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**CANADIAN BROADCAST STANDARDS COUNCIL  
PRAIRIE REGIONAL COUNCIL**

CITI-FM re a radio contest (On-air Wedding)

(CBSC Decision 98/99-0477)

Decided November 18, 1999

S. Hall (Chair), D. Braun (Vice-Chair), D. Dobbie, Vic Dubois, R. Gallagher, D. Ish

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**THE FACTS**

On March 12, 1999, CITI-FM created and broadcast the results of a contest which had stemmed from the station's invitation on the previous day to listeners to answer the question "What Would You Do to Win a Trip for Two [to Banff for a snowboarding holiday]?"

While this place in CBSC decisions generally provides a transcript of relevant portions of any broadcast on which the Council is rendering a decision, on this occasion, as the result of an error on the part of the broadcaster, the relevant logger tape had been recycled. In normal circumstances, this would constitute a breach of the CBSC requirement that logger tapes be preserved for a period of 28 days following every broadcast. See, for example, *CJSB-AM re the Wendy Daniels Show* (CBSC Decision 92/93-0219, February 15, 1994) and *CJCL-AM re Stormin' Norman* (CBSC Decision 93/94-0073, June 22, 1994). In this case, however, the broadcaster proposed that it provide a statement of the facts associated with the program, since the events, rather than the precise words, were at issue here. The complainant had no argument with the proposal and the following set of agreed facts serves as the basis for the Prairie Regional Council's decision herein. The Vice-President and General Manager of the station wrote:

Following our telephone conversation on October 26, 1999 I have met with both my Program Director and the two morning personalities on CITI-FM. We have compiled the following sequence of events of the show in question.

We believe this information is accurate however, should [the complainant] identify other relevant details of the show that she believes we have omitted, we would be happy to review them and revise this document where applicable.

In addition, we have included information from the previous day's show in an effort to provide some clarity to the unfolding of events for the show in question.

**March 11<sup>th</sup>, 1999** The day prior to the show in question.

The CITI-FM morning personalities had just obtained a trip for two to Banff for a snowboarding holiday and the decision was made to give the trip away via an "on-air" contest that morning. The theme of the contest was: "What Would You Do to Win a Trip for Two?". Listeners were invited to phone in to the morning show and enter by describing what they would do.

Jill was one of the listeners who entered the contest by calling the radio station "live", on-air, and offered to marry a total stranger. This was deemed the most unusual stunt for the contest. She therefore remained on the phone and was invited to screen subsequent calls, from interested listeners in an effort to pick five eligible bachelors to compete for her hand in marriage on the next day's (March 12, 1999) morning show.

She chose five bachelors from all the callers. These bachelors and ["Jill"] were requested to be at the station the next morning at 6am. In addition arrangements were made to have a Wedding Commissioner for the Province of Manitoba present at that time for the duration of the show.

**MARCH 12<sup>th</sup>, 1999**

6:00am

- Jill, the five male contestants and the Wedding Commissioner arrived at the station and were taken into the studio.

6:15 - 8:15am

- Between regular music programming, Jill interviewed each "eligible bachelor" for ten minutes "live", on-air, with a view that one of them would become her legally wedded husband later that morning. The show was reflective of the old TV show "The Dating Game". Her most memorable questions included: "What kind of job do you have"; "Do you own your own vehicle"; "What are your favourite hobbies"; "Have you dated a lot"; "Do you own your own home"; "What kind of music do you enjoy".

8: 15am

- Jill chose one of the five bachelors, James, for her husband.

8:30am

- Jill and [JM] met separately with Charlene Jones, the Wedding Commissioner for the Province of Manitoba to discuss marriage, the implications and to sign the appropriate legal documents.

8:40am

- Charlene Jones performed the wedding ceremony "live", on-air. Jill and James were legally married. The morning personalities congratulated them and then awarded Jill the trip for two.

9:00am

- The show ended.

