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## Standing Committee on Canadian Heritage

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EVIDENCE

**Thursday, March 13, 2008**

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**Chair**

**Mr. Gary Schellenberger**

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•(1535)

[English]

**The Chair (Mr. Gary Schellenberger (Perth—Wellington, CPC)):** I'm going to call the meeting to order. Sorry, we're a little late. We had a late vote. Welcome to meeting number 22 of the Standing Committee on Canadian Heritage. Pursuant to the order of reference of Tuesday, October 16, 2007, we are here to study Bill C-327, An Act to amend the Broadcasting Act (reduction of violence in television broadcasts).

I welcome our witnesses from the Canadian Teachers' Federation, Emily Noble and Myles Ellis; and from Media Action, Shari Graydon. Thank you for coming.

I'm going to ask the Canadian Teachers' Federation to give the first presentation.

Go ahead, ma'am.

**Mrs. Emily Noble (President, Canadian Teachers' Federation):** Thank you very much.

The Canadian Teachers' Federation, CTF, is the national voice for teachers in Canada on education and related social issues. Our membership includes teacher organizations in every province and territory, representing 220,000 teachers across the country. We appreciate the opportunity to present this submission to the Standing Committee on Canadian Heritage as it debates Bill C-327, An Act to amend the Broadcasting Act.

Next to parents, who best understands the impact media violence has on our young? Teachers often stand as witness to the physical and psychological fallout from media violence.

With your permission, we will speak to what we know and what we see that is needed. We will speak to more than just media violence by way of TV; we will speak to our concerns about bullying and violence that has the potential to or does directly affect our students, our schools, and teachers, through all entertainment and communications media.

What we know. On November 19, 2003, we released the results of a landmark national survey of 5,756 students in grades 3 to 10—and these would be eight-year-olds to 15-year-olds—entitled, “Kids' Take on Media”. This survey was made possible by a Government of Canada grant through the Department of Justice's National Crime Prevention Centre.

Among results were the following: 48% of Canadian kids aged eight to 15 have their own TV—and this was in 2003—and 35% have their own VCR; 75% of the kids in grades 7 to 10 watch

restricted movies at home; in grade 7, 25% of children have personally rented an R-rated video; and 60% of boys in grades 3 to 6 play video and computer games almost every day.

One of the top choices for both francophone and anglophone boys in grades 3 to 6—and this would be eight-year-olds to 11-year-olds—is Grand Theft Auto, an ultraviolent action game aimed at mature audiences, which involves murder, bludgeoning, and prostitution. In grades 3 to 6, roughly 30% of kids claim they have never had any adult input about what TV shows they can watch; by grade 6 it rises to 50%, and by grade 8 it is 60%.

With game playing, adult involvement is as follows: in grades 3 to 4, the top figure for parental involvement never rises above 50%; by grade 7, 75% of adults never tell children what video or computer games they can or cannot play.

Another finding was that 51% of kids in grades 7 to 10 stated they had witnessed imitation or some violent act from a movie or TV show. Violent acts can include imitating a dangerous stunt; it does not necessarily mean aggressive violence directed against another person.

Some of the most important findings: the “Kids' Take on Media” study shows that kids and adolescents whose parents supervise their TV viewing and who discuss violence, racism, and sexism in the media are more likely to be aware of the negative impact of media violence. Many children, however, are on their own.

In response to this survey, the Canadian Teachers' Federation, with partners like Media Awareness Network, the Canadian School Boards Association, and the Canadian Home and School Federation, developed a tips bulletin for parents and a teachers' study activity guide.

Some of the other findings and more recent data from teachers we see in the 2005 Canadian Teachers' Federation's national teachers poll: 78% of teachers reported witnessing a student physically assaulting and/or intimidating another student; 75% of teachers reported witnessing a student verbally abusing another student.

In the 2006 Canadian Teachers' Federation's national issues in education poll, the public was asked what they consider serious problems in community schools. Tied for first as most serious were bullying and violence: 76% said “very or somewhat serious” and 44% said “very serious”.

• (1540)

In November 2007, in a release of the most comprehensive survey of teachers ever conducted in Canada, entitled “School Teachers in Canada: Context, Profile, and Work”, the following was found.

In response to the question, “To what extent do the following hinder the accomplishment of your duties when considering various school concerns?”, the second highest response of teachers, 51%, was intimidation or bullying among students.

Now we come to the most recent form of threat and potential violence by way of a communications medium, one that we have targeted as a major component of this whole issue, and that is cyber-bullying.

Cyber-bullying is described as “the use of information and communication technologies, such as e-mail, cellphone, pager, text messages, instant messaging, and websites to support deliberately repeated and hostile behaviour that is intended to harm others. That was a definition by Bill Belsey, teacher and founder of bullying.org.

Cathy Wing of the Media Awareness Network calls it an online culture of cruelty.

This is an issue closely linked to violence in television broadcasting, as many of the same assumptions on context and outcomes are relevant in promoting an ambivalence towards the use of violence in our daily lives.

In July 2007, at the Canadian Teachers' Federation annual general meeting in Toronto, a mandate was given to our organization to address the rapidly emerging issue and determine what we know about it.

An extensive study of Canadian youth—5,200 children in grades 4 through 11—conducted between 2003 and 2005 by the Media Awareness Network and entitled “Young Canadians in a Wired World” found that 94% go online at home; 86% have their own e-mail accounts; 89% of grade 4 students play games online; 34% of students in grades 7 to 11 report being bullied, while 2% of those reported talk about being severely harmed; 59% report assuming another identity on the Internet, and of those, 17% say they pretended to be someone else because “I can act mean to people and not get into trouble”.

The most recent survey on the topic, whose initial findings were released February 2008 and which involved 2,000 students in Toronto in grades 6 and 7 and grades 10 and 11, was conducted by Associate Professor Faye Mishna from the Faculty of Social Work at the University of Toronto. The findings include the following: 21% reported being cyber-bullied, 35% reported cyber-bullying others, 46% have a computer in their bedroom, 33% have given a password to a friend, 28% have watched someone else being bullied online, and 67% of parents don't supervise Internet use.

Finally, results from the recent Canadian Teachers' Federation “National Issues in Education” poll conducted in February 2008 reveal that 85% of the public are familiar with the term “cyber-bullying”; 34% indicate that they were aware of students in their community school being cyber-bullied; 91% believe that parents should become knowledgeable and responsible in monitoring their children's activities with the Internet and electronic communication

devices; 71% believe that the development of legislation that better protects students and teachers from cyber-bullying would be somewhat or very effective in preventing cyber-bullying; 56% believe holding Internet service providers and wireless telephone providers accountable, if their services are used for cyber-bullying, would be somewhat or very effective; and 70% believe school boards should hold students accountable, even if the cyber-bullying originates from outside the school.

We cannot ignore the obvious. It is clear that for teenagers the web has become a virtual hangout. For instance, it was reported in *MCT Business News* in May 2007 that in the U.S. more than 70% of girls aged 15 to 17 use social networking sites, such as MySpace and Facebook.

Our children are adopting and adapting to the new communication technology. With the new opportunities, however, come new negative realities. Cyber-bullying combines the devastating psychological effects of both verbal and social bullying. The impact, however, can be even more profound, because the child who is being victimized often doesn't know who's doing the harassing, and many people can covertly witness or join in the bullying.

We're here today to speak not only to the issue of violence on TV but to the threats, bullying, and violence through all communications media. We include in this the threat of cyber-bullying. Therefore, we are here today to speak not only to the issue of violence on TV but also to cyber-bullying.

• (1545)

Bill C-327 may or may not be a particularly good tool to address this issue; however, something must be done. The CTF is addressing the issue of media violence, and particularly cyber-bullying, in two ways: first, using opportunities to educate the public, parents, teachers, children, school boards, and governments on the issue; and second, searching for ways in which the regulatory framework can further serve to protect everybody from the negative impact of violence and the inappropriate use of communication technology.

If we extend these strategies to this discussion, we would recommend two things: education and protection. Education means funding support for continued research into bullying and violence through any media as well as the development of resources and supports to assist students, teachers, and parents in appropriate responses to perceived and realized media threats and violence. Protection, our second recommendation, includes the development of more appropriate classification and monitoring mechanisms on the part of federal regulatory bodies in light of the development of even more violent and reprehensible video games, amendments to the Criminal Code that make the law more effective in controlling the capabilities of emerging technology, and the development of a national-international legal collaborative framework to address the hosting and delivery of offensive, illegal, inappropriate materials from outside our country, i.e., the inter-service providers.

Thank you.

**The Chair:** Thank you.

Ms. Graydon, please.

[Translation]

**Ms. Shari Graydon (Director, Media Action):** Good afternoon. Thank you very much for inviting me to appear before the committee today.

[English]

My name is Shari Graydon, and I'm here representing Media Action, Action média. We are a national non-profit organization that is dedicated to raising public awareness of the social impacts of media and to encouraging more responsible industry practice. My written brief provides more detailed information about my particular expertise as a media producer, educator, and author of media literacy books.

