



Canadian Broadcast Standards Council
Conseil canadien des normes de la radiotélévision

2005 / 2006 Annual Report

(For the fiscal year running from
September 1, 2005 to August 31, 2006)

“Private Broadcasting, Public Trust”

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Table of Contents

| | Page |
|------------------------------------|-------------|
| 1. Message from the National Chair | 1 |
| 2. Ethnocultural Outreach Project | 4 |
| 3. Decisions Released in 2005/2006 | 6 |
| 4. Summary of Complaints | 22 |
| 5. Adjudicators | 29 |

1. MESSAGE FROM THE NATIONAL CHAIR

While the CBSC has now been administering the private broadcaster codes for 15 years, there is always news to include in its annual report. It is, frankly, an encouraging part of that yearly responsibility.

COMPLAINTS AND DECISIONS

Although 2004/2005 was a record year, 2005/2006 has been very active, albeit slightly below the previous year's extraordinary levels. There were still an impressive and very demanding 1,917 complaint files opened, one of these giving voice to 43,671 petition-signing individuals. Of this number, though, there were more code-specific complaints than the previous year, with the consequence that the Council's Secretariat actually handled 1,092 files, or 152 more than the year before.

As to decisions, there were 117, a higher number than in any year other than 2004/2005. Of these, 27 were of the formal, public variety, and 90 were the more efficient summary decisions.

THE VALUE OF SUMMARY DECISIONS

It should be noted that, although this category of decisions is rendered without the publicity of the formal Panel decisions, the process actually works for the benefit of both the public and the industry. For a start, only determinations not supporting a complaint fall into this category. Looking at the flip side of that coin, no ruling against a broadcaster will be issued in the form of a summary decision. In other words, any decision rendered against a broadcaster will be a public document. Nothing that could be viewed as adverse to a broadcaster gets swept *under a carpet*.

Summary decisions are only rendered when the complaint is of a genre decided sufficiently frequently in the past by a CBSC *Panel or Panels* that its outcome in favour of

the broadcaster is *undoubted*. This means that the time that would be consumed by a formal Panel adjudication is not taken. The effect of that is that such files, indeed all files, can be dealt with far more efficiently than would be the case if *every* matter were sent to a Panel. If that were the case, every single complaint would be adjudicated by a full Panel and the resolution of all matters would necessarily be considerably slowed down. By using the summary process, the pace of resolution is much faster for each and every complainant. Nor are complainants in summary decision matters gyped. They receive a full explanation of the reasons for the resolution in favour of the broadcaster, including detailed references to, and quotations from, earlier decisions. They know *why* the result is what it is. Fully.

ETHNOCULTURAL OUTREACH

The CBSC continues to make diversity and ethnocultural outreach a major goal. We have annually announced our progress in reaching into communities across the nation with the brochure explaining CBSC processes. To the 38 non-official Canadian languages, we have this year added Bengali and Gujarati, thereby ensuring access to seven Canadian South Asian language communities. In all, on the basis of Statistics Canada's population figures for the year 2001, the CBSC language options extend to 13,338,980 Canadians whose first language is neither English nor French.

OTHER FORMS OF OUTREACH

I continued to respond to queries from the media, who frequently rely upon the CBSC for its perspective on broadcast content issues, and I spoke at several colleges and universities around the country. This year I also made a special effort to visit broadcasters at their stations in order to speak to them about the rules we administer on their behalf. As with those who are in training to enter the industry, broadcasters

find it equally beneficial to have the opportunity to chat directly with the Council about the codes, the decisions and the process. Both opportunities constitute a practice worthy of vigorous pursuit.

During the course of the year, I also appeared before the Senate Committee on Transport and Communications and met, as the CBSC does annually, with the Jeanne Sauvé interns in the program established by Canadian Women in Communications. I also reported to the Annual Meetings of the British Columbia Association of Broadcasters and Western Association of Broadcasters and attended the Annual Convention of the Canadian Association of Broadcasters in Winnipeg. Wearing my CBSC hat, being on the Boards of Directors of the Academy of Canadian Cinema and Television and the Audio-Visual Preservation Trust, I also attended the Board meetings and Annual General Meetings of both organizations.

MEMBERS

This year the number of private broadcaster members crept closer and closer to 600, a highly anticipated threshold. Two of the new members, though, are worth a special mention because they add a new category to the CBSC, namely, satellite radio. The two Canadian licensees in this area are Sirius Satellite Radio Canada and XM Satellite Radio.

It is the Council's expectation that, by the close of the 2006/2007 year, the number of CBSC broadcaster members will exceed 600.

THE WEBSITE

The CBSC's website is the world's window on the Canadian self-regulatory system. That accessibility makes it constantly available to complainants, researchers and other interested parties. The website includes the all-important complaints form, a body of FAQs (frequently asked questions) for members of the public (and a newly-minted equivalent section aimed just at broadcasters), all CBSC decisions, annual reports, Codes, Code annotations, lists of broadcaster members (with links to their web sites), corresponding links for other bodies both Canadian and international, relevant

documents galore, biographies of Panel Adjudicators, and so on. Moreover, we provide a thorough explanation of the CBSC's role and our most important Code provisions in, as noted above, 42 languages.

The best measure of the CBSC's familiarity to the public is the world's recourse to its website. During 2005/2006 "hits" have grown from a total of nearly 5.4 million to 6.25 million annually while the website sessions nearly doubled, from almost 31,000 per month on average last year to nearly 58,000 this year. The total pageviews rose from just over 91,000 to almost 135,000 monthly and the total bytes transferred from 3.6 gigabytes to more than 4.8 each month. It is also fascinating to note that there were visitors from nearly 80 identifiable countries.

THE DECISION-MAKERS

The CBSC always acknowledges, with good reason, the contributions of its Adjudicators. Representing the public and the industry in roughly equal numbers, the Adjudicators are the thinkers, the mediators, those who weigh the challenged broadcasts against the CBSC codes and jurisprudence. By their deliberations and decisions, they set the standards for the future. To them, much is owed by the public and the industry, perhaps even the regulator.

This year, the CBSC has increased the number of Adjudicators in two ways. It has authorized the number of persons sitting on each of its five Regional Panels to a total of twelve, six representing each of the public and the industry. On the two National Panels, there may now be six Conventional Television and six Specialty Service Adjudicators plus twelve public representatives. In addition, the CBSC has established a category of "At Large" Adjudicators, persons not attached to any specific Panel. These Adjudicators may sit on any one of the Panels on an *ad hoc* basis when there is a shortage of Adjudicators for any given meeting. They will represent either the public or the industry, depending on their most recent professional affiliation.

ACKNOWLEDGMENTS

The CBSC is entirely dependent on the skills, enthusiasm and dedication of the volunteer Adjudicators (to whom tribute has been paid just above) and the staff. The efficiency of the Council and its ability to process the thousands of complaints and related queries depend upon our Complaints Officer, Nicole Lafrance, our Ethnocultural Outreach Project Manager Burhaan Warsame, our Director of Policy Teisha Gaylard, and our Executive Director John MacNab. Without them, the wheels do not turn. On behalf of all Canadians, whose interests they serve, and on my own behalf, I express our collective gratitude.

RONALD I. COHEN

National Chair

2. ETHNOCULTURAL OUTREACH AND POSITIVE PORTRAYAL INITIATIVE

The CBSC has continued to place major emphasis on its Ethnocultural Outreach and Positive Portrayal Initiative. As a result, the CBSC has been gradually achieving increased public awareness and understanding of major broadcasting content issues in this country, while simultaneously playing a role in Canadian private broadcasters' stated commitment to cultural diversity.

In the 2005/2006 fiscal year, we expanded our outreach languages and tools, and accelerated our dialogue with key broadcaster and community stakeholders.

ADDITIONAL LANGUAGES

Having noted the fact that the South Asian community is one of the largest and fastest-growing ethnic groups in Canada, the CBSC added Bengali and Gujarati to the mix of languages in which CBSC information is available. The languages were selected based on demographic presence, the quantity of radio and television programming broadcast in these languages and the level of community members' proficiency in either of the two languages.

The availability of the Bengali and Gujarati brochures, print PSAs, and web pages was announced to community stakeholders, including South Asian community associations in general and Bengali and Gujarati ones in particular. We also informed media outlets serving those communities. In accordance with the CBSC's usual practice, we asked publications in those languages to carry our Bengali and Gujarati print PSAs as part of their own community service initiatives.

The addition of Bengali and Gujarati raised the number of languages in which the CBSC brochure, print PSA and website are available to 42. These languages, which reflect Aboriginal, African, Asian, and European

ethnocultural communities in Canada, offer us ways and means to connect more effectively with our stakeholders, whom we access via ethnic community and media associations, educational institutions, advocacy groups, among others.

Although we maintain contact with all of our broadcaster and community stakeholders, the outreach emphasis this year has been on various educational groups and the growing number of Category 2 digital speciality third-language broadcasters.

ESL/FSL TEACHERS

This year our educational outreach efforts focussed on adult language training. Of particular note, the CBSC was present at the *34th Annual TESL Ontario Conference* held in Toronto, which was attended by over 800 ESL (English as a Second Language) teachers from across the province of Ontario. Their interest in materials that could benefit ESL students naturally extended to the multilingual CBSC brochures.

New immigrants becoming exposed to Canada's official languages at ESL and FSL training centers are an important target audience for our multilingual brochures because: 1) they appreciate the provision of information in their languages of comfort as they gradually acquire proficiency in English or French; and 2) as newcomers to this country, they know less of Canadian institutions and are very eager to know about such things like broadcast standards and the role of the CBSC in the Canadian broadcasting system.

As a result of our outreach over the years, more and more ESL and FSL teachers are becoming aware of how well the CBSC multilingual brochures fit into their teaching curricula. Many of these teachers have ordered our brochures as learning-aids for

their students, both as a way to teach vocabulary and as an opportunity for media education.

MEDIA LITERACY ASSOCIATIONS

Another important group that is increasingly using CBCS information materials is media literacy professionals. Among other events, the CBCS attended *Sharefest: Lessons and Resources for the Classroom*, organized by the Association of Media Literacy based in Toronto. The event (which covered a number of media literacy topics, including investigative news reporting, exploring advertising with students, and cultural studies in the classroom) brought together a number of leading media education professionals, some of whom explored ways of incorporating available CBCS information as tools for teaching media to middle and high school students.

With the help of John J. Pungente, President of the Canadian Association of Media Education (CAMEO) and a member of the CBCS Ontario Regional Panel, contact has been made with media education associations in *nine* provinces as well as several other associated organizations. The positive feedback provided by these associations has been gratifying, and many have since ordered additional brochures for distribution to their contacts.

MAINSTREAM BROADCASTERS

As awareness of our ongoing public outreach efforts grows among all of the Council's conventional and specialty broadcasters, many are availing themselves of our multilingual brochures as a tool for connecting with their diverse audiences. Indeed, thousands of the brochures were so used.

