les cigarettes. De plus, on devrait donner des avertissements contre la violence avant et pendant le film. On pourrait dire "**Danger, cette émission peut influencer de façon dommageable le comportement et la santé mentale**" comme c'est le cas sur les paquets de cigarettes.

5. Les taxes devront servir pour promouvoir notre industrie et produire des émissions de remplacement pour les jeunes. Ça pourrait créer des emplois.
6. Le CRTC mettra à la disposition du public un numéro de téléphone 1- 800 pour recevoir les plaintes des Canadiens.
7. Les diffuseurs devront passer un message d'intérêt public 4 fois par jour 7 jours semaine de façon à présenter un message à chaque heure de diffusion au moins une fois par semaine. De plus le numéro de téléphone 1 - 800 pour se plaindre devra apparaître à chaque annonce.
8. Des amendes de l'ordre de \$ 500,000. et plus seront imposées à tout contrevenant.
9. Pas de promotion pour les films ou émissions cotés violent ou adulte avant 21 h 00.

Ce code d'éthique est facilement applicable immédiatement. C'est ce que les Canadiens attendent. Par sa simplicité, ce code d'éthique est facile à mettre en fonction immédiatement. Advenant que vous ne le trouviez pas assez sévère ou complet, vous pouvez quand même en premier lieu et de façon immédiate le mettre en fonction jusqu'à l'élaboration d'un code que vous pourrez trouver plus complet.

Note: Les points 1, 2 et 3 ont été développés par M. Desjardins, C.Noël et D. Savard de Pacijou.

Conclusion

Pour conclure, permettez-moi de vous citer des extraits de la lettre au Devoir du 23 mars 1993. "Censurer ou pas, un faux dilemme!" par Michel Desjardins, Colette Noël et Diane Savard de Pacijou, avec lesquels nous sommes entièrement d'accord et qui reflète

l'opinion, dans des mots justes et claires, des milliers de personnes qui ont écrit pour appuyer Virginie Larivière.

"Parmi les 8000 meurtres qu'un enfant des Etats-Unis a vus à la télévision à la fin de son école primaire, il n'y en a pas 50 qui se retrouvent dans des films dignes d'être classés "artistiques " ou " contestataires".

C'est pour diminuer ces 7950 meurtres que Pacijou et plusieurs autres organismes réclament une réglementation. Nous ne demandons pas d'éliminer complètement la violence des émissions télévisées, seulement de la diminuer un tantinet aux heures d'écoute des enfants. Question de nous laisser respirer un peu... et d'apporter une aide appropriée aux parents comme le demande l'article 18 de la Convention sur les droits des enfants.

Les adultes qui tiennent absolument à se taper Robocop à 20 h 00 pourront toujours le louer au vidéo club. Personne ne demande d'arrêter ce film à la frontière.

La censure n'est absolument pas un terme approprié pour décrire le débat actuel. Au contraire, c'est une façon de rendre simpliste une demande fort légitime: celle de ne pas ensevelir nos enfants sous l'horreur et les meurtres banalisés de psychopathes.

8000 meurtres pendant leur primaire! Mais que sommes-nous donc en train de faire à nos enfants ?"

STANDARDS FOR THE DEPICTION OF VIOLENCE
IN TELEVISION PROGRAMS

ISSUED BY ABC, CBS and NBC
DECEMBER 1992

Preface

The following Standards for the Depiction of Violence in Television Programs are issued jointly by the ABC, CBS and NBC Television Networks under the Antitrust exemption granted by the Television Violence Act of 1991.

Each Network has long been committed to presenting television viewers with a broad spectrum of entertainment and information programming. Each Network maintains its own extensive published broadcast standards governing acceptability of both program (including on-air promotion) and commercial materials.

These new joint standards are consistent with each of the Network's long-standing pre-existing policies on violence. At the same time they are set forth in a more detailed and explanatory manner to reflect the experience gained under the pre-existing policies. While adopting and subscribing to these joint Standards, each Network will continue the tradition of individual review of material, which will necessitate independent judgments on a program-by-program basis.

The standards are not intended to inhibit the work of producers, directors or writers or to impede the creative process. They are intended to proscribe gratuitous or excessive portrayals of violence.

In principle, each of the ABC, CBS and NBC Television Networks is committed to presenting programs which portray the human condition, which may include the depiction of violence as a component. The following Standards For The Depiction Of Violence In Television Programs will provide the framework within which the acceptability of content will be determined by each Network in the exercise of its own judgment.

CACC / CCAC



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