## The Letter of Complaint

The following letter of complaint and petition of 41 names dated March 15, 1999 was sent to the CRTC's Winnipeg office which forwarded the matter in due course to the CBSC. Since it dealt with two separate contests, the other of which is the subject of the Prairie Regional Council's decision in *CJKR-FM re a radio contest (Nude Bicycle Riding)* (CBSC Decision 98/99-0476), the letter is edited to reflect only the concerns relevant to the matter at hand.

The particulars of [the] contest are as follows;

- two strangers (or so it was perceived by the listening audience) were wed over the air in exchange for an all expense paid honeymoon/trip to Banff. This contest took place on 92 CITI FM.

[...]

We, as individuals and as a collective group of West End Christian Community Church, take serious issue with each of these poor excuses to boost ratings.

Whether the two young newly weds knew each other and set up the stunt, or whether 92 CITI FM was part of the set up are both irrelevant points. The root of this issue is that a radio station, in order to boost ratings, has made a mockery of a centuries old tradition -- one that both Christians and non-Christians hold sacred. To have a couple pledge marriage vows over the air in exchange for a vacation belittles the sacrament and serious commitment involved in a marriage.

[...]

We hope that this letter of complaint will be the impetus for the CRTC to contact, investigate and reprimand both of the above stated radio stations, We also hope that you will consider this not one letter of complaint, but many because of the collection of voices behind it. We write for ourselves, and for the hundreds of other Winnipeggers who do not bother to write because they think it will not make a difference. We hope they are wrong.

## The Broadcaster's Response

The Vice President and General Manager of CITI-FM responded to the complainant's letter on April 12<sup>th</sup>, 1999.

It is correct that 92 CITI-FM participated in a promotion that provided the opportunity for two young people to marry on air. This was not an attempt to trivialize marriage, nor to make a mockery of a century old tradition. In point of fact, although arranged marriages are common and accepted in many societies throughout the world, the two "apparent strangers" who got married on CITI-FM knew each other extremely well and had been in a close relationship for a lengthy period of time.

It should also be noted that the idea was conceived by the young woman, not the radio station, and both the young man and woman had the approval of their parents, although not required, to do so.

It is ludicrous to believe that the young couple pledged marriage vows over the air purely for the purpose of obtaining a free vacation, a trip either of the individuals could easily have afforded to purchase on their own.

[...]

Finally, 92CITI-FM believes strongly in equal and fair treatment for all individuals and I assure you that neither the station nor its employees would knowingly participate in or promote any acts that would breach the law.

The complainant was unsatisfied with the CITI-FM's response and requested, on April 16, 1999, that the CBSC refer the matter to the Prairie Regional Council for adjudication. Along with her signed Ruling Request form, the complainant copied the Council on her letter of dissatisfaction to CITI-FM's Vice-President and General Manager.

The fact that arranged marriages are common in other societies around the world has nothing to do with the fact that **92 CITI FM** arranged a contest to be held on the air that included the marriage of **two supposed strangers** who would receive, after exchanging vows, a trip to Banff. The fact that they knew each other for a lengthy period of time beforehand was not made known to the public until after the marriage. If this contest was not an attempt to trivialize marriage, then the contest was promoted improperly, as this is how it was perceived by the public.

We understand that the idea was conceived by the young woman, but we expect that 92 CITI would take responsibility for something the station promoted in order to gain listeners.

Honestly, we as listeners are extremely disappointed with a radio station that has gained a respectable reputation in comparison to many of the other radio stations in Winnipeg.

We are not satisfied with the manner in which you have chosen to rectify this complaint, and are therefore seeking a ruling request from the Canadian Broadcast Standards Council.

We believe that an apology is in order, as numerous listeners have been offended by such a contest, whether this offense was intentional or not. We would also appreciate a promise to endeavour to uphold the morals of the society in which we live by not staging contests that are "likely to give rise to a public inconvenience or disturbance" (Clause 11 of CAB Code of Ethics). Thank you for your time and consideration on this matter.