Hundreds were on display at a recent *CTV Ottawa Open House*. Hundreds more were available for pickup at the *Télédiversité 2006* conference in Montreal, which was jointly organized by TQS, TVA, and Astral Media. *Télédiversité*, an event dedicated to the reflection and portrayal of cultural diversity in Québec's French-language private broadcasting system, was attended by over 200 industry players, including journalists, creators, producers and artists from Aboriginal and ethnocultural communities.

THIRD-LANGUAGE BROADCASTERS

While English and French-language broadcasters are making increased use of our multilingual outreach materials, many third-language broadcasters are using these materials as reminders of the standards their audiences know they can expect from those broadcasters.

Resulting from the CRTC's efficient "open entry" approach to licensing Category 2 digital broadcasters, there has been a flurry of third-language broadcaster licences awarded. The CBCS has been keeping track of the new licensees and has made particular efforts to contact them before their broadcasting operations commence.

EQUITABLE PORTRAYAL CODE

The CBCS hopes to play an important role in the introduction of the eagerly anticipated Canadian Association of Broadcasters' *Equitable Portrayal Code*, which will be of particular interest to the vast network of ethnocultural communities served by the CBCS via its Outreach Program.

3. DECISIONS RELEASED IN 2005/2006

In order for one of the roughly two thousand complaints the CBSC receives annually to result in a decision, the complainant must submit a Ruling Request or equivalent indication of dissatisfaction with the broadcaster's response to the initial complaint. The satisfaction with that broadcaster dialogue is generally high but, when a Ruling Request is received, the CBSC Secretariat then must determine whether a formal Panel adjudication or a Secretariat Summary decision is the appropriate solution in the circumstances.

The CBSC released a total of 117 decisions (of both varieties) this year, compared to 125 in 2004/2005. Twenty-seven of those decisions were Panel Decisions and 90 decisions were Summary Decisions.

PANEL DECISIONS

Panel Decisions are generally called for when the issue raised in the complaint is one that has not previously been addressed by the CBSC, when that issue has been found in the past to result in a Code breach or when the outcome of an adjudication is uncertain.

Panel Decisions involve a formal adjudication by one of the CBSC's regional or national Adjudicating Panels, which are composed of representatives from both the broadcasting industry and the general public. Adjudicators read all correspondence relating to the complaint from both the complainant and the broadcaster, review the challenged broadcast, and meet to discuss the merits in order to make their determination. Panel Decisions are made public by the CBSC on its website with notice of their posting via an accompanying media release.

Summaries of the 27 Panel Decisions released in 2005/2006 are provided below, divided into Television and Radio Programming and then subdivided based on the main issues treated in each decision.

TELEVISION

Thirteen of the Panel Decisions released in 2005/2006 dealt with television broadcasts, compared to 25 in 2004/2005. They treated issues such as the appropriate presentation of news; scheduling of coarse language, sexual scenes and violence; promoting or glamorizing violence; as well as discriminatory remarks in comedy programming.

NEWS & PUBLIC AFFAIRS

The Canadian Association of Broadcasters (CAB) *Code of Ethics* contains one provision relating to the accuracy and fairness of news broadcasts (Clause 5) as well as another relating to the full, fair and proper presentation of news (Clause 6). The Radio-Television News Directors Association of Canada (RTNDA) *Code of (Journalistic) Ethics* contains separate provisions relating to various aspects of news and public affairs programming, such as accuracy, privacy, distortion of interviews and journalistic conduct.

This year, in the context of news and public affairs programming, the CBSC dealt with complaints about accuracy, privacy and distorting information. The CBSC found Code violations in two of those cases; in the third, it determined that the station was "on the edge" but not in breach.

The use of a particular video clip in a public affairs program generated the complaint in *TVA re a segment of an episode of Dans la mire* (CBSC Decision 04/05-1043 & -1070, September 9, 2005). In an on-air panel discussion about autism, zootherapy was suggested as a possible treatment. In order to illustrate this point, the program included a video clip of a man and two women interacting with a dog. The complaint came from the man and one of the women who explained that the clip had actually been filmed four years earlier for a story on

medical assistance dogs. The two individuals complained that the use of the clip in the program about autism had violated their privacy and left the incorrect impression that they suffered from autism. The Quebec Regional Panel was unable to comment on the privacy issue since it had no information about the circumstances of the filming of the original footage. It did, however, agree that the use of the clip constituted an inaccurate report since it “could reasonably have led viewers to conclude that [the people shown] were autistic.”

Accuracy was also at issue in *CIII-TV (Global Ontario) re Global News reports (“Bluffs Danger”)* (CBCS Decision 05/06-0500, May 18, 2006). In addition, the complainant raised issues relating to distortion of facts, privacy, journalists’ conduct and endangering the lives of minors. Global Ontario had broadcast two news stories about safety issues on the Scarborough Bluffs. Some of the footage used in the reports was filmed on the property of a condominium development whose parking lot (near the Bluffs) was in need of repair. The reports implied that the housing development was not attempting to fix the problem despite its being a safety concern. Footage of the reporter talking on the telephone with the property manager, as well as a scene depicting an attempt to get an interview with a condominium board member, were included. The reporter also interviewed four young teenage boys who were shown along the edge of the Bluffs. The member of the condominium board complained that the reporter had given inaccurate information about the situation, had sensationalized the story by distorting information, had violated her privacy and that of the property manager, and had endangered the lives of the four boys by accompanying them to the edge of the Bluffs. She also complained that the news crew had been rude to her when they attempted to get an interview with her. The Ontario Regional Panel indicated that it could not comment on any off-air events, such as the news crew’s conduct towards the complainant or how they gained access to the condominium property. The Panel did, however, find a violation for inaccuracy, due to the misidentification of the property owner and the misrepresentation of different

locations along the Bluffs. The Panel also agreed that some information was distorted, including the broadcaster’s insistence, without any evidence, that children were playing in a dangerous area, and its creation of the impression that the condominium representatives had refused to be interviewed.

The Panel found no violation, however, for invasion of privacy because the condo board member and property were not identified by name, on the one hand, and attempts to obtain their perspectives were in the public interest, on the other. The Panel also found no breach for endangering the lives of the four boys because there was no clear evidence that they were at an imminently dangerous part of the Bluffs.

TQS re a report on Le Grand Journal (“Machine Gun by Mail”) (CBCS Decision 05/06-0785 & -0800, June 30, 2006) involved a news report about firearms. In an “exclusive report”, TQS’s reporter informed viewers that, despite Canada’s firearms laws, semi-automatic weapons and ammunition were still easily obtainable. He suggested that even a “14 year-old” can easily “acquire” firearms and that orders can be made by mail, telephone or internet. He was also shown firing a weapon that he identified as a MG-34 modified to fire in semi-automatic mode like the weapon used by a serial killer in the École Polytechnique shooting of 1989, which left 14 women dead. The CBCS received a number of complaints about the report from individuals who complained that it contained inaccurate information about Canada’s firearms regulations and the weapons mentioned. They also complained that the report left the impression that all gun owners were potential serial killers. The Quebec Regional Panel acknowledged that, broadly speaking, the report “somewhat distorted” the facts about Canada’s firearms regulations. The reporter’s precise choice of words, however (such as “acquire” rather than “buy”) were all technically accurate. The Panel regretted the “liberal or loose use of accurate terminology”, but was “not of the view that any of the statements is materially incorrect or that the overall perspective left is materially misleading.”

COARSE LANGUAGE

Under Clause 10(a) of the *CAB Code of Ethics*, broadcasters must not air coarse language that is intended for adult audiences outside of the Watershed period, which runs from 9:00 pm to 6:00 am. Clause 11 also requires them to air viewer advisories when a program contains language intended for adult audiences or unsuitable for children. The CBSC makes its determinations about what words and phrases will constitute “intended for audiences” on a case-by-case basis bearing context and community standards in mind. This year, the CBSC released one decision involving coarse language in an English-language television broadcast and one involving coarse language in a French-language television broadcast.

In *MusiquePlus re the song “Va donc chier” by Les Chiens sales* (CBSC Decision 04/05-1399, September 9, 2005), the Quebec Regional Panel dealt with the title and refrain of that song. MusiquePlus broadcast the music video for the song during the program *Top5.M+.com* at 6:30 pm, preceded by a viewer advisory in visual format. The song was also broadcast as part of a live performance program between 9:00 pm and midnight with no viewer advisories. A viewer complained that the title and refrain of the song were offensive and should not be broadcast at a time when children are watching television. Although the song had an anti-establishment theme, the expression “va donc chier” was not directed at anyone in particular. The Panel agreed that the expression was in poor taste but concluded that “the usage of the expression was, *relatively speaking*, benign.” The phrase was not intended exclusively for adults and thus could be broadcast before 9:00 pm. The Panel considered, however, that a pre-9:00 pm broadcast required a viewer advisory and found MusiquePlus in violation of Clause 11 of the *CAB Code of Ethics* for failing to air its advisory in both aural and visual formats during its 6:30 pm program. The later live performance posed no problems under the Code because it was aired after 9:00 pm.

English coarse language was the subject of *CTV re the Green Day performance during Live 8* (CBSC Decision 04/05-1753, January 20, 2006). Live 8 was a day-long worldwide concert charity event intended to raise awareness about world poverty. It featured live performances from rock and pop bands at nine venues around the world. CTV provided live coverage of the event. At 12:18 pm Atlantic time, it broadcast the performance by pop-punk band Green Day from Berlin, Germany. The band played their song “American Idiot” which contained one instance of the phrase “mind fuck”. At one point in the song, the lead singer addressed the crowd and said “I want you to sing so loud that everybody hears you all over the fuckin’ world, all right?”. CTV did not edit out the f-word, nor did it provide any viewer advisories during the broadcast. Based on numerous previous CBSC decisions where the f-word was found to constitute language “intended exclusively for adult audiences”, the National Conventional Television Panel concluded that CTV had violated Clause 10 for airing unedited occurrences of the f-word before 9:00 pm. It also found a violation of Clause 11 for CTV’s failure to air any viewer advisories during its Live 8 coverage.

SEXUAL CONTENT

Clause 10(a) of the *CAB Code of Ethics* also requires broadcasters to refrain from airing sexually explicit material that is intended for adult audiences outside of the Watershed period, which runs from 9:00 pm to 6:00 am. Clause 11 of that Code obliges broadcasters to provide viewer advisories alerting audiences to the sexual content of the program. Four decisions released in 2005/2006 addressed complaints about the scheduling of sexual material. The CBSC also addressed the issue of viewer advisories in those decisions.