I would like to start by saying that I really appreciate the opportunity to be here and the opportunity that this bill is providing to pay attention to violence in the media. I share the concerns behind it and the concerns being expressed by the CTF. In fact, I'm currently working on a new media literacy book specifically looking at the gap between the violence we consume as entertainment and the violence that surrounds us in society, and the disconnect that young people in particular have between those two.

As I hope you've already heard, there is a very significant body of research in peer-reviewed academic journals about the impacts of media violence, which essentially comes to three conclusions. Although there are invariably a variety of variables that influence how people respond to media violence, essentially media violence contributes to increased fear, increased aggressive behaviour, and decreased sensitivity to the suffering of others. That goes obviously not just for television violence but for violence in all media. That's the bad news.

The good news is, and I am sure the broadcasters have told you this, that Canada has a very progressive anti-violence broadcasting code. Unfortunately, the way the code is administered is problematic for at least three reasons.

Although I respect the efforts of the Canadian Broadcast Standards Council, which administers the code—and indeed I have worked with Ron Cohen and his colleagues—the current process is complaint-driven. In other words, the onus is on consumers to know that the code exists, to know what's in the code, and to complain about the code, and that's how the existing code is complied with. That's how compliance gets enforced, and, necessarily, because it's complaint-driven, all of the enforcement of the code happens after the fact, after the material that breaks the code has already aired. Thirdly, the present way of administering the violence code contains, really, to my mind, absolutely no disincentives to broadcasters to air material that's in contravention of their own code.

In theory, broadcasters can lose their licence if they fail to comply with the violence code. In practice, this is never going to happen. It hasn't happened yet; I would suggest it's not going to. Only once in 20 years has a station come close to losing its licence, and that was the process involving a Quebec City radio station, CHOI, which in fact took five years to play out. The very nature of the humour of shock jock Howard Stern was fundamentally in contravention of the code. It took six years for that process to play out and for Howard

Stern to be removed from Canadian airways. So the codes exist to prevent material that's blatantly offensive to Canadians, but in practice it happens after the fact, and it is not, in my submission, very effective.

Indeed, when the Canadian Broadcast Standards Council spoke with you last year they confessed they have upheld 72% of the complaints that have come to them over the last eight or nine years. What penalties have been meted out to the broadcasters who were in contravention of the code? They are essentially required to write a letter to the complainant—the person who knew enough to make the complaint in the first place—and they are required to run two on-air apologies for having broken the code. I suggest this is not really much of a disincentive.

• (1550)

No doubt you have also been told that the CBSC is currently receiving fewer complaints about violence in the media than it did ten years ago. I suggest this is probably not evidence of more responsible or less violent programming; it is more likely due to the fact that increasing levels of violence in other media have led to a greater acceptance of material on television that would have been unacceptable 10 years ago.

Second, there is also much less public discourse about TV violence and media violence today than there was a decade ago, for a number of reasons.

Third, because of this, Canadians are much less aware of the complaint process. Very few people know of the Canadian Broadcast Standards Council's existence, let alone that there's a CAB violence code, let alone what's in it.

Finally, the complaint process itself happens after the fact. It takes months to play out, and it doesn't result in any meaningful penalty.

As for the proposed bill, although I appreciate its attention to the issue, I regret to say that I don't believe it will be effective. The CRTC is not currently set up to engage in the kind of monitoring the bill requires. My guess is there are no plans to give the CRTC additional funds to undertake that monitoring. In addition, the violence code is supposed to prevent the airing of offensive material, not study it after the fact.

So I have a better idea, one that would reduce inappropriate violence on Canadian television by more effectively enforcing the existing violence code. It's very simple, and it essentially works on the same principle as the children's advertising code does. And I'll explain that.

The children's advertising code and the process involved is not in fact relevant to the Province of Quebec, which had the foresight 30 years ago to implement a prohibition against advertising to children. However, in English-speaking Canada, we haven't been quite so smart and progressive. When an advertiser in English Canada wishes to advertise to children under the age of 13, that advertiser must submit its commercial to Advertising Standards Canada in advance of it being broadcast. It pays a fee for the service that is then provided. The Advertising Standards Canada people look at the ad. They gauge it against the code. They make sure that it in fact adheres to the code, and then they give it approval. Only when the commercial has been approved is it subject to airing on Canadian airwaves.

My suggestion is that if we genuinely want to prevent inappropriate violence, gratuitous violence—the violence that is explicitly indicated in the broadcasters' own violence code as being inappropriate—from being aired in the first place, we should require broadcasters wishing to air violent material to submit that material in advance of the broadcast. They should have it adjudicated and cleared in advance by the Canadian Broadcast Standards Council, who would then say that it was in compliance with the code and would give the broadcaster clearance and make it eligible to be broadcast. That would essentially prevent, in advance, the airing of inappropriate material. It would put the onus on the broadcasters themselves, not on members of the public, who typically, as I mentioned, are unaware of the process.

Finally, I would encourage this committee to recommend that all media producers be required to contribute to a fund in support of media literacy programming and resources. Here I am effectively echoing the urgings of the Canadian Teachers' Federation and those of another witness you're going to hear after us.

As the author of two media literacy books for young people, I spend a lot of time in schools speaking to students and speaking to teachers, and it's very clear to me that...

In our democracy, we think of literacy as the ability, the capacity, to read and write critically. Increasingly, kids get much more information from audiovisual media than they do from the printed word. If we don't provide them with the critical tools to be media literate, to interrogate, to challenge, and to resist messages that are not in their best interest from other forms of media, we are essentially abdicating responsibility to the media producers themselves. And I'm sure you all know from your own media consumption that the lessons and the learning outcomes that are being visited upon us through commercial media are not parent or ministry approved.

• (1555)

Thank you. *Merci beaucoup.*

**The Chair:** Thank you for that.

Our first question today comes from Mr. Scott.

**Hon. Andy Scott (Fredericton, Lib.):** Thank you.

I'm going first to Ms. Graydon, because of the idea she proposed.

You take the position that the capacity to measure appropriateness of violence, as they're trying to get to in this bill, exists, but that it's

being applied after the fact. Who would be the determinant as to the interpretation of those measurements?

**Ms. Shari Graydon:** Currently that's the Canadian Broadcast Standards Council. If a complaint is made, the Canadian Broadcast Standards Council has panels of citizens and broadcasters who get together. They review the material that has been complained about, and they adjudicate it against the violence code, which is fairly explicit and detailed about what's defensible and what's not. They make a ruling based on that.

That's currently happening. The CBSC is equipped to do that, but they're doing it on a volunteer, after-the-fact basis. I'm suggesting—

**Hon. Andy Scott:** Do you have any idea of the volumes we're talking about?

**Ms. Shari Graydon:** I couldn't answer that; the CBSC probably could. Right now they're only adjudicating material that's complained about. I would suggest that there is all sorts of other material that would fall under the—

**Hon. Andy Scott:** Could you consider a regime where there was a consequence, even after the fact, that would have a prohibitive impact on productions? For instance, the CRTC proposed the possibility of administrative monetary penalties; I think that was the reference they used. It would be a system of fines. They were making the case that the space between an apology and a cancelled licence is perhaps a little large, and therefore if there were something in the middle.... How do you respond to that?

• (1600)

**Ms. Shari Graydon:** Certainly I think fines would have more of a deterrent factor than the apology does currently. I'm proposing, though, that money gets spent up front that would prevent the material from being on in the first place.

**Hon. Andy Scott:** To the Teachers' Federation, I'm curious about the familiarity of the present system. First of all, I didn't really gather your position on the bill from your intervention. Perhaps you can....

**Mr. Myles Ellis (Director of Economic and Member Services, Canadian Teachers' Federation):** Our position is that the bill may in some format have an impact on it, but we see it as a larger problem. It's only a piece of a greater puzzle that we're concerned about. For example, many TV programs that kids watch are accessed through the Internet. They access things like YouTube. One of the greatest concerns teacher organizations all over the world have is the degree to which they're able to get at the Internet service providers who host the platforms and servers, such as social networking sites, programs like YouTube, to get the kind of cooperation or laws, be they national or international, that can get at inappropriate materials in any media coming to our children.

We have heard in the most recent survey in Toronto that half of students have computers in their room now, and 75% of parents don't monitor what they watch.

**Hon. Andy Scott:** I took the point, and I think everybody has talked about the fact that we're talking about a very small part of the available entertainment information and that we need to do something else, which then lends itself to something more proactive, broader.

Back to the teachers. I think at the end of the day we're going to have to figure out some way to enable young people to be more discerning. I think it's coming. It's not going to become less. We're going to have to equip kids to deal with what's coming rather than feel that somehow we can protect them. We have to do everything we can to make sure that the inputs are as civilized as we can make them, if that's not too subjective a term, but at the same time we have to recognize that our efforts may be overwhelmed by the incoming....

**Mr. Myles Ellis:** I couldn't agree more. What we've done is part of an overall strategy of what we're doing as an organization to take on the issue. First of all, with regard to the "Kids' Take on Media", which was about TV, we have copies of this here if anyone is interested. It has a teachers' guide. It has a guide for parents.

