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**CANADIAN BROADCAST STANDARDS COUNCIL  
ONTARIO REGIONAL COUNCIL**

DECISION CONCERNING  
THE CFRB-AM (TORONTO) NEWS REPORT OF MAY 4, 1992  
91/92-0174

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*October 30, 1992*

**FACTS OF THE CASE**

The CFRB-AM news report of May 4, 1992 described, among other events, a recent police shooting.

The CRTC received a complaint dated May 6, 1992 about this news report, and referred the complaint letter to the Canadian Broadcast Standards Council (CBSC). According to the complainant, the newscaster had indicated that the victim of the shooting was black, was "pushing drugs" and deserved his fate. The complainant felt that the remarks were racially inflammatory. He explained that he had tried to telephone the station to express his comments, but the newscaster responded with "obscenities".

The CBSC Secretariat forwarded the complaint letter to the broadcaster for response.

CFRB replied to the Secretariat and cover copied the complainant. According to CFRB, the complaint did not relate to material broadcast by the station, but rather with "an angry exchange" between the complainant and the newscaster. The station felt it provided access for audience members to comment on matters of community concern; at the same time, it strongly supported the newscaster's right to express his opinions.

The complainant was unsatisfied with the station's response and wrote to the CBSC to request that his complaint be referred to the CBSC's Ontario Regional Council. On September 30, 1992, the regional council considered the complaint.

**CODE AT ISSUE**

The CBSC Secretariat determined that the complaint could be considered under the

Canadian Association of Broadcasters' Code of Ethics, clause 2 -Human Rights, which reads:

*"Recognizing that every person has a right to full and equal recognition and to enjoy certain fundamental rights and freedoms, broadcasters shall endeavour to ensure, to the best of their ability, that their programming contains no abusive or discriminatory material or comment which is based on matters of race, national or ethnic origin, colour, religion, age, sex, marital status or physical or mental handicap. "*

## CBSC DECISION

The regional council analyzed the content of the news report and the specific issues raised by the complainant as they might relate to this code. The regional council decided that the newscast did not contain "abusive or discriminatory comments based on matters of race", and that, therefore, the broadcaster did not contravene the code.

Because the regional council decided that the broadcaster did not contravene the code, the broadcaster has the option of airing the decision. It will also be released to the Ontario media.