In *The Documentary Channel re the documentary Sex: The Annabel Chong Story* (CBSC Decision 04/05-1522, July 20, 2005), a viewer complained about the general availability of this explicit program. The documentary told the story of Annabel Chong

(whose real name was Grace Quek), a pornographic movie actress of Asian ethnicity. The documentary followed Chong's rise and fall within the pornography industry as the subject of the first "World's Largest Gang Bang". The documentary consisted primarily of interviews with Chong and her friends and family, but also featured some scenes of sexual activity from her pornographic movies and extremely sexually explicit dialogue. There were also a couple of comments about Chong's ethnicity. The Documentary Channel aired the program at 12:00 midnight Eastern Time (10:00 pm Mountain) without any viewer advisories. The complainant objected to The Documentary Channel airing this type of sexually explicit programming and also mentioned that the program was degrading to women and to Asian women in particular. The National Specialty Services Panel explained that "the *subject* of the film does not change the nature of the program *form*" and noted that there was no reason that this documentary, however sexually explicit it was, could not air on a documentary channel. The Panel observed that the sexual scenes and language were clearly intended for adult audiences, so The Documentary Channel had correctly scheduled the program after 9:00 pm. The Documentary Channel had failed, however, to provide any viewer advisories which it was required to do under Clause 11 of the *CAB Code of Ethics*. With respect to the comments made in the documentary about Chong's Asian ethnicity, the Panel did "not find that there is *any* negative statement being made about Ms. Chong on the basis of her race."

The scheduling of a scene involving nudity concerned the complainant in *TVA re a segment of an episode of Star Système* (CBSC Decision 04/05-1319, September 9, 2005). An episode of an entertainment news program featured a segment about rock singer Billy Idol. Billy Idol was shown at an autograph signing session where he signed female fans' cleavages. One female fan, wearing a sheer mesh top, lifted her shirt for Idol who then kissed one of her bare breasts. This program aired at 7:30 pm with no viewer advisories. A viewer complained that this scene was inappropriate before 9:00 pm. Noting that the segment was broadcast as

part of an entertainment news report, the Quebec Regional Panel considered "the subject matter quite unerotic and innocuous, distinctly not intended exclusively for adult audiences." It also concluded that the episode did not require viewer advisories, though a warning may have been useful for some viewers.

Sexual material was also the complainant's concern in *CHFD-TV re the documentary Dirty Business: Sex, Thighs and Videotape* (CBSC Decision 04/05-1580, December 15, 2005). The documentary was about the adult entertainment business and consisted primarily of interviews with people working in different aspects of the industry, such as an aspiring pornographic movie actress, a webmaster of porn internet sites, a married couple who were running an adult website, and two friends who were producing amateur porn films. There were also, however, numerous clips from pornographic movies, photographs from websites and images of women in skimpy clothing. Any shots of bare breasts or genitalia were blurred. The program aired at 1:00 pm but did not include any viewer advisories. The Ontario Regional Panel determined that the documentary's content was intended exclusively for adult audiences due to the "collective effect" of the images and discussions of a sexual nature. CHFD-TV (Thunder Bay Television) was found in violation of the *CAB Code of Ethics* for failing to broadcast this program after 9:00 pm and to provide viewer advisories.

A scene of sexual activity was the complainant's primary concern in *Global re ReGenesis ("Baby Bomb")* (CBSC Decision 04/05-1996). *ReGenesis* was a dramatic program that focussed on the activities of a fictional organization established to investigate questionable advances in biotechnology. Plots followed the professional and personal lives of the main characters. The scene in the premiere episode that concerned the complainant involved a teenage girl accidentally walking in on her father having sex with his girlfriend. The audience first saw, from the back, the nude woman straddling the man; the camera angle then shifted to show the surprised woman's face as she covered her bare breasts

and the man pushed her aside to go speak to his daughter. The scene lasted a total of 16 seconds. Global aired the episode at 8:00 pm, which the complainant felt was too early for such a scene. The National Conventional Television Panel was divided on whether this scene fell into the category of “intended exclusively for adults” and thus made no conclusion on whether there had been a breach in this respect. The Panel agreed, however, that Global’s viewer advisory should have mentioned the sexual activity present in the episode. The viewer advisory that Global did provide only mentioned coarse language. It was that coarse language that led to a breach of Clause 10. The program contained instances of the f-word which should only have been broadcast after 9:00 pm. The scenes showing injury and the results of a deadly virus were not problematic, nor was the 14+ classification that Global had selected for this program.

VIOLENT TELEVISION PROGRAMMING

The CBCS administers the *CAB Voluntary Code Regarding Violence in Television Programming*. That Code addresses issues such as gratuitous violence, sanctioning or promoting violence, scheduling of violent content intended for adult audiences, violence in sports programming, violence against animals, and violence directed against specific groups, including women. Under Article 3.0, broadcasters shall not air scenes of violence intended for exclusively adult audiences outside the Watershed period, which runs from 9:00 pm to 6:00 am. They are also required to air viewer advisories alerting audiences to the violent content and to display a classification icon indicating the appropriate intended audience age group. Article 7.0 prevents the promotion or glamorization of violence against women, particularly in a sexual context. Article 9.0 relates to violence against animals, while Article 10.0 deals with violence in sports programming.

The CBCS released two decisions this year that dealt with issues of violence. The first examined a complaint by the Humane Society

of Canada about the televising of rodeos. The second investigated an episode of a crime drama program in which the plot was about a serial killer who targeted women.

The Humane Society of Canada’s complaint was treated in *Outdoor Life Network re Calgary Stampede 2005* (CBCS Decision 04/05-1764, January 20, 2006). The Society wrote that rodeo events require violence being inflicted on the cattle and horses that participate in the events, and it provided a list of injuries or deaths caused to humans and animals at various rodeos in North America. The Society complained that televising rodeos promotes and legitimizes the violence that occurs at the events. The National Specialty Services Panel viewed tapes of three days worth of OLN’s broadcasts of the Calgary Stampede 2005, Canada’s well-known rodeo exhibition. The Stampede includes contests such as calf roping, in which a running calf is lassoed around the neck; steer wrestling, in which a participant wrestles a steer to the ground; and saddle and bareback bronc riding, in which the rider must stay on a bucking horse for eight seconds. The Panel examined the broadcasts under the provisions of the *CAB Violence Code* relating to violence against animals and violence in sports. The Panel stated that it was unable to comment on some of the Humane Society’s broader concerns relating to the treatment of rodeo animals (rather than any broadcasting concerns); those issues fell outside the CBCS’s jurisdiction and were irrelevant to the on-screen content. The Panel concluded that the broadcasts did not violate any of the Code articles because the events did not glamorize or promote violence against animals; the events involved, rather, a “test of wills between the cowboy, on the one hand, and the calf, the bronc or the bull, on the other.”

CHCH-TV re NCIS (“Mind Games”) (CBCS Decision 05/06-0479, December 15, 2005) involved a crime drama episode that focussed on a serial killer who had tortured and murdered women victims. The plot followed the members of the Naval Criminal Investigative Service as they tried to find the location of the bodies. Their search of the killer’s home turned up photographs of women shown bleeding from the mouth and

with their arms tied. The investigation also uncovered a fresh body in a similar state. There were also scenes showing a jar of severed tongues and a female NCIS agent being threatened by a man attempting a copycat killing. CH broadcast the episode at 8:00 pm in order to simultaneously substitute the program for the American network CBS's broadcast. CH rated the episode PG and provided viewer advisories alerting viewers to the "graphic and mature" content. A viewer complained that the program stereotyped women as victims of violence and that the images of the murdered women were not appropriate for an 8:00 pm time slot. The Ontario Regional Panel found no violation for the scheduling of the episode because Clause 3.1.3 allows for an exception to the 9:00 pm "Watershed rule" if a broadcaster is availing itself of its simultaneous substitution rights. That exception also ensures that Canadian audiences will benefit from the viewer advisories and classification information required of Canadian private broadcasters. The Panel also found no breach of Article 7.0 because the episode did not promote or sanction violence against women; the violence was relevant to the plot development and "the murders past and present were depicted as horrible acts and their perpetrators as evil, wicked and aberrant." The Panel did conclude, however, that the episode should have been rated 14+ and that the viewer advisories should have specified the precise nature of the graphic and mature content. The Panel found Code violations for these two issues.

DISCRIMINATION

The CBSC addressed concerns about discriminatory remarks against various groups in two Panel Decisions relating to television broadcasts this year. Under Clause 2 (Human Rights) of the *CAB Code of Ethics*, broadcasters must not air programming that contains abusive or unduly discriminatory material which is based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status or physical or mental disability. It has long been the CBSC's position, however, that the mere mention of an identifiable group, even in a

stereotypical context, will not necessarily violate the Human Rights clause, provided the comments do not attribute extremely negative characteristics to the group as a whole. Also, the use of a word whose origin relates to an identifiable group is not necessarily interpreted as targeting members of the group itself.

Discriminatory comments on the basis of sexual orientation were the subject of *Comedy Network re Comedy Now ("Gord Disley")* (CBSC Decision 05/06-0290, January 20, 2006). The program featured a stand-up comedy routine in which one of the jokes was about heterosexual and homosexual men's interior decorating abilities. The comedian claimed that "fags" were good interior decorators but heterosexual men were not. A viewer complained that the use of the word "fag" to refer to gay men was extremely hateful and akin to using racial epithets. The National Specialty Services Panel concluded that the word was not "inherently hateful, abusive or unduly discriminatory." It observed that the joke was aimed more at straight men than at gay men and that the humour was "distinctly un-nasty, [...], benign, light-hearted". It found no breach of the Human Rights clause for the use of the word "fag" in this particular broadcast.

Religion was at issue in *Comedy Network re Puppets Who Kill ("The Island of Skip-Along Pete")* (CBSC Decision 05/06-0383, March 30, 2006). *Puppets Who Kill* was a comedy program about a group of criminal puppets who had been sent to a group home for rehabilitation. In one scene of the challenged episode, one of the characters uttered the phrase "Jesus fucking Christ". In another, the word "Jesus" was again used as an interjection. A viewer complained that this use of the name of "Christianity's most sacred person" in such a manner was disrespectful. The National Specialty Services Panel found no breach of the Human Rights clause because "the words were not used in an abusive or even aggressive way vis-à-vis the religion or its practitioners." The episode also contained other instances of coarse language, including the f-word but these were not problematic given the program's 10:00 pm time slot. The Panel found Code breaches,

however, for the Comedy Network's failure to make specific mention of the coarse language in its viewer advisories and to display a classification icon at the beginning of the broadcast.

RADIO

Fourteen of the Panel Decisions released in 2005/2006 involved radio programming (compared to 11 in 2004/2005). The issues dealt with were discriminatory comments against identifiable groups; insults directed toward guests, callers or listeners of open-line programs; coarse language; a misleading promotion; identification of a paid program; a contest; and the broadcast of private information. Where the decision treated more than one issue, it is discussed below under the subject that appeared to be of primary concern to the complainant.

DISCRIMINATION

As in television cases, complaints about discriminatory comments made on radio are examined under Clause 2 (Human Rights) of the *CAB Code of Ethics*. Comments will be found in breach of that clause if they make negative generalizations about a group. From time to time, the CBSC is also called upon to determine whether a particular group falls into the category of protected groups listed in the Human Rights clause.

A total of three of the radio-related decisions released this year examined questions of discrimination. One case involved a comedic segment that mentioned Asians, while another case involved comments about people with a mental disability made in the context of an open-line program. The third case raised the issue of discrimination against people with substance abuse problems; in that case, the CBSC had to decide whether that group was protected under the Human Rights clause of the *CAB Code of Ethics*.