The strategies we're recommending and we're doing right now are two-pronged. One is education—and you're right on the mark with the idea of the Internet being a virtual playground for our kids. That is absolutely correct. They are utilizing the new technologies far more than we ever would have imagined, and education has to be a major component of it for students and for parents.

**Hon. Andy Scott:** Have either of you ever lodged a complaint?

**The Chair:** Mr. Scott, that's it.

**Mrs. Emily Noble:** I can speak to that. I was president of the Elementary Teachers' Federation for five years. Under that, while we didn't lodge complaints, we would write to express our concern about certain advertisements on TV, and we will continue to do that.

One of the comments you made was on being proactive. I think that's key. Shari Graydon is an expert in this whole area, and according to her, media literacy is where we need to go, at least as one component.

• (1605)

**The Chair:** Ms. Mourani, please.

[*Translation*]

**Mrs. Maria Mourani (Ahuntsic, BQ):** Thank you, Mr. Chairman.

Firstly, I would like to thank you for your presentations. I was delighted that you provided us not only with a down to earth analysis but also with some suggested solutions, as solutions have been somewhat thin on the ground thus far. I was also very pleased to hear you state that there are problems.

Since we first began this study, we keep being told that everything is going swimmingly. However, I understand that this is not the case; everything is not going swimmingly. You raised a number of very interesting points regarding the Internet. There seems to be a general feeling that the Internet is part of the modern reality and nothing can be done about it. You, however, Ms. Noble, spoke about the possibility of harnessing the Criminal Code and the government's regulatory powers to address the problem. You also spoke about developing a national framework. Indeed, your proposed solutions go beyond simply educating parents. That is a separate issue and one that I am sure is already well in hand.

I would like to discuss with you the issue of government and institutional responsibility. I am not going to address parental responsibility, as I know that it is something that is already well in

hand in Quebec. Furthermore, I am confident that you are doing an excellent job. Instead, I would like to know whether you think that the CRTC has a role to play in terms of regulating the Internet and, in particular, Internet service providers. Is there a role for the CRTC to play in regulating Internet content?

[*English*]

**Mr. Myles Ellis:** My answer to that would be yes, but I believe some regulatory body, be it the CRTC or something else, needs to be there to play a role with that, in our opinion.

The second part of what we were talking about as a strategy was a protection strategy. That has to do with the whole area of protection and regulation that you're referring to. The education piece is for the parents, students, and so on.

We're saying the regulatory piece starts with the Criminal Code. We've met with the parliamentary secretary, Rob Moore, from Justice. We've put out a question for contacts around media across Canada and in our teacher organizations asking what recommendations they have for the Criminal Code.

We want to meet with the regulatory authority to look at gaming. You've probably heard about our asking for the boycott of the video game *Bully* that's just come out this past week. That video game, for instance, is rated as teen. That means 13-year-olds can view it. We brought in a focus group to look at that game, and a 16-year-old boy said he would not want his 14-year-old brother to play this game.

We want to look at that regulatory body and see what they can do better to provide more guidance around gaming. We are asking provincial bodies with regard to ministries of education to look at their school acts to offer more protection through that regulatory format right down to the school level. If the CRTC or a body like that can play a role in intervening with international Internet service providers, then we would absolutely be supportive of that.

[*Translation*]

**Mrs. Maria Mourani:** What is happening on the international front?

[*English*]

**Mr. Myles Ellis:** Yes, and we also have a partnership with the RCMP, looking for ways to work with it in developing curriculum that it can go into schools with and talk to schools about cyber-bullying.

[*Translation*]

**Mrs. Maria Mourani:** Could you briefly state whether you think that we should, either through the Criminal Code or CRTC regulations, require all Internet service providers to give the RCMP the IP addresses of all computers that are used to access child pornography. At the moment no such mandatory requirement exists; we rely on the good will of Internet service providers.

[English]

**Mr. Myles Ellis:** I was supposed to attend a meeting, at the invitation of the RCMP, with ISPs in Halifax about a month ago, and I couldn't attend because Halifax was fogged in, unfortunately. The intent of that meeting was that the RCMP wanted to speak with ISPs to say that they need to do something, they need to look at something, they need to find a way to work better together so that the RCMP doesn't have to get a subpoena every time it wants to access an ISP's material because of threats to children and so on. If there are things that can be done to amend the Criminal Code, to bring it more in line with the new technologies, to offer protection to children, then we would be very interested in seeing that happen.

●(1610)

**The Chair:** Thank you very much for that. Your time is up. You're going to have two minutes left in the next round.

Mr. Siksay, please.

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Thank you, Chair.

I want to thank the witnesses for coming today.

I want to ask the folks from the Teachers' Federation this question. In some of the material you folks produced that accompanied the release of your study, "Kids' Take on Media", there was some discussion about censorship and the place of censorship in dealing with the whole problem of violence and media violence. One of the articles that's on your website quotes Marjorie Heins, the author of *Not in Front of the Children*, and she makes the point that censorship has a number of problems, that sometimes it actually defeats the purpose of placing limits, that it actually makes the material more attractive to young people, and also that censorship doesn't teach kids what's inappropriate about the material that's been censored.

Is that an issue for teachers as you approach this whole issue? And does that issue call into question regulation as a way of solving the problem?

**Mr. Myles Ellis:** It's absolutely an issue for us. We are very concerned when we draw attention to things or shed light on things. We are very aware that we don't want to be seen as being something that would be restrictive on freedom of speech, freedom of expression, and so on and so forth. And we very much recognize and understand—early in the piece with this, we knew—that just using censorship is not going to solve the problem or address the issue. What's more important to us is to find ways to help parents, teachers, and students to come to grips with the new media technologies and, as Ms. Graydon so eloquently stated, find ways through a media awareness model for kids to learn how to recognize what's inappropriate and how to prepare themselves and defend themselves.

**Mr. Bill Siksay:** Is part of the issue parents' education, though? I don't think we want to blame parents for the problem, but it seems to me that it's not just a media awareness or a media literacy issue for children; it's also an issue for parents. It seems to me that's the place that's not getting much attention at all. Or is there any improvement made in parents' media literacy in any of your experience?

**Mr. Myles Ellis:** The news out today in the *Ottawa Citizen* is something that is very sobering for us. It is the recent study out of Montreal, showing that teenage boys, up to 60% of them, spend 42

hours a week watching TV or playing video games. There are numbers in there with regard to the percentage of them who watch it without the scrutiny of adults. That's concerning to us. It is an issue.

Part of what we will recommend is support for groups, associations, that engage in research and the provision of resources that will raise more attention for parents and provide more assistance and guidance for parents as to how they can play a more hands-on role with their children.

**Mr. Bill Siksay:** Do we have a sense that parents are playing less of a role, and do we have any sense of why that would be, Ms. Graydon?

**Ms. Shari Graydon:** Absolutely. I think parents are less actively involved in mediating their kids' consumption of media, in part because of the explosion of sources. There's something shocking and unfortunate about the very fact that, as the CTF study found, 50% of Canadian kids had televisions in their bedrooms. I think that reflects the level of ignorance on parents' part about what's available on television and about the cognitive wiring in teens and children, which increasingly we're discovering is not sophisticated enough in the way that adult brains are. Clearly, adults are not as savvy about mediating kids' media consumption as they ought to be.

**Mr. Bill Siksay:** In your proposals, Ms. Graydon, you talk about a sort of pre-screening process. I don't know how you'd describe it quickly, but some people might say that it sounds like a censorship board, where something would have to be submitted to the censors before it could go on air. Is that what you're talking about?

●(1615)

**Ms. Shari Graydon:** I think that's an unfair characterization. A decade ago, the broadcasters themselves acknowledged that there was a problem with regard to TV violence. That's why they developed the code in the first place, and that's why they have supported it. In a society in which we're all affected by television violence, the broadcasters have stated that the conditions in the code are fair and appropriate. So if there's censorship going on, it's willing, voluntary.

We have forms of censorship in society for obvious reasons. Journalists, for example, do not typically report on teen suicide because they know the likelihood of imitation is high. That's a form of self-censorship that has the interests of the larger society at heart. I think the violence code fits in that tradition.

**Mr. Bill Siksay:** In your proposal you draw an example from the Advertising Standards Council related to children's advertising. Would the kind of pre-screening you're talking about apply to all programming or just children's programming?

**Ms. Shari Graydon:** I'm suggesting that any programming that contains enough violence to fall on one side or the other of the violence code guidelines should be subjected to pre-screening.

**Mr. Bill Siksay:** Thank you.

**The Chair:** Thank you.

Mr. Abbott, please.

**Hon. Jim Abbott (Kootenay—Columbia, CPC):** Witnesses, thank you very much for being here today. I wonder if we can cut to the chase on this bill, because that is—

[*Translation*]

**Mrs. Maria Mourani:** I have a question.

[*English*]

**The Chair:** There is a point of order.

[*Translation*]

**Mrs. Maria Mourani:** Mr. Chairman, Ms. Cuerrier informed me that Mr. Caron will be unable to appear before the committee today. That means that we have one less witness. Would it be possible to have three rounds of questions with these interesting witnesses in light of Mr. Caron's absence?

