

The code contains no penalties or policing mechanisms but the Tribunal can investigate complaints and conduct spot monitoring of certain programs which have drawn an unusual number of complaints. It can also review the practices of television stations at licence renewal times and can enforce its rules through a number of measures spelled out in the Standards. The enforceable rules regarding violence on television can either be made by the Tribunal as program standards or as licence conditions.

4. Other Countries

New Zealand has adopted a system which in large part is based on the Australian model. France, Italy and Germany also use regulations to control violence on television.

The members of the Committee were surprised that violence on television is a recognized problem to which there is no real solution. Many of the witnesses appearing before the Committee made this observation, including Judith Campbell from the Parents' Association who said, "This is an incredibly complex problem that can't be solved by the usual means of government regulation. It is one that has to be approached from the perspective of many options for a solution."

The complexity of the problem is compounded by the underlying conflict which it represents between protectionist values, asserted by those who favour regulation and censorship as solutions, and free speech values, asserted by those who oppose any censorship as a matter of principle. The Government walks a fine constitutional line in taking any actions to curb television violence. It is at least clear that any measure it adopts which might be seen to impinge upon the freedom of expression guaranteed in the Canadian Charter of Rights and Freedoms can be reasonably and defensibly justified within the context of our free and democratic society.

In the Committee's view, the sheer variety and range of possible measures highlighted by witnesses for addressing violence on television underlines the need for, and the wisdom of, a multifaceted approach to addressing television violence. The Committee finds it appropriate to undertake only a brief study of the issue, then the problem is said best to be addressed by a variety of innovative, coordinated, co-operative and graduated responses, accompanied by regular program review and constant vigilance with respect to freedom of expression concerns.

The options set out below do not represent a comprehensive plan, but new ideas and innovative approaches are being explored every day in this regard. In addition, the options listed here cannot realistically be categorized into self-oriented strategies. For efforts to curb violence to be effective, greater care must be taken among the various entities, such as research, public education, industry self-regulation and government regulation.

With respect to the layout of this part of the report, the Committee has opted to deal with the options in an ascending order of intervention. The approach reflects the Committee's belief that legislation and government action should not address the problem of television violence. The options to be explored were listed in the order of many — parents, teachers, researchers, broadcasters, artists, producers, advertisers, regulators, and legislators.