Comments about Asians were the subject of *CKOI-FM re a segment by Cathy Gauthier on Fun radio* (CBSC Decision 04/05-1729,

September 9, 2005). Comedienne Cathy Gauthier performed a segment during an afternoon radio program in which she discussed "things which she was ashamed to admit." One of her "confessions" was that she could not differentiate between distinctive Asian nationalities, such as Chinese, Japanese, Koreans and Thais. She made mocking comments in a pseudo-Asian accent. In the segment, she also claimed that Asian people were physically small in stature because they live in large groups in small apartments and have no room to grow. She also suggested that Asians were "taking over" Canada. The majority of Quebec Panel adjudicators agreed that there was a breach of the Human Rights clause because "[t]he humour in the routine was not [...] trivial or harmless. Unduly discriminatory comments may take many forms. These include derision, stereotyping and mockery, which were all present." A minority of adjudicators, however, issued a dissenting opinion because, in their view, "the comments reflect, not on Asians, [...] but on the person observing that *she* cannot tell the difference between different Asian nationalities [...]. She laughs at *herself* but not at the members of the various Asian communities to which she has referred."

Discrimination on the basis of mental disability was examined by the Quebec Regional Panel in *CKAC-AM re an episode of Doc Mailloux* (CBSC Decision 05/06-0642, February 3, 2006). During the course of an open-line program hosted by psychiatrist Pierre Mailloux, a caller telephoned the program to discuss comments Dr. Mailloux had made on a previous episode about people with trisomy 21 (more commonly known as Down Syndrome). Dr. Mailloux objected to a television advertisement that had compared "normal" women to others with trisomy 21, and he asserted that people with trisomy 21 do not have the same value in society as healthy individuals. He also referred to people with that mental disability as "mongoloids" despite the objections of his co-host and a caller to the use of that term. The Panel concluded that the broadcast was in violation of the Human Rights clause and observed that the "dialogue reflects a disrespect for those afflicted with trisomy 21.

On the level of societal *value*, Mailloux is almost filled with contempt for the notion that a 'normal' woman would be compared as equal to a trisomy 21–handicapped woman. It is, he goes so far to say, 'dangerous, unhealthy and inappropriate' to make such a suggestion. [...] The host with a microphone is [...] in a position of credibility, underscored in this case by the professional qualification of Doctor Pierre Mailloux. Comments of this kind are at risk of [...] leaving audience members with a sense of accuracy or legitimacy, which represents a danger for the identifiable group being disparaged." The Panel also found a breach for Mailloux's use of the English f–word.

Discrimination against drug addicts was the issue raised by the complainant in *CKNW–AM re an episode of Bruce Allen's Reality Check* (CBCS Decision 05/06–0651, May 9, 2006). In that case, a commentator offered his thoughts on a government program by which volunteers visited homeless drug addicts and helped them inject themselves with illegal drugs. Allen strongly objected to this program and suggested that, if people choose to do illegal drugs, it is their own fault if they die, and the government should not be helping them to get their "fix". A listener complained that the segment promoted hatred against a disadvantaged group. Before dealing with the content of the editorial, the British Columbia Regional Panel had to determine whether people with substance abuse problems constituted a protected group under the Human Rights clause. The Panel concluded that they did not and it could not, therefore, apply that clause in this case. The Panel thus examined the complaint under Clause 6 of the *CAB Code of Ethics*, which requires the full, fair and proper presentation of editorial and opinion. The Panel ruled that, although Allen's editorial was perhaps unnecessarily harsh, it did not violate Clause 6 because it was more a criticism of a government policy than an attack on drug addicts.

INSULTS

In cases where the complaint raises an issue related to insults directed at an individual, the

CBCS examines it under Clause 6 of the *CAB Code of Ethics*. Clause 6 requires the full, fair and proper presentation of opinion, comment and editorial. Five decisions dealt with that subject this year. Three of them are summarized immediately below, while another is summarized under the heading "Privacy" since the primary focus of that particular decision was the broadcast of personal information, and the last is summarized under "Coarse Language" because language was the primary matter at issue in that case.

Insulting remarks made towards a guest formed the substance of the complaint in *CJMF–FM re an interview on Bouchard en parle* (CBCS Decision 04/05–1852, February 3, 2006). The host of a morning talk show, Sylvain Bouchard, had as his guest the Vice–President of the Quebec Association of Friends of Cuba. The conversation began with a discussion of the festivities that the Association was organizing in celebration of Cuban National Day. Bouchard then shifted the focus of the interview to challenge the Vice–President on issues related to Cuba's political system. A heated debate ensued, with the guest making some negative personal comments about Bouchard. Bouchard responded by calling his guest a "chien sale" [approximate English translation: "dirty bastard"]. The Quebec Regional Panel concluded that Bouchard was entitled to broadcast his criticisms of Cuba's government, but that he had gone too far with his personal attacks against his guest. The Panel commented that "Even if [the guest] intended to even the score with the host [...], Bouchard overreacted. He called his interviewee a 'chien sale' and added variations on that theme of several occasions."

CHKG–FM re Lac Viet Radio (CBCS Decision 05/06–0023, May 9, 2006) involved comments made on air about a listener. *Lac Viet Radio* was an open–line public affairs program broadcast in Vietnamese. Apparently, a member of the Canadian–Vietnamese community had publicly criticized the program for failing to broadcast the Vietnamese national anthem and to display the Vietnamese flag at its functions. The

station explained that it wished to remain neutral with respect to controversial political issues within the Vietnamese community. The same individual wrote open letters in local Vietnamese magazines and apparently also raised the issue at community meetings. Following those actions, *Lac Viet Radio* broadcast a statement on-air that responded to the individual's allegations and explained that it would not be accepting telephone calls from him. The individual in question complained to the CBSC that those on-air announcements were unfair and contained inaccurate information about him. The British Columbia Regional Panel found no breach because "by publishing two open letters in Vietnamese-Canadian periodicals [...] it was [the complainant] who first chose to make these issues public. [...] It is only fair for *Lac Viet Radio* to be able to respond. Not only did they do so but they did so *temperately* and even generously by inviting [the complainant] back on their airwaves *after* they had decided not to do so. The Panel finds their fairness exemplary [...]."

The host's treatment of callers to an open-line program was dealt with in *CKNW-AM re an episode of Adler on Line* (CBSC Decision 05/06-0539, May 9, 2006). The topic of the day's program was the British Columbia teachers' strike which was occurring at the time. Host Charles Adler stated that he did not support the teachers, calling their refusal to return to their jobs even after a government-ordered back-to-work legislation as illegal and morally reprehensible. Adler accepted telephone calls from listeners who supported the teachers' position. Adler raised his voice with some of those callers, interrupting them. He also called two of them "stupid" and told another to "get a life". A listener complained to the CBSC that Adler had "verbally abused" these callers just because their opinion differed from his own. The British Columbia Regional Panel acknowledged that Adler's point of view during the program "could be characterized [...] as unequivocal and aggressive" and that it was unnecessary and "not right" to "descen[d] to the level of *personal* insult", and that "the broadcast came close to the edge but did not, on this occasion, go over it."

COARSE LANGUAGE

Clause 9(c) of the *CAB Code of Ethics* is the Code provision that requires broadcasters to ensure that their programming does not contain unduly coarse and offensive language. In 2005/2006, the CBSC rendered two decisions relating to the use of coarse language on radio during daytime and early evening periods. Both of those decisions involved French-language programming. In both cases, however, the complainant was concerned about the use of both English and French swear words. In addition, in one of the decisions, the concern also related to the use of coarse language being used to insult individuals.

The complainant raised a number of concerns in *CJMF-FM re comments made on an episode of Le Trio de l'enfer* (CBSC Decision 04/05-0761, October 24, 2005), including criticism of Bureau of Broadcast Measurement ratings and a court decision, as well as the use of coarse language. *Le Trio de l'enfer* was an afternoon radio program in which the hosts occasionally discussed current affairs. During the broadcast in question, the hosts discussed the state of radio in Quebec City, including the child prostitution trial of a local radio personality and the BBM's ratings methodology. A listener complained that the hosts had trivialized the court decision and the BBM ratings. The Quebec Regional Panel examined that portion of the complaint under Clause 6 of the *CAB Code of Ethics* and found that the station was entitled to broadcast the hosts' critical views of those two subjects. The listener also complained that the hosts used coarse language. In their discussion, the hosts mentioned two other controversial radio hosts and referred to them as "trous de cul" [translation: "assholes"]. The Panel found a breach of Clauses 6 and 9(c) for that utterance because "the epithet [was] personally directed, nasty and insulting." The Panel also found a breach of Clause 9(c) for one host's use of the English f-word.

Coarse language in both English and French was also at issue in *CJMF-FM re a commentary on Bouchard en parle* (CBSC

Decision 05/06-0326, February 3, 2006). The host of a morning show was complaining about e-mails he had received from listeners who had complained about his political views.

He argued that the “leftists” want to quash all opposition and stifle freedom of expression by filing a complaint with the CRTC every time they hear the word “fuck”. In addition to that instance of the English f-word, he used the French word “tabernac” to express his frustration. The Quebec Regional Panel concluded that the one instance of the f-word did not constitute a breach of Clause 9(c) because “[i]t was not a usage of coarse language to describe a *different* subject but rather the word itself *was* the subject. In other words, he did not *use* the word; he was speaking *about* the word.” With respect to the word “tabernac”, however, the Panel did find a breach because “it was unnecessary, it was irrelevant to the phrases it adorned. [...] It is the view of the Panel that ‘tabernac’ [...] is one word which does fall on the list of words generally to be avoided in Francophone broadcasting.”

SEXUAL REMARKS AND OTHER INAPPROPRIATE CONTENT

Clause 9(b) of the *CAB Code of Ethics* requires broadcasters to ensure that their programming does not contain any “unduly sexually explicit material”. The CBSC has interpreted that phrase to mean detailed descriptions of sexual activity.

The CBSC released one Panel Decision this year that dealt with sexual content on radio. That same decision also dealt with coarse language, insults directed at people who live in Quebec City, and issues relating to a broadcaster’s response.

The complainant expressed concerns about a number of different issues in *CKOI-FM re comments made on Y’è trop d’bonne heure* (CBSC Decision 04/05-0891, September 9, 2005). During the morning show, the station broadcast a segment in which a comedian performed an imitation of another Quebec radio host, namely, “shock jock” Jeff Fillion, who had been reprimanded for offensive comments he had made on his program. The

comedic sketch included coarse language such as “va donc chier, calice” [approximate translation: “piss off goddammit”], sexual remarks such as “on te la fourrerait sur un ‘hood’ de char” [“you could fuck her on the hood of a car”]; and remarks calling Quebec City residents “pigs” and “whores”. The Quebec Regional Panel found violations of Clause 9(b) for the sexual remarks, Clause 9(c) for the coarse language and Clause 6 for the insults directed at Quebec City residents. The Panel relied on a transcription provided by the complainant in order to make its determination; it did not have copies of the program tapes due to an error on the broadcaster’s part. The station had indicated that the tapes from that broadcast date were available and responded to the complainant on that basis, indicating that the sketch had been a caricature which had not intended to offend anyone. When the CBSC ordered and listened to the tapes, however, it turned out that they did not contain the challenged material. In addition to the violations for the substance of the program, the Panel also found the station in breach of its CBSC membership obligations for its failure to verify and provide the correct tapes.