[*English*]

**The Chair:** No, we're going to have two rounds, and the next round will be two minutes, or thereabouts, for each person.

It's my understanding that we have bells at 5:30.

Okay, I'll give you three minutes in the next round.

Mr. Abbott.

**Hon. Jim Abbott:** The exclusive purpose of this meeting, which is not your responsibility but ours as members of Parliament, is to deal with content desirability and to take information from you with respect to this private member's bill. So I'd like to dispose of that right off the bat.

I don't want to put words in your mouth, but if I characterized both your organizations as being very doubtful about the effectiveness of this bill, would you agree?

**Ms. Shari Graydon:** First, unless the government is prepared to give the CRTC considerably more money to engage in the monitoring that it's asking for, I don't think the bill will work.

Secondly, I would prefer to see this kind of energy and investment go in advance of the broadcast. So I don't support this bill. I appreciate its intentions, but...

**Mrs. Emily Noble:** We would support what Shari is talking about in respect of the specificity of this bill.

**Hon. Jim Abbott:** Thank you.

I now have the answer to the question with respect to the bill. But because I have the opportunity, and because you're experts on this, I would also like to get some more information from you.

With respect to cyber-bullying, am I correct that this would probably be an Internet problem? You can correct me if I'm wrong.

Taking a look at Internet cyber-bullying, particularly interactive Internet, video games, and DVDs, which are not covered by this bill, do we have any notion of the amount of time an 8-, 9-, 10-, 14-year-old boy or girl in our Canadian society spends in front of some kind of screen? Would it be 10%, 15%, maximum, on actual broadcast television as opposed to Internet, video games, and DVDs combined?

**Mr. Myles Ellis:** Just so I'm clear on your question, are you asking if we have numbers that are broken out into components or just numbers overall?

**Hon. Jim Abbott:** I'm asking for a best guess.

If a 12-year-old boy spent 100 hours in front of a screen, would the screen be driven by commercial television—or CBC, but we're talking over-the-air broadcasting—or would it be driven by the Internet, video games, DVDs?

• (1620)

**Mr. Myles Ellis:** I can answer that, and it's hot off the press: on average, students today put in 20 hours of TV time and 10 hours on the computer weekly.

**Hon. Jim Abbott:** Now, with the 20 hours of TV time, do we have any best guess from you, as experts, on whether the image appearing on the screen is coming over the air, or coming by a DVD, or coming from an Internet program?

**Mr. Myles Ellis:** I don't have the specific numbers, but we do know that increasingly it's coming over the Internet. We do know that.

**Hon. Jim Abbott:** Okay. Thank you.

Ms. Graydon, I'm very interested in your proposal. It may sound like I'm being overly critical here—I apologize in advance if it does, because it's not intended that way—but if we're talking about the CBSC panel taking a look at things that come to them by way of complaints, we're talking about maybe a couple of hundred a year. That's versus the couple of thousand programs, or maybe tens of thousands, that they would actually have to look at. Everybody wants to run away from the word “censorship”, but that effectively is what they're doing. They're taking a look and saying, “Is this suitable for broadcast?” And I have a very simple view of this, that it's a form of censorship.

If they currently have a panel of, say, five people—I don't know the numbers here—engaged for 20 hours a week in handling a couple of hundred complaints, versus the number of people they would need to have for however many thousands of hours of broadcast, it just strikes me that it might not be practical. Would you agree with that?

**Ms. Shari Graydon:** It might really reduce the amount of violence on television.

**Hon. Jim Abbott:** It would take all the people off the street.

**Ms. Shari Graydon:** The short answer is that your point is well taken. I have no idea what the volume of violence currently on television would require in terms of that kind of advance screening. It might be that, practically speaking, you would have to develop a system by which a broadcaster submitted one episode of a series, or, if a broadcaster had not received any complaints over a period of time, they would be released from the responsibility of doing that.

I've come up with something that I could tell you in ten minutes, but if it were genuinely something that there was interest in implementing, I suspect that there would have to be a more sophisticated mechanism to develop it.

**Hon. Jim Abbott:** Good. Thank you.

**The Chair:** Thank you.

As I agreed, we'll have a three-minute round.

We'll start with Mr. Bélanger.

**Hon. Mauril Bélanger (Ottawa—Vanier, Lib.):** You agreed, Mr. Chairman? Well, it's good to know you agree with yourself on that.

**The Chair:** Yes, I agree with myself.

**Hon. Mauril Bélanger:** No, no, that's fine.

**The Chair:** I made a decision and I agree with it.

**Hon. Mauril Bélanger:** It's good.

**The Chair:** Thank you.

**Hon. Mauril Bélanger:** Thank you.

The testimony is clear. If I could summarize what we've heard—what I heard, anyhow, from not only our witnesses today, whom I thank, but from witnesses in previous sessions—I'd say most people sympathize with the intent of the bill, but nobody agrees with the bill itself, and some people actually disagree with the bill. Mr. Chairman, unless we hear from witnesses who adamantly support the bill, I'm reaching a conclusion that we're there and that the bill in its current form is not where I want to go.

My colleague has asked whether or not the witnesses.... There was a positive response to the notion of these administrative monetary penalties that the CRTC referred to. We asked for, and I hope we receive before the break, a proposal or suggestions from the CRTC. We can look at that. It might be something we could, or could not, include in the bill, depending on the nature of it. I'm quite prepared for that.

I want to reach forward in terms of other witnesses. If we're going to ask other witnesses, I will put forward a suggestion, and it's a serious one.

We heard from parents directly or indirectly, and some of us are parents. We've heard from teachers. We've heard from grandparents, and some of us are grandparents. In answer to your question, Madame Noble, about who would be better than parents, the answer is obviously grandparents, with all due respect.

The one group that this bill targets is the one group we haven't heard from. Just to be clear, Mr. Chair, would it be worth our while to assemble a panel of children, of kids, from the age group we're talking about? I mean those who actually watch TV 20 hours a week and spend 10 hours on the Internet. I know some who are glued to their computer screen, which is also their TV and their telephone. They multi-task to an extent that I couldn't possibly ever dream of doing. It's obviously another generation. It might be useful to hear from them what they think of this, since they're the ones who are targeted. Obviously, from what I've heard today from the Canadian Teachers' Federation, 50% or more of parents don't pay attention to what their kids are doing and watching.

It's a suggestion I hope my colleagues won't take lightly.

Oh, I'm getting some reaction here. Let's get some reactions.

•(1625)

**The Chair:** It will have to be a short answer, because it was a long question.

**Hon. Mauril Bélanger:** I agree.

**Ms. Shari Graydon:** It's been a while since I read this wonderful study the CTF did, but it seems to me that in the study the kids themselves indicate that they think their parents should be more censorious, should be more engaged in telling them that they should not or cannot watch or play certain things. Kids themselves recognize that they're being exposed to stuff that is beyond the pale, that is inappropriate for them to be watching. When I speak to kids in schools, which I do a lot, I get the same response.

**The Chair:** Ms. Noble, would you like to comment?

**Mrs. Emily Noble:** Grandparents are absolutely wonderful. I think we need to work with grandparents.

One of the video operators that sells video games.... The largest market, of course, is made up of young males 16 to 25 in terms of some of the video games. However, one of the other huge markets is grandparents, who don't want their grandkids to be out of the loop. When you have a grandparent buying Grand Theft Auto for a grandson who is six or seven years old, we need to do some work with grandparents.

**The Chair:** Thank you.

Go ahead, Mr. Malo.

[*Translation*]

**Mr. Luc Malo (Verchères—Les Patriotes, BQ):** Thank you, Mr. Chairman.

Thank you for being here today.

Ms. Graydon, have you shared your concerns and your suggested improvements with the CBSC, the body responsible for administering the code?

[*English*]

**Ms. Shari Graydon:** The short answer is no, because I was unaware of the bill until I was invited to appear before the committee.

I see that Ron Cohen, from the Canadian Broadcast Standards Council, who I know and respect, is here, so I will have the opportunity to suggest to him my modifications. I can predict his response, which will probably not be enthusiastic, because he represents the broadcasters, and I understand that.

But, no, I just had this blinding flash of brilliance in the past week.

[*Translation*]

**Mr. Luc Malo:** Are you saying that before giving testimony on this bill today, your group had not considered the three amendments that you would like to see made to the code?

[*English*]

**Ms. Shari Graydon:** No, in fact, in previous years, when the television violence code was first introduced, we did speak then about our concerns, and have since, about the after-the-fact nature of the way the code is administered. We have previously expressed concerns that the process takes a very, very long time.

When Howard Stern's program was airing in Canada, we repeatedly participated in the complaint process and were extremely aggravated that it took so long and that it happened after the fact. So our dissatisfaction with the process has certainly been expressed previously.

• (1630)

**The Chair:** Mr. Malo, a very, very short question, please.

[Translation]

**Mr. Luc Malo:** You said that all programmes ought to be screened before being broadcast. Does that mean that you believe the current system for rating television programs to be inadequate?