## THE DECISION

The CBSC's Prairie Regional Council considered the complaint under the Clause 11 of the *CAB Code of Ethics*. That clause reads as follows:

*CAB Code of Ethics*, Clause 11

- (a) Broadcasters recognize that whereas station contests and promotions are legitimate and useful methods of attracting audiences, they should be conducted in such a manner that the cost of any such contest or promotion is not excessive, particularly in relation to the station's programming budget.
- (b) All station contests and promotions should be conceived and conducted in good taste, and particular care should be taken to ensure that they are not likely to give rise to a public inconvenience or disturbance.

The Regional Council members reviewed all of the correspondence and, in particular, the agreed set of facts in the absence of a dub of the logger tape of the program. The Council considers that the program in question does not violate the Code mentioned above.

### **The Content of the Program**

Even if it might not go as far as the complainant's characterisation of the program in question as constituting "a mockery of a centuries old tradition", the Council does agree with the complainant and co-petitioners that the contest in question has dealt rather flippantly with the venerable institution of marriage. It is only a small point but the Council does not agree that the indications are that the station *purposefully* chose to do this to boost ratings. While all stations are, of course, always trying to keep ratings as positive as they can in terms of their own demographic goals, this contest appears to have been the simple result of an attempt to give away a trip, the kind of promotion which stations are always trying to tempt audiences with on an ongoing basis. The particular idea appears to have been audience-generated the previous day; the Council has no doubt that it was not the result of premeditation at the studio. That being said, people at the station glommed onto the idea when it was presented and did choose to go along with it. The Council only wishes to make the point that the complainant's perspective regarding its characterisation appears to be somewhat exaggerated.

Accepting, then, that the station did choose to broadcast what appeared to be a marriage ceremony between two strangers, albeit between consenting adults and therefore entirely within the legal requirements of the Province of Manitoba, the question for the Council is whether such a broadcast breached any *Code of Ethics* provisions. In this consideration, the Council does not feel the least bit assisted by the broadcaster's characterisation that the broadcast in question "was reflective of the old TV show 'The Dating Game'." Marriage is, without doubt, a more serious state and decision than a *date*. It is indeed this attitude which no doubt riled the petitioners. That being said, the Council does not see how, in a modern secular society, it can take the position that the on-air marriage, even if between two complete strangers (the Council agrees with the complainant that it is irrelevant to its assessment of the matter whether they were, or were not, known to each other), can be understood to be in breach of the Code. There is not, in this case, as in *CJKR-FM re a radio contest (Nude Bicycle Riding)* (CBSC Decision 98/99-0476), any "public inconvenience or disturbance." There may be *offence* to some, but, in an age where irreverence has, to others, become reverent, the field markers have moved. Moreover,

they will continue to do so over time. In this case, *at this time*, the Prairie Regional Council considers that public order is not so disturbed or inconvenienced by this contest that it can find a breach of the Code. It may be that, as a result of the concerns expressed by the petitioners, this station and others may be reluctant to conduct another similar contest. That must, however, be their choice for no Code breach will ensue.

### **Broadcaster Responsiveness**

In addition to assessing the relevance of the Codes to the complaint, the CBSC always assesses the *responsiveness* of the broadcaster to the substance of the complaint. In this case, more than in most, the broadcaster was called upon to provide an innovative solution to a problem which had arisen due to circumstances which the Council considered to be inadvertent and for which, in any event, the broadcaster acknowledged responsibility. The steps taken to ensure that the complainant and the Council had a virtually complete ability to assess the situation at hand are a measure of the broadcaster's commitment to the process. In addition, while the broadcaster's response did not satisfy the complainant, the Council does consider that it addressed the issues raised by the complainant and her co-petitioners fully and fairly. Nothing more is required. Consequently, the broadcaster has fully complied with the Council's standard of responsiveness.

*This decision is a public document upon its release by the Canadian Broadcast Standards Council. It may be reported, announced or read by the station against which the complaint had originally been made; however, in the case of a favourable decision, the station is under no obligation to announce the result.*