PRIVACY

The Radio-Television News Directors Association (RTNDA) *Code of (Journalistic) Ethics* contains a provision relating to privacy. Article 4 of that Code requires broadcasters to “respect the dignity, privacy and well-being of everyone with whom they deal” and to “make every effort to ensure that news gathering and reporting does not unreasonably infringe privacy except when necessary in the public interest.” The RTNDA Code applies to news programming only; when the CBSC receives a complaint relating to invasion of privacy in non-news programming, it applies Clause 6 of the *CAB Code of Ethics* (which requires the full, fair and proper presentation of commentary) with the principles of Article 4 of the RTNDA Code in mind.

This year, the CBSC released two Panel Decisions relating to privacy and the broadcast of identifying information about

private individuals on radio. The first case related to an open-line program, while the second involved a discussion during a news-related segment.

A caller's name and telephone number were revealed in the broadcasts treated in *CJMS-AM re comments on two episodes of Le p'tit monde à Frenchie* (CBSC Decision 04/05-0939, October 24, 2005). In the first broadcast, a listener of an open-line program telephoned and used a pseudonym. He criticized the hosts' treatment of current news events. The hosts responded by accusing the caller of [translation] "being a pain in the neck". They then proceeded to attempt to telephone the man back and repeatedly announced his home telephone number on the air. A few days later, a woman telephoned the program to inform the hosts of the man's real name. The complaint came from the man who was concerned that they had insulted him on air and revealed his name and telephone number. The station argued that the complainant had provoked the hosts. The Quebec Regional Panel had no hesitation in concluding that the station had breached Clause 6 of the *CAB Code of Ethics* and the spirit of the Privacy article of the RTNDA Code. The Panel pointed out that "[e]ven if the caller had been particularly unpleasant during his call, and the Panel finds that that was *not* the case, that would not have given rise to the tit-for-tat actions that [the hosts] took. [...] There was no justification whatsoever for [the] co-hosts [...] to permit the telephone number of the complainant to be revealed on the airwaves. [...] The publicly-licensed airwaves are not available for privately-vindictive comments."

The revelation of an individual's address was the concern in *CKYK-FM re broadcast of a civic address* (CBSC Decision 05/06-0710, June 30, 2006). During the day on Halloween, the hosts of the morning show revealed that they had received a voice-mail message from a woman who told them that a convicted pedophile was living in the area and that the house where the pedophile lived was decorated for Halloween. During the station's afternoon program, the hosts explained that the station had researched the matter further and had confirmed that a convicted pedophile

lived at a particular street address in the town. The next day, the morning show hosts discussed this matter again. They repeated the civic address that had been broadcast the day before. The CBSC received a complaint from three people who lived at that address who explained that they had been harassed as a result of the broadcasts. The station responded that it had verified the information in publicly-available court documents and felt it was in the public interest to reveal the address as public safety information on Halloween. The Quebec Regional Panel found that the broadcasts violated the complainants' privacy because "[t]he broadcast of such information can only be justified when a convicted *and released* offender can reasonably be considered to represent a genuine *and verifiable* threat to the lives and safety of the community. [...] Moreover, there is no indication that the provision of the civic address was necessary in order to achieve the broadcaster's desired result. Generalized advice to parents to accompany their children from door to door on Halloween would have quite sufficed." The Panel also pointed out that "there were *three* persons living at that address, at least two of whom would apparently not fall within the category of the station's designated target yet *they* were also made to suffer the consequences of the disclosure."

PAID PROGRAMMING

Clause 14 of the *CAB Code of Ethics* deals with Advertising (Details). It requires broadcasters to ensure that any advertising is distinguishable from other programming. That clause also requires that there is "no influence by advertisers, or the perception of such influence, on the reporting of news or public affairs". The CBSC had its very first opportunity to deal with the issue of identification of paid programming this year. It received a complaint about a station's failure to adequately identify the fact that a company had paid for its representatives to appear as "guest" experts on an open-line program. The CBSC examined the complaint under the aforementioned Clause 14, as well as Clause 6 of the *CAB Code of Ethics*, which

requires the full, fair and proper presentation of news, opinion, comment and editorial.

In *CFRB-AM re an episode of the Health Show* (CBSC Decision 04/05-1171, December 15, 2005), the Ontario Regional Panel examined a complaint about an open-line health information program. The complainant explained that some episodes of the program featured guest experts whose companies had paid to appear on the show, while other episodes featured independent guests. The listener complained that the station did not make it clear when guests had paid to appear on the program, and that this practice was misleading. The complainant provided one episode of the program as an example, in which the host and her two guests discussed aging and retirement residences. Both guests worked for a retirement residence company. Although they answered general questions about what to look for when choosing a retirement residence, they also used the opportunity to describe and promote the company they worked for. The program began with the information that the episode was “brought to you by” the retirement residences company (and that disclaimer was repeated occasionally throughout the broadcast), but the listener felt that this was not an adequate indication that the episode had been paid for by a corporate entity seeking to promote its business. The Panel agreed and stated that “there must be disclosure of the fact that there is a link between some sponsor and the services or goods being promoted during the program. [...] The problem results only from the potentially incorrect audience expectation that an expert on a subject who is presented by a broadcaster has been chosen *by* the broadcaster on the basis of his or her expertise and not on the basis of having *paid* for the opportunity to access audience members listening in good faith and innocence. [...] [T]he broadcaster airing sponsored or paid programming must advise its audience of that sponsorship clearly, transparently and unequivocally.”

PROMOTIONS

Promotions are mentioned in Clause 12 of the *CAB Code of Ethics*. That clause obliges broadcasters to take particular care to ensure that promotions are not misleading. The first occasion on which the CBSC was called upon to treat such an issue was in relation to a radio station’s promotions of its broadcast of a concert.

A live performance by the Rolling Stones was the basis for the complaints in *CILQ-FM re the broadcast of a Rolling Stones concert* (CBSC Decision 04/05-1911 & -1915, December 15, 2005). On the date in question, the rock group the Rolling Stones was scheduled to perform a live show at the Phoenix Concert Theatre in Toronto. Throughout the day, Q107 (CILQ-FM) promoted that it would be airing “live Stones” later that evening. The broadcast began at the same time that the Rolling Stones were to take the stage at the Phoenix Theatre. The Q107 announcer introduced the broadcast as “the Stones live in Toronto” and throughout the broadcast repeatedly made references to the Phoenix Theatre show that was occurring at the time. The actual broadcast, however, was of a Rolling Stones concert that had been taped at a Toronto venue a few years earlier. The CBSC received complaints that the promotions and comments made during the broadcast were misleading because they gave the impression that it was a live broadcast from the site of the Rolling Stones concert rather than a tape of a pre-recorded live performance. The station responded that it had not intended to deceive its listeners. The Ontario Regional Panel observed that at no time did the announcer directly say that he was broadcasting live from the Phoenix Concert Theatre, but “[t]he *repeated* juxtaposition of the word ‘live’ and references to the Phoenix show occurring in the identical time period as the broadcast concert clearly left the impression to any listener that the broadcast was indeed that of the live 2005 Rolling Stones show.” The Panel found a breach of Clauses 12 and 6 of the *CAB Code of Ethics*.

CONTESTS

Clause 12 of the *CAB Code of Ethics* also deals with contests. It requires that contests be “conceived and conducted fairly and legitimately” and that “any prizes offered or promises made are what they are represented to be.” The CBSC released one Panel Decision involving a radio contest this year.

A couple who had participated in a contest filed the complaint in *CJOB-AM re the Spin to Win Contest* (CBSC Decision 05/06-0538, April 18, 2006). In an on-air segment, the wife had won a trip for two to Las Vegas “including luxury accommodation”. Following the broadcast, she contacted both the station and the trip supplier to get more information and set travel dates. The couple complained that they received contradictory information and had been treated rudely in these exchanges. They also complained that the station was making it difficult for them to redeem their prize and questioned whether there was even really a prize trip at all. The Prairie Regional Panel found no violation of the Contest clause. The Panel pointed out that many of the complainants’ concerns related to conversations they had had with station personnel off-air, which fell outside the CBSC’s mandate. With respect to the on-air aspects of the contest, the Panel concluded that the station could have made the rules and time-lines for the awarding of prizes clearer, but that the contest was conducted fairly. The description of the trip as provided during the broadcast was reasonable, even if one could argue that Las Vegas was not “the entertainment capital of the world” or that any particular hotel did not amount to “luxury accommodation”. The Panel noted that “both examples of descriptive language constitute nothing more serious than reasonable puffery. There is no indication that the prizes offered or promises made were other than what they were represented to be.”

SUMMARY DECISIONS

Summary Decisions are issued to the complainant when the matter raised in the complaint is one that has been addressed by the CBSC in previous decisions and an Adjudicating Panel has determined that the point at issue does not amount to a Code violation. Summary Decisions do not involve a formal Panel adjudication. Instead, the CBSC Secretariat reviews all correspondence relating to the complaint from both the complainant and the broadcaster and watches or listens to the challenged broadcast. A Summary Decision explains why the matter did not require a Panel adjudication and cites previous CBSC Panel Decisions which found no Code breach for similar programming. Summary Decisions are not made public; a letter is sent to the complainant with a copy to the broadcaster in question. The CBSC issued a total of 90 Summary Decisions in 2005/2006.

The greatest number of those Summary Decisions involved English-language television broadcasts. In the vast majority of cases, the language of complaint was the same as the language of the broadcast, although sometimes, particularly in the case of third-language programming, the complainant wrote to the CBSC in a language other than that of the program which was the subject of the complaint. The CBSC's Summary Decision is always in the language that the complainant used in the original complaint. A break-down of the language of the broadcasts that resulted in Summary Decisions follows.

Hot Topics in Summary Decisions

Summary Decisions released this year dealt with a number of different issues. The most common issue was biased, unfair or imbalanced treatment of a topic, usually in the context of news or public affairs programming. The *CAB Code of Ethics* and the *RTNDA Code of (Journalistic) Ethics* require news to be presented fairly and without bias, and the *CAB Code of Ethics* also requires a balanced examination of controversial public issues. In the 16 Summary Decisions dealing with bias, the CBSC Secretariat found no breach of those Code provisions, generally because the program did contain multiple viewpoints, even if it did not allot precisely equal time to all of them or as much time as the complainant would have wished. Another reason that a program was found not to have violated any of those Code provisions was that the biased comments were made by an interviewee who appeared on the program expressly to provide his/her opinion.