[English]

**Ms. Shari Graydon:** No. I'm really suggesting that for shows that contain a great deal of violence, violence that would come under the violence code—and many programs on television do not fall into that category, but for the television programs that do contain a great deal of violence—it should be incumbent upon broadcasters to be attentive to ensuring that those shows do in fact adhere to the code in advance. It should not be on the consumer to make that adjudication and to make the complaint.

**The Chair:** Thank you for that.

We have Mr. Fast for the last three-minute question.

**Mr. Ed Fast (Abbotsford, CPC):** Thank you, Mr. Chair.

Thank you to all three of you for attending today. I must commend you for your role in doing your best to protect children and educate children in this whole area of violence.

One of the struggles I've had, too, with this legislation is that when it first came forward in the House, I said, "Well, how can I vote against this? This is about reducing TV violence that our children might be exposed to." When I looked at the bill—and I think all three of you have done that as well—it's actually not about violence aimed at children; it's a broad regulatory power to actually censor all violence on TV, not that it would be exercised that way but that's the way the bill is worded.

An even greater difficulty is one that I believe Ms. Graydon put her finger on: it's not going to be effective.

We live in a universe now that has PVRs, that has time-shifting. Our kids are watching violence on the Internet. On top of that, in a 500-channel universe, kids on the west coast can watch an 11 o'clock show on the west coast and there would be no restrictions on that.

I think one of the keys is media literacy. The other one is making sure that parents are involved. It's shocking to hear the statistics that you cited about the lack of parental supervision. In our family, we made a point of making sure we knew what our kids were watching.

Could you perhaps comment on how you found the bill itself, if you did review the bill, and perhaps the broadness of it, the vagueness of it, and the incredible power it's giving to the regulator to actually address all TV violence, not just that focused on children's viewing hours?

**Mr. Myles Ellis:** We did review the suggested amendments and we found ourselves asking ourselves whether this would do what we wanted it to do, whether it would get at the broader areas of concerns

we have, not only about television. We didn't see that it would. So we're saying, as we said in our submission, this may or may not address some of our concerns, but we're looking at something much broader and more comprehensive than that.

At the same time, as teachers, we have to be concerned about something being overly censored. So we were not certain about how much power the CRTC was going to have, who was going to pay for it, where the funding was going to come from, and even if you did all that, were they going to be able to address the much broader concerns we had? So when we looked at it in that regard, we said in its form and in the intention we see, we can't support it right now.

**Ms. Shari Graydon:** I also didn't see the bill as being practical in terms of achieving its objectives, so I didn't support it for that reason.

I would like to add one quick thing. It sounds as if the CRTC suggested a form of financial penalties. I would like to recommend that if this is the direction in which this committee or the government goes, the financial penalties levied against broadcasters should go to media literacy programming.

• (1635)

**The Chair:** Thank you for that.

I have one comment to make about your presentation, when you mentioned that 50% or 70% of children have televisions in their rooms. When I was younger I was always denied television by being sent to my room. I wasn't sent to my room to watch television. So I think again, yes, as parents and as grandparents, we all should take a big look at what our children and grandchildren watch.

Thank you very much for attending.

**Hon. Jim Abbott:** If I may, I wanted to give our committee members some information. At the last meeting, we had asked for information from the CRTC. I have also received a communication from Mr. Cohen on this particular topic, which I have advanced to your offices. I made sure it was translated, and it relates to the information we were asking for from the CRTC.

I wanted you to be aware of that so you could be looking for it.

Thank you.

**The Chair:** Thank you.

Yes, Mr. Ellis.

**Mr. Myles Ellis:** Just very quickly, we do have some materials here to share that we've produced at the CTF. If anyone is interested, you're very welcome.

**The Chair:** Thank you.

We'll recess for five minutes.

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\_\_\_\_\_ (Pause) \_\_\_\_\_

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• (1640)

**The Chair:** Just before we ask our next witness to come forward, Mr. Chong has asked for a minute to suggest something we may look at in the future. It's going to be very short; I'll make sure of that.

If you could, please, just...because you approached at the end of the last meeting.

Go ahead, sir.

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Thank you, Mr. Chair.

Last week, the CBC broadcast the Canadian Songwriters Hall of Fame gala, and during that broadcast they cut out the francophone portions of the broadcast. What ensued was a great controversy, wherein many people were quite upset that the CBC had done this. In particular, singer Claude Dubois voiced his strenuous objections to it.

Since this is the heritage committee, which has oversight over the CBC, I want to point out that the 1991 Broadcasting Act mandates that Radio-Canada and the CBC provide programming that—there are three points: actively contributes to the flow and exchange of cultural expression; is in English and in French, reflecting the different needs and circumstances of each official language community, including the particular needs and circumstances of English and French linguistic minorities; contributes to shared national consciousness and identity.

I think the third section is the most relevant to this controversy. I also think we have here an opportunity as a committee—because I sense that the study of the bill in front of us today is winding up—to have CBC appear in front of our committee to explain how they are fulfilling that part of their mandate, in particular the part of their mandate that demands that they contribute to shared national consciousness and identity. I think there might be an opportunity for the committee to take a look at this for one or two committee meetings.

**The Chair:** Okay. My thing is that....

Mr. Bélanger, be very short. We're not going to get into discussion. We have a witness here today on this. Can I ask that we think about what Mr. Chong has said here? I don't want to hold the witness up any longer. We'll deal with this at our next meeting.

•(1645)

**Hon. Mauril Bélanger:** Mr. Chairman, very quickly, I don't have a difficulty with Mr. Chong's suggestion. I just need to advise you that another committee has decided also today to look at this—the official languages committee—so we may need to coordinate it.

Finally, Mr. Chairman, I think we should consider perhaps adding on to our next meeting, because as this may indeed be winding up, there are a number of other issues already on the table that we have to look at, and I would be quite prepared to add another one—where the Portrait Gallery of Canada should be located, for instance.

There's an awful lot of work we have to do.

**The Chair:** Be very brief, Madame Mourani, because Mr. MacKay is patiently waiting for us.

[*Translation*]

**Mrs. Maria Mourani:** Mr. Chairman, I agree with my colleague, but I am going to approach it from a different angle. The justification for only broadcasting the English-language portions may be that the CBC is the English-language network. I wonder whether Radio-Canada, the French-language network, could broadcast the French portions of the gala? The issue that I raise is even more specific than the one that you raised.

[*English*]

**The Chair:** Since I've given everybody a chance, I have to give Mr. Siksay one.

Make it short, please, and I'll accept it.

**Mr. Bill Siksay:** Thank you, Chair.

I think we were all very concerned about the situation that arose from that particular broadcast. I understand the CBC has issued an apology that indicated they had made an error in judgment when it came to their decision around this.

That doesn't preclude the committee taking a look at it. I wonder, though, whether Mr. Chong shouldn't submit a notice of motion to the committee. It seems to me that's the way other things have gotten onto our agenda, and I wonder whether he might consider doing that so that we could consider it at a future meeting.

**The Chair:** That would be my suggestion.

With that put aside, we've used some valuable time here, which we're taking away from our next witness.

Our next witness is here as an individual, Mr. Al MacKay.

**Mr. Al MacKay (As an Individual):** Good afternoon, Mr. Chairman. Thank you very much for the invitation to appear before you today.

As you know, I'm not representing any particular organization, but rather participating as an interested Canadian, as a father of three—and in spite of the hair, not a grandfather yet—who's been intimately involved with the issue of violence in television for more than 15 years from a number of different perspectives.

I've provided to the clerk a brief summary of my involvement with the issue of violence on television, and I understand that's been circulated to you, so you can see that I have played a role in most of the major initiatives that have happened in the violence-on-television dossier since the early 1990s. While I am now retired from the broadcast industry, I continue to be involved as a bit of an elder statesman, one who was actually there when the codes were developed, when the classification system was created, and when media literacy initiatives were first undertaken.

While I do have an opinion of the proposed legislation in front of you, I see my role today more as a resource for this committee, to be available to perhaps provide some context, clarification, and increased understanding of how the broadcast industry, the regulator, and the government have dealt with this in the past, and continue to deal with it today. To that end, I don't have an extensive opening statement, believing that my limited time with you is probably best served by being available to answer your questions.

For example, in watching the committee's recent deliberations, I know there's confusion over the title of the broadcaster's code on violence on television. Why is it called a voluntary code when in fact it's a condition of licence? Well, the answer to that lies in history, because today's code is a successor to the self-regulatory violence code that was first created in 1987, entitled the voluntary code on television violence—and when it was updated in 1993, the title just carried over. Furthermore, it was only when the CRTC approved the code that it stated in its public notice that adherence to that industry-developed code would be a condition of licence at any upcoming licence renewal hearings and for all new licensees. They just never got around to renaming it.

During one of your sessions last week, there was a committee member who asked about a statement attributed to Keith Spicer, chair of the CRTC in the nineties, referring to a 10-10-80 approach, with 10% being industry codes and standards, 10% technological tools such as classification systems and the V-chip, and 80% being public awareness, education, and media literacy.

