

Entertainment & Media Law Signal

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Bully Beatdown Gets a Thumbs Up (or, How the CBSC and CRTC Function)

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A recent Canadian Radio-Television Telecommunications Commission (CRTC) decision finding that MTV Canada's broadcast of the show <u>Bully Beatdown</u> did not violate the Canadian Association of Broadcasters' Violence Code offers a good opportunity to review the relationship between the Canadian Broadcast Standards Council (CBSC) and the CRTC - a useful reminder as we await the <u>outcome of the CBSC's review of its earlier decision</u> on the radio airing of the Dire Straits' song Money for Nothing (see here and here and here and here for earlier Signal coverage of the matter; also worth reading is the CBSC release entitled Some Important Clarifications about the CBSC's Dire Straits Decision, which is not just informative, but fascinating reading from a public relations standpoint).

Some background on the *Bully Beatdown* decision. In April 2009 the CBSC received a complaint about MTV's broadcast of the show - this file contains the original complaint, the response from MTV and some subsequent correspondence from both sides. The complaint asserted that the broadcast of the show, in which a victim of bullying is afforded the opportunity to see his or her bully engage in mixed martial arts combat with a professional MMA fighter (there's a monetary component to the show which is, frankly, entirely besides the point), violated the *Canadian Association of Broadcasters' Violence Code*.

In April 2010, the CBSC released its decision in the matter (<u>CBSC Decision 08/09-1667</u>), in which it concluded that the broadcast of the show did not violate the CAB Violence Code:

In the end, although sympathetic to the complainant's concerns about the best societal solution to the bullying problem, the Panel finds no breach of any of the foregoing standards as a result of the type, timing, or advisory choices regarding the violent content of the challenged episode of *Bully Beatdown*.

The complainant requested that the CRTC review the CBSC's decision (an explanation of the relationship between the CBSC and the CRTC as it relates to CBSC decisions can be <u>found here</u>). The complainant wanted the CRTC to review the decision particularly with respect to the fact that the CBSC did not find that there was a violation of Section 3.1.1 of the CAB Violence Code - the so-called "watershed" provision which requires that programming containing scenes of violence intended for adult audiences be aired only after 9pm.

In March 2011, the CRTC released its decision in the matter (

Broadcasting Decision CRTC 2011-160

). The CRTC confirmed the CBSC's decision that the broadcast of Bully Beatdown did not violate the CAB Violence Code, and in particular, that the scenes of violence contained in the program "were not of such an explicit or graphic nature as to necessitate relegation of the broadcast of the program to post-watershed hours".

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