It should also be noted that a total of seven Summary Decisions were rendered with respect to the same episode of a particular open-line program. The topic of the day was same-sex marriage and a number of callers who represented or supported a specific family values organization telephoned the program. The host eventually requested that members of the group stop calling so that the program could allow time to callers with different views. A number of people from the family values organization complained to the CBSC that this request demonstrated a bias against them. The CBSC Secretariat found no breach because representatives from the organization had been given time on air and the hosts were in fact making an effort to broadcast a greater diversity of views on a controversial topic.

Language and Medium of Complaints that Resulted in Summary Decisions

| Language | | English | French | Other | Total |
|----------|--------------|---------|--------|-------|-------|
| M edium | Radio | 18 | 8 | 7 | 33 |
| | Television | 39 | 17 | 1 | 57 |
| | Total | 57 | 25 | 8 | 90 |

Many of the complaints that resulted in Summary Decisions fell into the broad category of "Improper Comments or Content".

The majority of those 14 complaints related to negative comments made about public personalities or about a group not listed in the *CAB Code of Ethics* Human Rights clause.

Those complaints were examined under the *CAB Code of Ethics* Clause 6, which requires the full, fair and proper presentation of opinion and commentary. The CBSC Secretariat generally found that the comments were perhaps critical of the person or group on the basis of their actions or opinions, but not overly nasty or harsh towards them on a personal basis.

The CBSC Secretariat also released 12 Summary Decisions that dealt with religious discrimination in different genres of programming, such as editorials, open-line radio programs, drama and comedy. As well, the complaints raised issues relating to discrimination against a variety of different religious groups, namely, Jewish people, Catholics, Muslims and Mormons. Those complaints were examined under the *CAB Code of Ethics* Human Rights clause (Clause 2), which requires that broadcasters ensure that their programming does not contain abusive or unduly discriminatory material. None of the comments or representations examined in those Summary Decisions reached the level of abusive content against any of the religions. Four of the Summary Decisions that fell into this category referred to the same television editorial, which had compared Wal-Mart's refusal to allow its

employees to form a union to the socio-economic situation in 1930s Germany which led to the rise of the Nazi regime. Viewers felt that this comparison was anti-Semitic, but the CBSC Secretariat observed that it was merely a political commentary that had not even mentioned the Jewish people.

Another category of complaint that led to Summary Decisions was inaccurate information. Most of those 11 decisions dealt primarily with news, public affairs and other types of information programming on television. In general, the CBSC Secretariat found that the information provided in the programs was not inaccurate; either the statements were open to debate, were the opinions of the speaker, or were accurate based on the information available at the time.

The scheduling of sexual content and mature situations was the subject of ten Summary Decisions. Based on previous CBSC Panel Decisions, mild sexual references and/or nudity are not problematic before 9:00 pm on television or during daytime hours on radio. Sexually explicit television programming is acceptable after 9:00 pm in the time zone of signal origination as long as the broadcaster provides appropriate viewer advisories and classification icons. Such was the case in these broadcasts.

The table below provides statistics on the number of Summary Decisions that treated the various possible categories of issues.

Issues Raised in Complaints that Resulted in Summary Decisions

| Issue Raised in Complaints | Number of Complaints* |
|--|-----------------------|
| Viewer Advisories | 1 |
| Bad Taste | 3 |
| Biased/Unfair/Imbalanced Information | 16 |
| Classification/Rating | 1 |
| Coarse Language | 4 |
| Conflict of Interest | 0 |
| Unfair Contest | 0 |
| Discrimination Based on Age | 2 |
| Discrimination Based on Disability | 1 |
| Discrimination Based on Ethnicity | 5 |
| Discrimination Based on Gender | 6 |
| Discrimination Based on Nationality | 5 |
| Discrimination Based on Race | 4 |
| Discrimination Based on Religion | 12 |
| Discrimination Based on Sexual Orientation | 4 |
| Exploitation of Children | 2 |
| General Improper Comments/Content | 14 |
| Inaccurate News or Information | 11 |
| Journalistic Conduct | 2 |
| Invasion of Privacy | 5 |
| Degrading Representation of Women | 3 |
| Scheduling | 11 |
| Sexual Content | 10 |
| Subliminal Advertising | 0 |
| Treatment of Callers to Open-Line Programs | 9 |
| Violence | 3 |

*Some complaints raised more than one issue, so the total exceeds 90.

4. SUMMARY OF COMPLAINTS

OVERVIEW OF CORRESPONDENCE RECEIVED

In 2005/2006, the total number of complaint files opened by the CBSC was 1,917. Unlike previous years in which a few broadcasts have generated significant numbers of complaints, 2005/2006 saw only two. In September 2005, a host of *L'avocat et le diable*, a Quebec public affairs television show, made comments about the victim of a rape that 229 complainants felt were inappropriate; however, since none of them filed Ruling Requests, no decision was issued. The structure of the televised debates during the federal election generated 67 complaints and a single email petition from 43,671 persons arguing that the leader of the Green Party of Canada should be included. That issue fell outside the jurisdiction of the CBSC.

- Of the 1,917 complaint files opened in fiscal 2005/2006, the CBSC actually handled 1,651 or 86.2%; 143 files were referred to Advertising Standards Canada (ASC) and 122 to the Canadian Radio-television and Telecommunications Commission (CRTC) (of these 122 files, 101 related to non-member broadcasters and 21 dealt with issues which did not fall within the parameters of the Codes administered by the CBSC).
 - The CBSC nonetheless responded to all the complaints, including those whose correspondence was sent elsewhere for resolution.
 - This year, the CRTC forwarded 1,150 complaints to the CBSC (60% of the total number of complaint files opened in 2005/2006). Only 9 complaints were forwarded from other agencies this year (0.5% of the total complaint files). The CBSC received 757 complaints directly (39.5% of the total complaint files).
- The overwhelming majority of complainants chose e-mail as their preferred method of communication. E-mailed complaints accounted for 1,811 files (94.5% of the total complaint files opened in 2005/2006); regular mail and faxed complaints trailed far behind at 89 (4.6%) and 16 complaints (0.8%), respectively.
 - In addition, as in previous years, the CBSC received "general correspondence" from people seeking, for example, general information about the Council and its Codes or contact information for a broadcaster. This year, had such correspondence been classified in the same manner as standard complaints, it would have added a further 62 "files" to the total.

RADIO AND TELEVISION COMPLAINTS

Of the 1,651 complaint files handled by the CBSC,

- 374 dealt with radio programming (22.6%);
- 8 dealt with satellite radio programming (0.5%);
- 1,250 dealt with television programming (75.7%);
- 19 dealt with general concerns about broadcasting or could not otherwise be categorized (1.2%).

ADJUDICATING PANELS

Of the 1,651 complaint files handled by the CBSC,

- Unlike previous years, complaints in 2005/2006 were spread more evenly across the country. Quebec had the highest number of complaints; however 229 of these referred to the September broadcast of *L'avocat et le diable*.

| <u>Region of Complaint (Adjudicating Panels)</u> | | | | | |
|---|-------|-----------------|------------|-----|-------|
| Adjudicating Panel | Radio | Satellite Radio | Television | N/A | Total |
| Atlantic | 15 | 0 | 17 | 0 | 32 |
| Quebec | 99 | 0 | 461 | 1 | 561 |
| Ontario | 121 | 8 | 113 | 5 | 239 |
| Prairie | 84 | 0 | 72 | 1 | 157 |
| B.C. | 53 | 0 | 94 | 5 | 152 |
| National Conventional Television | 0 | 0 | 189 | 1 | 190 |
| National Specialty Services | 0 | 0 | 288 | 0 | 288 |
| Non-determined | 2 | 0 | 16 | 6 | 24 |
| TOTAL | 374 | 8 | 1,250 | 19 | 1,651 |

Notes:

- 1) The vertical "N/A" axis includes complaints concerning matters other than radio or television programming, such as cable bills or satellite reception.
- 2) The region of complaint origin is determined by the location of the broadcaster, unless the concern relates to matters which must be dealt with by one of the National Panels (principally resulting from the national nature of the broadcaster identified in the complaint). When complaints received by e-mail provide only the complainant's e-mail address, and where no other clues as to the appropriate region are provided in the complaint, it is categorized as non-determined.

LANGUAGE OF PROGRAM

Of the 1,651 complaint files handled by the CBSC,

- 1,087 complaints dealt with English-language programming (65.8%);
- 540 dealt with French-language programming (32.7%).

SOURCE OF PROGRAM

Of the 1,651 complaint files handled by the CBSC,

- 1,237 complaints dealt with Canadian programming (74.9%);
- 243 dealt with foreign programming (14.7%).

| Language of Program | | | | | | | | |
|----------------------------|--------------|----------|-------------------|----------|------------|----------|--------------|----------|
| Language | Radio | | Television | | N/A | | Total | |
| | # | % | # | % | # | % | # | % |
| English | 294 | 77 | 788 | 63 | 5 | 26.3 | 1,087 | 65.8 |
| French | 84 | 22 | 456 | 36.5 | 0 | 0 | 540 | 32.7 |
| Third Language | 3 | 0.8 | 5 | 0.4 | 13 | 68.4 | 21 | 1.3 |
| Non-determined | 1 | 0.2 | 1 | 0.1 | 1 | 5.3 | 3 | 0.2 |
| TOTAL | 382 | | 1,250 | | 19 | | 1,651 | |

| Source of Program | | | | | | | | |
|--------------------------|--------------|----------|-------------------|----------|------------|----------|--------------|----------|
| Source | Radio | | Television | | N/A | | Total | |
| | # | % | # | % | # | % | # | % |
| Canadian | 337 | 88.2 | 895 | 71.6 | 5 | 26.3 | 1,237 | 74.9 |
| Foreign | 27 | 7.1 | 216 | 17.3 | 0 | 0 | 243 | 14.7 |
| Non-determined | 18 | 4.7 | 139 | 11.1 | 14 | 73.7 | 171 | 10.4 |
| TOTAL | 382 | | 1,250 | | 19 | | 1,651 | |

TYPE OF PROGRAM – RADIO

The CBSC classifies the type of programming of its complaints in a non-exclusive manner, *i.e.* allowing for a program to be classified under more than one category. While this provides more useful information to readers, the sum of the radio complaints in the chart below, if totalled, would naturally exceed the

actual number of radio complaints received in 2005/2006.