I was there in October 1995 when Mr. Spicer made that comment at the opening session of national hearings in Hull, following regional public consultations on what should be done about violence in television. It was his firm belief that there were three pillars to a strategy to protect children from the harmful effects of violence: one was a collaborative and a cooperative approach, with all sectors in broadcasting, the cable industries, and the programmers accepting the responsibilities; two, parents had to play a role in their children's viewing and utilize empowering technologies such as the V-chip, which worked with the classification system; and three, ongoing public awareness and media literacy, the most important element of the successful approach to dealing with the issue of violence on television.

You talked with Cathy Wing of the Media Awareness Network last week, Mr. Chairman, and there was some mention about their undertaking some fresh research on questions that had been raised during your discussion. While additional research would be very useful in expanding our knowledge base, I suggest the committee take that further.

Media literacy has been clearly identified by a previous generation of this committee, as well as the CRTC, as the most critical element of the multi-faceted strategy that we've put in place in this country to deal with violence on television. I firmly believe this committee should work to ensure that the Government of Canada provides secure and long-term funding to this internationally respected organization, which is doing great work for Canadians, with limited financial resources. You've heard the accolades given to the Media Awareness Network by previous witnesses.

The codes and the tools are in place, and in my view they're working. The media literacy part of the strategy needs more support, but through more than just project funding.

• (1650)

Mr. Chairman, the last time this committee examined the issue of violence on television was in 1993, when the Standing Committee on Communications and Culture released its report "Television Violence: Fraying our Social Fabric". Following extensive hearings—in which I participated—that report put forward a number of

recommendations on how the CRTC could use its regulatory authority to work with broadcasters to ensure children were protected from the harmful effects of television violence. The report did not suggest that changes to the Broadcast Act were necessary, nor did that suggestion ever arise at all the hearings conducted by the CRTC. I believe that approach was valid then and is still valid today.

I believe we have a good system in place. It's one of the most comprehensive in the world, and it's been working well for more than 15 years. It's one in which there are effective regulations and an effective regulatory mechanism system. It's a balanced system that has been built with the primary objective of protecting children while at the same time preserving freedom of expression. It minimizes direct government intervention or regulation of program content, which is a minefield that I think most everyone wants to avoid. And, as do many other jurisdictions, it makes education a cornerstone.

Before I go to questions, I'd just like to pick up on an observation made by Monsieur Bélanger. During the national hearings in Hull, Chairman Spicer noticed that there was a group of children at the back of the hearing room. They had been brought in by a teacher as a field trip to see how a government commission worked. Keith had exactly the same idea that you did. So much to the consternation of his officials and those who were running the hearing, he just put a stop to all of the proceedings with the witnesses, and he said let's get those kids up here. It was quite an education. The kids were not prepared. There were no presentations or anything, and the commissioner just talked to them about what they thought about all of this. It would be a good exercise for this committee as well, I think. So I support your approach.

Mr. Chairman, that concludes my introductory remarks. I'm available for questioning.

**The Chair:** Thank you.

First we go to Mr. Scarpaleggia.

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** You've whetted our appetite. What did the kids say?

**Mr. Al MacKay:** It was interesting, because a lot of the parents were complaining about programs like *The Simpsons* and everything like that. The kids said that was their favourite show. They didn't see anything wrong with it. They knew the difference between right and wrong, what was real and what was imagined. They were very open and they were very frank. I think it was a refreshing change from all the vested interests who were in front of the commissioner.

• (1655)

**Mr. Francis Scarpaleggia:** I didn't have the opportunity to read about your background. Perhaps you could briefly, in a few seconds, tell us the source of your interest in this issue.

**Mr. Al MacKay:** I was in broadcasting for more than 30 years.

**Mr. Francis Scarpaleggia:** Were you a producer?

**Mr. Al MacKay:** I was a journalist and then I was in management.

**Mr. Francis Scarpaleggia:** Was that for a private network?

**Mr. Al MacKay:** It was for CTV. I was the station manager of CTV here in Ottawa in the 1980s and 1990s. As a parent, I was interested in the issue. There were not a lot of people stepping up to the plate to get involved on behalf of the industry. I thought it was important that whatever we do, we do right. So I got involved and ended up being involved in helping write the industry code. I have appeared in front of this committee and in front of the CRTC. I've participated in numerous conferences, including the C.M. Hincks conference, which really kicked this whole thing off in the early 1990s. I also led the development of the classification system, the creation of the onscreen icons, and most recently I supervised the roll-out of encoding for V-chip technology for the industry.

**Mr. Francis Scarpaleggia:** Could you elaborate on the onscreen icons? They don't come to mind. Every now and then you'll see a little box. Could you just refresh my memory?

**Mr. Al MacKay:** It's a black box that will appear at the top left-hand corner of your screen. It's square and there's a little bit of a maple leaf on one corner of the box, and the classification of the program will be in it. It's up for about 15 seconds at the beginning of any program that has to be rated.

**Mr. Francis Scarpaleggia:** I'd like your comment on this. In my understanding, there are maybe a couple of cross-cutting issues.

One is that, as a parent, you just want to be able to sit down from time to time with your children and watch a few hours of television and know that you will not have to switch the channel all of a sudden or that your children will be frightened by some violence or whatever. So you tend to think, "There are certain channels I will not go to, but I will go to CTV, or CBC, between this hour and that hour, and I should be fine."

In my view, as a parent, as long as I have this space that I can trust at certain times of the day, I really don't have any other problems, because I can use a V-chip or I can reprogram my box to block out certain channels and what have you. That's when you're talking about young children.

Then, of course, there's the issue of the age of the children. At a certain point it's very hard for you to control all their viewing. That's where, I guess, media literacy comes in.

On the topic of media literacy, you get the sense that we're just putting our finger in the hole in the dike when it comes to educating about media. It's just so overwhelming what is out there. You might get the message across to an adolescent for a little while, and then you just feel that the message will be lost for a time anyway because of the omnipresence of questionable content. But do you find that these media literacy programs work? Do they have an impact? Have we been able to measure the impact?

Another part of the question would be, are they offered fairly broadly in all provinces and all schools? Is it one hour a month? Is it one hour a year? Is it an intense kind of program? I can't imagine that it would be; there are so many subjects that children are learning in school and there are so many activities.

• (1700)

**The Chair:** We have to get an answer, Mr. Scarpaleggia. We're over the time here.

**Mr. Francis Scarpaleggia:** Absolutely. I'll leave the floor to Mr. MacKay.

**The Chair:** Mr. MacKay.

**Mr. Al MacKay:** There were a lot of questions in there. Let me just say, from the perspective of media literacy, that I was a founding director of the Media Awareness Network and a past chair.

The approach of media literacy is that when your child is young, you teach them the rules of the street. You teach them that when they go to the corner, they have to look both ways. They have to watch out for traffic. They're not supposed to talk to strangers, things like that. You streetproof your child as they're growing up so that they become safe and aware in their neighbourhood. The challenge today is to do the same thing with your children as they're growing up.

The Media Awareness Network, through its website, which has literally thousands of pages, offers all kinds of help for parents. It offers teaching materials for schools, and I know they have teaching modules that they have been successfully marketing to some school boards. As to the extent of that, I'm not really current on it.

There are the tools there, and I think the issue of just making parents aware that they have to media-proof their kids the same way they streetproof them in terms of growing up in the neighbourhood, because the media is so much a part of their environment.

**The Chair:** Thank you for that.

We will now go to Ms. Mourani.

[*Translation*]

**Mrs. Maria Mourani:** Thank you, Mr. Chairman.

Good afternoon, Mr. MacKay. Thank you for coming along today to share your expertise with us.

The president of the CRTC told us that it would be worth considering a third sanction as a mid-way point between the on-air apology and licence suspension. He suggested fines, what is your view on this?

[*English*]

**Mr. Al MacKay:** Well, the CRTC would be the one that would best answer that, and you've already heard from them. I would just make an observation as a former broadcaster who spent the better part of 25 years at a local television station. When you're a local broadcaster, it's just not necessarily the programs you broadcast; it's the role you play in the community.

The suggestion is that if you are found to be in violation of the code or the rating system and you have to issue an on-air apology, that doesn't mean very much. I would argue that it means an awful lot.

Broadcasters are constantly positioning themselves as community citizens, being actively involved in their community, and nobody wants to have to air an apology saying—"this may be non-parliamentary language—" "We screwed up", especially when it's followed by perhaps a promotional spot saying "Watch our telethon", as we try to help the cancer hospital.

It's a very strong deterrent. Once you've been through having to issue an apology for making a mistake in what you've done, you don't want it to happen again.

As to the monetary side, it's really for the commission to answer that question.

[*Translation*]

**Mrs. Maria Mourani:** Are you saying that you would oppose the introduction of fines?

[*English*]

**Mr. Al MacKay:** I would say that I don't have the ability to give you an informed opinion. It's the commission that has to make that decision, not me.

[*Translation*]

**Mrs. Maria Mourani:** Ms. Graydon said earlier that the way in which the code is currently administered is unsatisfactory. She also pointed out that it contains no real disincentives: in theory, broadcasters can lose their licences; but, in practice, that has never happened. Indeed, she told us that five years went by before sanctions were imposed on CHOI-FM. Furthermore, the burden of proof lies on consumers. She believes the complaints-based system to be frankly dysfunctional. I am only repeating what was said.

What do you think?

• (1705)

[*English*]

**Mr. Al MacKay:** Well, the CRTC has been working on a complaint-based system ever since it got started. That was viewed as the regulatory approach that was going to be the most effective for the resources that were available.

[*Translation*]

**Mrs. Maria Mourani:** So you believe the current complaints-based system to be effective?

[*English*]

**Mr. Al MacKay:** From my perspective, I would say yes.

And perhaps just to talk a little bit more about what Shari mentioned earlier, back in the 1990s when we were dealing with the formation of the codes and the national hearings were being set up, the question arose of whether there should be a body set up to screen all these programs before they go to air. Somebody did the mathematics, and it was in the tens of thousands of hours of programming that would have to be screened.

From a practical, operational basis, it just would not work. I know, for example, that in many cases a lot of the prime time programming that is delivered to stations is only delivered on the day of the broadcast, because the timeline for production is so close to air time. It's not available three or four weeks in advance, which you'd require if those were supposed to be pre-screened by a particular body.

What the broadcasters do is, when they do get it in, they screen it against the Canadian standards, because all broadcasters are responsible for what they put on the air. So there is screening related to Canadian standards. There are all kinds of instances where edits have been made in programs and decisions have been made in programs, where the Canadian station has made changes to the

shows so that they conform to the standards that have been agreed to in the Canadian system.

**The Chair:** Thank you.

Mr. Siksay.

**Mr. Bill Siksay:** Thank you, Chair.

Thank you, Mr. MacKay, for being here.

I have a couple of quick questions, given your extensive background in developing the system that's in place. I really appreciate that you're here with us today. I'm glad you referenced the 10-10-80, because I felt rather proud of myself for finding that when I was Googling around the Internet, although my sense of timing of when Mr. Spicer actually made that comment was a little off and I confused the witnesses that day.

It strikes me that you've worked hard on the code part, that 10%. On the technological part, there's been stuff there. But it seems as if the 80%, which was the significant piece, is the place where maybe we haven't done so well.

Is that your sense of the way things are today, that the media awareness, media literacy piece of that is the one that is the least successful of those three pieces of the three pillars?

**Mr. Al MacKay:** I would say that the media awareness part of the puzzle is as successful as it has been able to be. The material the Media Awareness Network has been able to turn out on its website—and I urge all members of the committee to take a look at it—and the quality of the material that's available has been remarkable for an organization with very small funding. I think it's slowly being recognized across the various educational platforms that maybe literacy is an important thing.

I think the problem a lot of teachers have is that they're being asked to do a lot of things parents used to do. They're trying to figure out when they have the time to teach the reading, writing, and arithmetic.

I don't think media literacy can be avoided. I know it's part of the curriculum in Ontario for particular grades. I'm not sure when it kicks in—I'm not an expert on that—but the more it's paid attention to at earlier ages, the better it is for everybody.

**Mr. Bill Siksay:** Do you have a sense of how parents' media literacy might be improved, given your experience in the industry?

**Mr. Al MacKay:** I think sometimes parents just aren't aware of the effects of particular program elements on their kids. Parents today are very busy. The circumstance in most households is that both parents are working. They're harried, trying to keep up to speed with everything from homework to hockey practice to ballet class. Trying to dump something else on them is a challenge. I know I've been there.

It would be up to the folks at the Media Awareness Network, who are the experts at this. There are all kinds of initiatives I think they would like to pursue that would be beneficial to parents, like maybe a little pamphlet on a milk carton or something like that. All of that takes money, time, and organizational ability. They just don't have the resources to do that.

• (1710)

**Mr. Bill Siksay:** Do broadcasters have a role to play in increasing media literacy in Canada, in terms of using the airwaves to do that, but also in terms of funding the kind of outreach work and education work that seems to be required right now?

**Mr. Al MacKay:** Broadcasters have been very good in their past support of the Media Awareness Network. There have been many instances, in terms of ownership changes and transfers and the benefits that flowed from those transactions, when the Media Awareness Network was listed as a beneficiary. It has been kept alive and kept going because of the support of the broadcasting community. I think more needs to be done.

I was very honoured to be given a special award at the November CAB convention for my work in the field. I used the opportunity to suggest that they could do a little more. They could do more about the rating system on their website, and they could promote the use of the V-chip on their website. We've been in this regime now for a number of years, and that would not be out of line with continuing their service to their community.

**Mr. Bill Siksay:** What is V-chip usage like in Canada at the moment? I know you're one of the experts on the V-chip.

**Mr. Al MacKay:** We haven't done any surveys in a long time, and I really can't give you a good answer. I would suspect, from the turnover in television sets, that probably between 75% and 80% of the sets today are V-chip equipped.

How many parents are using it? We don't know. That would be research the Media Awareness Network could undertake that would be very valuable to all of us.

**Mr. Bill Siksay:** You were talking with Mr. Scarpaleggia about the icons. You mentioned that the icon is there for 15 seconds at the beginning of a program or whatever. Was there ever thought given, for programs that have violence or for adult kinds of programming, to having the icon remain there throughout the whole program?

I know that broadcasters' icons tend to stay on the screen the whole time now so that the network's symbol is there. If parents came into a room, they could tell immediately if their child was watching a program that had an adult rating or a violence guideline associated with it, rather than having to sit and watch programming for a few minutes to figure out what the kids were actually watching.

**Mr. Al MacKay:** The icon was never part of the original plan. It was put forward by the industry as an interim step, because there were some real technological difficulties in bringing the V-chip online. It was new technology, and in the national trial we undertook there were a number of bugs in the system that came to the fore.

I think what's even better than keeping the icon up is that on programs that are intended for adult audiences, most broadcasters now repeat viewer advisories when they come out of a commercial break. Every time you come back to a program from a commercial, there is a very clear description of the content of the program, and it provides a cautionary warning. The broadcasters are very good about doing that.

**The Chair:** Thank you. Now we go to Mr. Abbott.

**Hon. Jim Abbott:** Thank you, Mr. MacKay, for your expert testimony here today.

Again, just by way of information for my colleagues, the topic that I had requested information on from Mr. Cohen was administrative monetary penalties. I have now forwarded that to the clerk. She will be translating it, and it will be coming out in due course.

I would like to question Mr. MacKay about administrative monetary policies.

Are you familiar with them, or with that concept at all?

**Mr. Al MacKay:** It's not something I have any expertise in, sir.

**Hon. Jim Abbott:** I don't have any expertise either, but I have a wee, tiny description that may help the two of us through this. My understanding of administrative monetary penalties is what we were told by Mr. von Finckenstein when he was here: that he had a scalpel or a great, big club and he didn't have anything in between to penalize or to bring some kind of action into force to enforce these rules.

We in turn, for your information, Mr. MacKay, asked that the CRTC provide his ideas to us. Now, as a result of my request for information from Mr. Cohen for his opinion, we have his perspective. I'd be interested in yours.

In your judgment, if there were some conceivable way, and I don't think it's doable, to repair this bill and use it as a vehicle to get things such as these penalties into effect, is it something we should even be bothering with? Is it something that in your judgment would be desirable? Should the CRTC or any other regulatory or influencing body have additional tools, which perhaps would give them monetary penalties as tools in their tool kit, to handle these issues?

• (1715)

**Mr. Al MacKay:** There is I think a monetary penalty that exists now, in the sense that broadcasters are required to adhere to the code as a condition of licence. If they are members of the Broadcast Standards Council, that condition of licence is suspended, but the way the Broadcast Standards Council works, if I remember my operational manual from when I sat on the Ontario regional council, is that if there are a number of infractions by a particular broadcaster—I think it's three—that membership can be revoked. Then all complaints against that broadcaster are not dealt with by the council but are dealt with by the commission, and they go into the station's record, which is dealt with at the time of licence renewal.

Licence renewal for a television or radio station is a major undertaking. It takes a lot of time; you usually have expensive legal help that is helping you put your story together, which you take to the commission. If the commission turns around and tells you that you haven't been much of a good corporate citizen and that they're only going to renew your licence for maybe two years, and then you have to go through the whole process again, that is a monetary penalty that exists now. But it's not in the neighbourhood of a fine, if I'm making myself clear.

**Hon. Jim Abbott:** Exactly, but it's the atomic bomb that destroys the station, I suppose.

**Mr. Al MacKay:** I don't think it destroys the station, because they still get their licence renewed, but it's for a very short period of time, and they have to go through the whole process again in order to come back after two years, whereas normally a licence is renewed for five or seven years.

**Hon. Jim Abbott:** And in the case of CHOI, they did not and as a consequence lost their licence. Is that correct?

**Mr. Al MacKay:** I believe so.

**Hon. Jim Abbott:** I think that's correct. But I guess this is the point. I'm asking for your opinion, and I'm rather getting the impression that you're saying that the way things are right now vis-à-vis television per se, which is what this bill exclusively deals with, although there can always be improvements, the fact of the matter is that this bill really doesn't do anything at all to get at what we all would desire to get at. This bill isn't an instrument to do it.