Of the 382 radio complaints,

- the overwhelming majority dealt with informal discourse (151 complaints) and open-line programming, (115 complaints).

| <u>Type of Program – Radio</u> | | | |
|--------------------------------|-----------------------|------------------------------------|----------------------------------|
| Type of Program | # of Radio Complaints | % of Radio Complaints ¹ | % of All Complaints ² |
| Advertising | 11 | 2.9 | 0.7 |
| Comedy | 1 | 0.3 | 0.1 |
| Contests | 26 | 6.8 | 1.6 |
| Education (Human Interest) | 0 | 0 | 0 |
| Infomercial | 1 | 0.3 | 0.1 |
| Informal Discourse | 151 | 39.5 | 9.1 |
| Music | 35 | 9.1 | 2.1 |
| News and Public Affairs | 16 | 4.1 | 0.9 |
| Open-Line | 115 | 30.1 | 7.0 |
| Promos | 8 | 2.1 | 0.5 |
| Religion | 1 | 0.3 | 0.1 |
| Sports | 3 | 0.8 | 0.2 |
| Undetermined | 11 | 2.9 | 0.7 |
| Non-applicable | 3 | 0.8 | 0.2 |

Notes:

- 1) While the CBSC's non-exclusive categorization of programming results in some duplication, the percentage of complaints in each category is calculated on the basis of the actual number of complaint files concerning radio programming (382). Accordingly, the sum of the percentages would, if totaled, of course, be greater than 100%.
- 2) This percentage is based on the total number of complaint files handled by the CBSC (1,651). Accordingly, the sum of the percentages would, if totaled, be greater than 100%.

TYPE OF PROGRAM – TELEVISION

As explained in the immediately preceding section, the CBSC classifies the type of programming of its complaints in a non-exclusive manner. The reader should refer to that explanation to understand the percentages provided in the chart below.

In 2005/2006, the primary concerns with respect to television programming were:

- News and public affairs, with a total of 386 complaints (30.9% of all television complaints);
- Open-line programming with a total of 307 complaints (24.6% of television complaints);

| <u>Type of Program – Television</u> | | | |
|-------------------------------------|-----------------------------------|---|--|
| <u>Type of Program</u> | <u># of Television Complaints</u> | <u>% of Television Complaints¹</u> | <u>% of All Complaints²</u> |
| Advertising | 61 | 4.9 | 3.7 |
| Animation | 26 | 2.1 | 1.6 |
| Children's Programming | 7 | 0.6 | 0.4 |
| Comedy | 72 | 5.8 | 4.4 |
| Contests | 2 | 0.2 | 0.1 |
| Drama | 75 | 6 | 4.5 |
| Education / Documentaries | 62 | 5 | 3.6 |
| Fantasy / Science Fiction | 9 | 0.7 | 0.5 |
| Game Show | 1 | 2.2 | 0.1 |
| Infomercial | 4 | 0.3 | 0.2 |
| Informal Discourse | 6 | 0.5 | 0.4 |
| Information | 16 | 1.3 | 1.0 |
| Movies | 65 | 5.2 | 3.9 |
| Music | 5 | 0.4 | 0.3 |
| News and Public Affairs | 386 | 30.9 | 23.4 |
| Open-Line Programming | 307 | 24.6 | 18.6 |
| Promos | 51 | 4.1 | 3.1 |
| Reality Programming | 44 | 3.5 | 2.7 |
| Religion | 21 | 1.7 | 1.3 |
| Sports | 49 | 3.9 | 3.0 |
| Station ID / Logo | 5 | 0.4 | 0.3 |
| Talk Show / Variety | 28 | 2.2 | 1.7 |
| Undetermined | 55 | 4.4 | 3.3 |
| Non-applicable | 13 | 1 | 0.8 |

Notes:

- 1) The percentage of complaints in each category is calculated on the basis of the actual number of complaint files concerning television programming (1,122). See note 1 on the previous page.
- 2) See note 2 on the previous page.

KEYWORDS

The CBSC classifies programming using a set of non-exclusive keywords. Similar to the program type classification system described above, keyword classification is non-

exclusive, *i.e.* allowing for a program to be classified under more than one category. As a result, the sum of the entries in the chart below, if totalled, would naturally exceed the actual number of complaints received in 2005/2006.

| <u>Keywords</u> | | | |
|--------------------------------------|--------------------|-------------------------|--------------------|
| <u>Clause</u> | <u>Radio #</u> | <u>Television #</u> | <u>Total #</u> |
| Advisories | 0 | 24 | 24 |
| Age Discrimination | 1 | 2 | 3 |
| Bad Taste | 13 | 24 | 37 |
| Biased/Unfair/Imbalanced Information | 31 | 175 | 206 |
| Children's Issues | 16 | 131 | 147 |
| Classification/Rating | 1 | 20 | 21 |
| Coarse Language | 43 | 102 | 145 |
| Conflict of Interest | 0 | 3 | 3 |
| Contests -- Dangerous | 6 | 0 | 6 |
| Contests -- Unfair | 13 | 2 | 15 |
| Disability Discrimination | 28 | 20 | 48 |
| CRTC Matter | 0 | 14 | 14 |
| Dissatisfaction re CBSC Decision | 0 | 0 | 0 |
| Ethnic Discrimination | 21 | 39 | 60 |
| Exploitation of Children | 1 | 12 | 13 |
| Gender Discrimination | 11 | 207 | 218 |
| Improper Comments | 85 | 327 | 412 |
| Inaccurate News/Information | 33 | 95 | 128 |
| Journalistic Conduct | 2 | 34 | 36 |
| National Discrimination | 17 | 19 | 36 |
| Other | 23 | 79 | 102 |
| Privacy | 10 | 15 | 25 |
| Program Selection/Quality | 10 | 42 | 52 |
| Racial Discrimination | 45 | 38 | 83 |
| Religious Discrimination | 27 | 53 | 80 |
| Representation of Men | 3 | 7 | 10 |
| Representation of Women | 13 | 299 | 312 |
| Scheduling | 23 | 297 | 320 |
| Sexual Content | 42 | 280 | 322 |
| Sexual Orientation -- Discrimination | 21 | 15 | 36 |
| Subliminal Content | 0 | 2 | 2 |
| Treatment of Callers | 17 | 1 | 18 |
| Violence | 16 | 155 | 171 |

**STATUS OF COMPLAINTS
AT YEAR END**

Of the 1,651 files handled by the CBSC, 1,092 (66.1%) were “code relevant and specific complaints”, meaning that they (a) provided sufficient information concerning the broadcast in question to enable follow-up by the CBSC and (b) related to a code provision administered by the CBSC. The remaining 559 complaints were considered “general”, meaning that they may not have provided sufficient detail to enable follow-up, may not have raised an issue under the Codes administered by the Council or were made too late; consequently, these files were closed by the CBSC immediately following its response to the complainant.

Of the 1,092 “code relevant and specific” complaints, 891 (81.6%) will not require follow-up by the CBSC as they were resolved at the level of broadcaster and complainant communication. Fifty-eight complaints (5.3%) were either resolved through the release of decisions of the various Panels and the CBSC Secretariat or through the issuance of other Secretariat correspondence. Ninety-six complaints (8.8%) have yet to complete the dialogue process with the broadcaster and 47 (4.3 %) complaints are at various stages in the complaints review process, i.e. the complainant has requested a ruling by the CBSC.

5. ADJUDICATORS

Below is a list of CBSC Adjudicators who have served for some or all of fiscal 2005/2006. A short biography for each of these Adjudicators during their term may be found on the CBSC's website at www.cbsc.ca.

Since Adjudicators come and go during the year, it may appear that there is more than one Chair or Vice-Chair, but the positions are held successively, not on an overlapping basis. There are six public Adjudicators and six industry Adjudicators on each Regional Panel. The two National Panels, which include the twelve Public Adjudicators, plus six Industry Adjudicators on each, are chaired by

the National Chair. Overall, there remain twenty vacancies to fill as of the end of the fiscal year.

There is also a new category, namely, At Large Adjudicators, to which individuals may be appointed when they are ineligible to sit on any of the Panels on a permanent basis. These Adjudicators may sit on any of the Panels on an *ad hoc* basis, representing either the public or industry, depending on their most recent affiliation. There are up to sixteen positions that may be held by At Large Adjudicators.

ATLANTIC REGIONAL PANEL

Hilary Montbourquette, Chair, Industry Adjudicator
 Gilbert Clements, Vice-Chair, Public Adjudicator
 Leona Bossé, Public Adjudicator
 Burnley A. (Rocky) Jones, Public Adjudicator
 Bob MacEachern, Industry Adjudicator
 Carol McDade, Industry Adjudicator
 Randy McKeen, Industry Adjudicator
 Roberta Morrison, Public Adjudicator
 Toni-Marie Wiseman, Industry Adjudicator

BRITISH COLUMBIA REGIONAL PANEL

Sally Warren, Chair, Public Adjudicator
 Hudson Mack, Vice-Chair, Industry Adjudicator
 Hiroko Ainsworth, Public Adjudicator
 Jasmin Doobay, Industry Adjudicator
 Gordon Leighton, Industry Adjudicator
 Mason Loh, Public Adjudicator
 Farnaz Riahi, Industry Adjudicator
 Joan Rysavy, Public Adjudicator
 Mohini Singh, Industry Adjudicator
 Norman Spector, Public Adjudicator
 Ross Winters, Industry Adjudicator

ONTARIO REGIONAL PANEL

Robert Stanbury, Chair, Public Adjudicator
Madeline Ziniak, Vice-Chair, Industry Adjudicator
Bill Bodnarchuk, Industry Adjudicator
Jennifer David, Public Adjudicator
Hanny Hassan, Public Adjudicator
Leesa Levinson, Public Adjudicator
Karen King, Industry Adjudicator
Mark Maheu, Industry Adjudicator
Mark Oldfield, Industry Adjudicator
John Pungente, Public Adjudicator
Cynthia Reyes, Public Adjudicator

PRAIRIE REGIONAL PANEL

Daniel Ish, Chair, Public Adjudicator
Vic Dubois, Vice-Chair, Industry Adjudicator
Vince Cownden, Industry Adjudicator
Dorothy Dobbie, Public Adjudicator
Jennifer Fong, Public Adjudicator
Kelly Johnston, Industry Adjudicator
Kurt Leavins, Industry Adjudicator
Rey Pagtakhan, Public Adjudicator
Eleanor Shia, Public Adjudicator
Glenda Spenrath, Industry Adjudicator

QUEBEC REGIONAL PANEL

Guyline Bachand, Chair, Industry Adjudicator
Marie-Anna Murat, Vice-Chair, Industry Adjudicator
Louise Baillargeon, Public Adjudicator
Brian Kenemy, Industry Adjudicator
Bernard Gu  rin, Industry Adjudicator
Manon Lamontagne, Public Adjudicator
Dany Meloul, Industry Adjudicator
Gilles Moisan, Public Adjudicator
Robert Parent, Industry Adjudicator

NATIONAL Panels

Public Adjudicators

Ronald I. Cohen, Chair
Howard Pawley, Vice-
Chair
Tara Rajan, Vice-Chair
Andrew Cardozo
Sharon Fernandez
Meg Hogarth
Catherine Murray
Fo Niemi
Peter O'Neill

*Specialty Services
Adjudicators*

Sarah Crawford, Vice-Chair
Elizabeth Duffy-Maclean
Michael Harris
Vera Houle
Valerie Morrisette

*Conventional Television
Adjudicators*

Suzanne Gouin, Vice-Chair
Bob Culbert
Peggy Hebden
Jim Macdonald

AT LARGE ADJUDICATORS

Rita Deverell, Industry Adjudicator
Prem Gill, Industry Adjudicator

LIST OF CBCS MEMBERS BY REGION

Newfoundland

CFCB · CFCV-FM/RB · CFDL-FM/RD · CFGN/RB · CFLC-FM/RB · CFLN · CFLW/RB · CFNN-FM/RB · CFNW/RB · CFOZ-FM/RB · CFSX · CHCM/RB · CHOS-FM/RB · CHOZ-FM · CHVO · CIOS-FM/RB · CIOZ-FM/RB · CJON-TV · CJOZ-FM/RB · CJYQ · CKCM · CKGA · CKIM/RB · CKIX-FM · CKOZ-FM/RB · CKVO · CKXB/RB · CKXD-FM · CKXG-FM · CKXX-FM · VOCM · VOCM-FM

P.E.I.

CHTN

Nova Scotia

CFDR · CFRQ-FM · CIGO-FM · CIHF-TV · CIOO-FM · CJCB-TV · CJCH · CJCH-TV · CJLS · CKTY-FM · CKUL-FM

New Brunswick

CFJX-FM · CFXY-FM · CHNI-FM · CHSJ-FM · CHTD-FM · CHWV-FM · CIBX-FM · CIKX-FM/RB · CJCJ-FM · CJMO-FM · CJNI-FM · CJXL-FM · CKBC · CKCW-TV · CKHJ-FM · CKLT-TV · CKNI-FM · CKTO-FM

Quebec

CFAP-TV · CFCF-TV · CFCM-TV · CFDA-FM · CFEI-FM · CFEL-FM · CFEM-TV · CFER-TV · CFGL-FM · CFGS-TV · CFIX-FM · CFJO-FM · CFJP-TV · CFKM-TV · CFKS-TV · CFLO-FM · CFMB · CFOM-FM · CFQR-FM · CFRS-TV · CFTM-TV · CFVD-FM · CFVM · CFVS-TV · CFZZ-FM · CHAU-TV · CHEM-TV · CHEY-FM · CHGO-FM · CHGO-FM-1/RB · CHGO-FM-2/RB · CHIK-FM · CHLN · CHLT · CHLT-TV · CHMP-FM · CHOA-FM · CHOE-FM · CHOM-FM · CHOT-TV · CHPR-FM · CHRC · CHRD-FM · CHRL · CHRM-FM · CHVD · CHVD-FM/RB · CIGB-FM · CIKI-FM · CIME-FM · CIMF-FM · CIMO-FM · CINF · CINW · CITE-FM · CITE-FM-1 · CITF-FM · CJAB-FM · CJAD-AM · CJDM-FM · CJFM-FM · CJGO-FM · CJLA-FM · CJLP/RB · CJMF-FM · CJMM-FM · CJMQ-FM · CJMS · CJMV-FM · CJNT-TV · CJOI-FM · CJPM-TV · CJRC · CKAC · CKDG-FM · CKGM · CKLD · CKLS-FM · CKMF-FM · CKMI-TV · CKNU-FM · CKOI-FM · CKRN-TV · CKRS · CKRT-TV · CKSH-TV · CKSM/RB · CKTF-FM · CKTM-TV · CKTV-TV · CKVM · CKYK-FM

Ontario

CFBG-FM · CFBK-FM · CFCA-FM · CFFX · CFGO · CFGX-FM · CFHK-FM · CFJR-FM · CFLG-FM · CFLO-FM-1/RB · CFLY-FM · CFLZ · CFMJ · CFMK-FM · CFNY-FM · CFPL · CFPL-FM · CFPL-TV · CFRA · CFRB · CFTO-TV · CFTR · CHAM · CHAS-FM · CHAY-FM · CHBX-TV · CHCD-FM · CHCH-TV · CHEX-TV · CHEZ-FM · CHFD-TV · CHFI-FM · CHKS-FM · CHKT · CHML · CHMS-FM · CHMS-FM/RB · CHNO-FM · CHRE-FM · CHRO-TV · CHST-FM · CHTZ-FM · CHUC · CHUM · CHUM-FM · CHUR-FM · CHVR-FM · CHWI-TV/TS · CHWO · CHYC-FM · CHYK-FM · CHYK/RB · CHYM-FM · CHYR-FM · CIBU-FM · CICI-TV · CICX-FM · CICZ-FM · CIDC-FM · CIDR-FM · CIGL-FM · CIGM · CIHT-FM · CIII-TV · CILQ-FM · CIMJ-FM · CIMX-FM · CING-FM · CIOX-FM · CIQB-FM · CIQM-FM · CIRS · CIRV-FM · CISS-FM · CITO-TV/TS · CITS-TV · CITY-TV · CIWW · CJAQ-FM · CJBK · CJBNTV · CJBQ · CJBX-FM · CJCL · CJDV-FM · CJET-FM · CJEZ-FM · CJLA-FM · CJLB-FM · CJMJ-FM · CJMR · CJMX-FM · CJOH-TV · CJOY · CJPT-FM · CJQM-FM · CJQQ-FM · CJRQ-FM · CJSJ-FM · CJSS-FM · CJTN · CJXY-FM · CKAP-FM · CKAT · CKBT-FM · CKBY-FM · CKCB · CKCB-FM · CKCO-TV · CKDK-FM · CKDO · CKEY-FM · CKFM-FM · CKFX-FM · CKGB · CKGE-FM · CKGL · CKKL-FM · CKKW · CKLC · CKLH-FM · CKLW · CKLY-FM · CKNR-FM · CKNX · CKNX-FM · CKNX-TV/TS · CKNY-TV · CKOC · CKPR · CKPR-TV · CKPT · CKQB-FM · CKQM-FM · CKRU · CKSL · CKTB · CKVR-TV · CKWF-FM · CKWS-TV · CKWW · OMNI.1 · OMNI.2 · SunTV

Manitoba

CFAM · CFAR · CFEQ-FM · CFRY · CFWM-FM · CHIQ-FM · CHMI-TV · CHSM · CHTM · CIIT-TV · CILT-FM · CITI-FM · CJAR · CJEL-FM · CJKR-FM · CJOB · CJRB · CJZZ-FM · CKDM · CKJS · CKLQ · CKMM-FM · CKMW · CKND-TV · CKX-FM · CKX-TV · CKXA-FM · CKY-FM · CKY-TV · NCI-FM

Saskatchewan

CFMC-FM · CFMM-FM · CFQC-FM · CFQC-TV · CFRE-TV · CFSK-TV · CFSL · CFWF-FM · CFYM · CHAB · CHMX-FM · CHQX-FM · CICC-TV · CIMG-FM · CINT · CIPA-TV · CIZL-FM · CJCQ-FM · CJDJ-FM · CJGX · CJME · CJMK-FM · CJNB · CJNS · CJSL · CJSN · CJVR-FM · CJWW · CJYM · CKBI · CKCK-FM · CKCK-TV · CKJH · CKOM · CKRM · CKSW

Alberta

CFAC · CFBR-FM · CFCN-TV · CFCW · CFFR · CFGP-FM · CFMG-FM · CFMY-FM · CFOK · CFRN · CFRN-TV · CFRV-FM · CHBN-FM · CHBW-FM · CHED · CHF-FM · CHF-FM-1/RB · CHLB-FM · CHLW · CHQR · CHQT · CHR · CHR-FM · CHR-FM-3/RB · CHUB-FM · CIBK-FM · CIBQ · CIBW-FM · CICT-TV · CIQX-FM · CIRK-FM · CISA-TV · CISN-FM · CITL-TV · CITV-TV · CIYR/RB · CIZZ-FM · CJAY-FM · CJBZ-FM · CJMN-FM · CJMN-FM-1/RB · CJOK-FM · CJPR · CJRX-FM · CJXK-FM · CJXX-FM · CJYR · CKAL-TV · CKBA · CKDQ · CKEM-TV · CKER-FM · CKGY · CKHL/RB · CKJR · CKKX-FM · CKKY · CKLA-FM/RB · CKMX · CKNG-FM · CKRA-FM · CKRD-TV · CKRY-FM · CKSA · CKSA-TV · CKSQ · CKWA · CKWY-FM · CKYL · CKYX-FM

British Columbia

CFAX · CFBT-FM · CFEK/RB · CFGQ-FM · CFJC-TV · CFKC/RB · CFMI-FM · CFOX-FM · CFSR-FM · CFTK · CFTK-TV · CFUN · CHAN-TV · CHBC-TV · CHBE-FM · CHBZ-FM · CHDR-FM · CHEK-TV · CHKG-FM · CHMJ · CHNM-TV · CHNU-TV · CHOR · CHQM-FM · CHRX-FM · CHSU-FM · CHTK · CHTT-FM · CICF · CIEG-FM/RB · CIFM-FM · CIGV-FM · CILK-FM · CIOC-FM · CIOR · CIPN-FM/RB · CISC-FM/RB · CISE-FM · CISL · CISP-FM/RB · CISQ-FM · CISW-FM/RB · CIVI-TV · CIVT-TV · CJAT-FM · CJEK/RB · CJEV/RB · CJFW-FM · CJJR-FM · CJMG-FM · CJOR · CJVB · CJZN-FM · CKBD · CKBZ-FM · CKCL-FM · CKCL-FM-1/RB · CKCL-FM-2/RB · CKCR · CKDV-FM · CKFR · CKGF · CKGO-FM · CKGO-FM/RB · CKGR · CKIS-FM · CKIZ-FM · CKKC · CKKN-FM · CKKQ-FM · CKLG-FM · CKLZ-FM · CKMK/RB · CKNL · CKNW · CKOR · CKOV · CKQR-FM · CKSR-FM · CKST · CKTK · CKVU-TV · CKWX · CKXR · CKZZ-FM

National Broadcasters

Animal Planet · APTN · BBC Canada · BBC Kids · Biography Channel · Book Television · Bravo! · Canadian Learning Television · Canal D · Canal Évasion · Canal Vie · CityPULSE24 · The Christian Channel · CMT · The Comedy Network · COOL-TV · Court TV Canada · CPAC · CTV · CTV Newsnet · CTV Travel · DéjàView · Discovery Channel · Discovery Civilization · Discovery HD · Discovery Health · Discovery Kids · The Documentary Channel · Drive-In Classics · ESPN Classic Canada · Fairchild Television · Family Channel · Fashion Television · Food Network Canada · Fox Sports World · G4techTV · Global · Hard On Pridevision · Historia · History Television · Home & Garden Television Canada · IFC · LCN · Life Network · LoneStar · MenTV · Movieola · MTV Canada · MusiMax · MusiquePlus · Mystery · National Geographic · NHL Network · OLN · Out TV · RDS · ROBTV · RIS · Rogers Sportsnet · The Score · Scream · Séries+ · SexTV · Showcase · Showcase Action · Showcase Diva · Silver Screen Classics · Space · Star! · Talentvision · Teletatino · Teletoon · TQS · TreeHouse · TSN · TV5 · TVA · TV Land Canada · TVTropolis · Vision TV · VRAK.TV · The Weather Network · W Network · Xtreme Sports · YTV · Z Télé