**Mr. Al MacKay:** I would agree with that, sir.

**Hon. Jim Abbott:** Thank you.

**The Chair:** Thank you.

Mr. Scarpaleggia, please. Just stay to the time limit this time.

**Mr. Francis Scarpaleggia:** How long is that?

**The Chair:** I'll give you five minutes.

**Mr. Francis Scarpaleggia:** I don't think I need all of it.

What seems to be coming out of our discussions on this bill is that media literacy is important, but it's also a lot about educating adults.

I remember when I was working with some anti-tobacco people during the time of anti-tobacco legislation. They were very skeptical of industry initiatives to discourage tobacco use. They were skeptical of government initiatives to discourage tobacco use, because they found it didn't work. It didn't work for various reasons, because the companies didn't take it seriously and because governments sometimes had good but misguided intentions.

I believe in your good faith and expertise on the subject, but just telling parents to visit the website and educate themselves won't be effective, because parents don't have time. Basically, the industry is telling them to take a course in media literacy. Of course, as parents, they say they know what's good for their kids and they don't need to do anything.

Should the industry be doing a little more outreach? Should they be educating parents by showing more public service announcements at their own expense? I don't mean the kind of amateurish public service announcement that is a signal to go to the kitchen for a cup of coffee. I mean good, powerful public service announcements, paid for by the industry. They could refer to a website somewhere, but they would be dramatic public service announcements about speaking to our kids about violence on TV. Do you think the regulator should be pushing a little harder on this?

• (1720)

**Mr. Al MacKay:** In the past, we've done that as an industry. In the 1990s, the Canadian Association of Broadcasters undertook two major campaigns directed at speaking out against violence in our communities. There was a strong reaction to it, a very positive reaction. It was a partnership with Heritage Canada and a number of other government departments. It could be a good time for another one of these initiatives to return.

**Mr. Francis Scarpaleggia:** Maybe it should be on a more continual basis.

**Mr. Al MacKay:** You talked briefly about parents having to take a course in media literacy. It's not necessarily a course. There are places on various websites where there are little 10-point plans. It's simple: print it off, stick it on your refrigerator. Some of them are so simple. If there is a computer in the house, keep it in a place where parents can keep an eye on it. They don't have to stand behind their kids all the time when they're online, but if it's squirrelled away in the family room or a bedroom, you don't know what's happening.

**Mr. Francis Scarpaleggia:** Here's a suggestion. Maybe the cable companies, when they send your bill, should insert something about this.

**Mr. Al MacKay:** Rogers has done that in the past. They've been a good corporate citizen.

**Mr. Francis Scarpaleggia:** Okay.

**The Chair:** Mr. Malo.

[*Translation*]

**Mr. Luc Malo:** Thank you, Mr. Chairman.

Thank you for being here with us today, Mr. MacKay. It is already ten years since you published your book on the V-chip. From what I understand you to have said, there has been no real evaluation of the use and effectiveness of the V-chip. Is that correct?

[*English*]

**Mr. Al MacKay:** Allow me to clarify: it wasn't my book. I wrote one chapter in a book that was published by somebody else.

To respond to your question, no, we have not done any national surveys that I am aware of about the use of the V-chip in Canada. There have been some studies done in the States, funded by the Pew Research Center and the media, but there have not been any studies done since the encoding for the V-chip was introduced in 2001.

[*Translation*]

**Mr. Luc Malo:** Do you think that studies ought to have been carried out? If so, by whom?

[*English*]

**Mr. Al MacKay:** I think it's worthwhile to do. I think an organization with the reputation of the Media Awareness Network would be a great place to start, but they would need financial support to make that happen. Perhaps the heritage department might wish to kick in, and perhaps Health Canada might wish to kick in.

[*Translation*]

**Mr. Luc Malo:** I appreciate that you are perhaps not completely objective with regard to the code since you wrote it. However, I would like to ask whether you believe it to be perfect? Does it adequately address the public's concerns with regard to monitoring the violence on television to which young people are exposed?

•(1725)

[English]

**Mr. Al MacKay:** I think it's very effective, especially in terms of children's programming. It was one of the first codes of its kind in the world that put very severe limitations on the depiction of violence in children's programming. I think it has played a major role.

One of the things that sets this country apart is that its children's programming, by its very nature, is very non-violent. I think we have an enviable reputation around the world for the calibre of our children's programming. If, again, you're looking for something proactive to do, the more funding there is to produce better children's programming, the less reason to put on less better children's programming.

[Translation]

**Mr. Luc Malo:** Thank you very much.

Thank you, Mr. Chairman.

[English]

**The Chair:** Thank you.

With that, Mr. MacKay, thank you very much for attending today. Your knowledge is greatly appreciated by this committee.

**Mr. Al MacKay:** I'm glad to participate, Mr. Chairman. If there's anything more I can provide, I'm at your disposal.

**The Chair:** Okay. Thank you.

Just before we adjourn, I will say that we won't have any witnesses at our April 1 meeting. What I hope to do is sit down and get direction on where we're going, where this committee is going to go.

[Translation]

**Mrs. Maria Mourani:** What happened to Mr. Caron?

[English]

**The Chair:** Yes.

One of our witnesses today got caught in a train. The train went backwards instead of forwards. So I think, in fairness, we can talk about that on April 1.

With that, I wish everyone a good two weeks of constituency work.

Ms. Mourani, very short, please.

[Translation]

**Mrs. Maria Mourani:** Mr. Chairman, in the spirit of collegiality, we could perhaps agree to have Mr. Caron appear before us. It is a bit of a shame: first, he came all this way to meet with the CRTC and now he has had a problem with his train. Let us just agree to hear from him. At least let Ms....

[English]

**The Chair:** Okay.

I'm not saying we're not going to meet with them. We'll decide how many more witnesses we might want to see. There have been some other suggestions here today. We'll deal with that.

Yes, Mr. Bélanger, very short, please.

**Hon. Mauril Bélanger:** Mr. Chairman, is there any way we could either delegate this to a steering committee or have some sort of a conference call over the next two weeks, so we don't take a whole meeting on April 1 to determine...?

Personally, unless we're going to have Monsieur Caron, and perhaps some kids, I'd be prepared to go to clause-by-clause. I'd love to have a commitment to see what the CRTC has to propose and perhaps even deal with the bill in the first week we're back.

**The Chair:** Well, that would be my understanding, too, when I'm talking about when we're back that first week.

My thing is that when we get into saying it's not going to take very long to do some of this stuff, it does take a long time.

Catherine will look after getting various materials to people over the two weeks; we'll come back on April 2 and we'll decide where we're going. That's how I want to do it. I want to be fair to Ms. Mourani. She has said that the Bloc hasn't had any of its witnesses here. I want to treat everyone fairly.

So on April 1, we'll decide where we're going to go, we'll make sure that if we're going to have more witnesses we'll do that, and if we have to, then we'll....

**Hon. Mauril Bélanger:** Mr. Chairman, you have said—and I don't think you're sensing much disagreement—that you want to accede to Madame Mourani's desire to hear Monsieur Caron. Why don't we schedule him for the first hour, if we can, and then take the second hour on April 1 to determine—

**The Chair:** All right.

**Mr. Ed Fast:** Mr. Chair, just so we don't lose any time, if in fact we're going to have Monsieur Caron here, and we have the intention of bringing children as well, then we might as well have kids here on the same day. Then we can wrap it up the following...and go to clause-by-clause.

**Hon. Mauril Bélanger:** Do you have any thoughts, Mr. Chair, as to who, and where we get the kids?

**Mr. Ed Fast:** Find the kids. I'd love to hear them.

**Hon. Jim Abbott:** Can I bring my grandson from Edmonton?

**Hon. Mauril Bélanger:** Bring your grandson.

**The Chair:** Are there any suggestions, now that anything I had suggested is not going to happen?

We have Mr. Caron for the first part and we have some kids....

•(1730)

**Hon. Mauril Bélanger:** Can we make a suggestion to the clerk to arrange for that?

**The Chair:** Yes.

**Hon. Mauril Bélanger:** Fair enough.

**The Chair:** If we get through clause-by-clause at the next meeting, then we'll talk future business. That's what we're going to have to do.

Mr. Siksay, go ahead.

**Mr. Bill Siksay:** Mr. Chair, I'd just like to flag one other issue. If we are going to look at this issue of administrative fines that the CRTC has suggested, I think it would be appropriate to ask broadcasters to come back and respond to the suggestion, given that it is a new idea. I don't think we've had an opportunity to hear from people who would be directly affected by that. That's another piece. If we're going to have that kind of proposal, we should have the ability for those folks to respond to it.

**The Chair:** Yes. If we're going to do that, we will arrange it on April...

Yes, Ms. Mourani.

[*Translation*]

**Mrs. Maria Mourani:** Mr. Chairman, if I understand you correctly, we will use the first hour to hear from Mr. Caron and the children.

[*English*]

**The Chair:** No, the children will be in the second...

[*Translation*]

**Mrs. Maria Mourani:** You are saying that we will move on to something else on Thursday. Is that correct? Fine, thank you.

[*English*]

**The Chair:** On Thursday we'll probably be doing clause-by-clause...that we look after this bill next week.

The meeting is adjourned.

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