
**CANADIAN BROADCAST STANDARDS COUNCIL
PRAIRIE REGIONAL PANEL**

CJAY-FM re Forbes and Friends (Parody song re Chinese restaurant & Thai sex trade workers)

(CBSC Decision 03/04-0259)

Decided April 16, 2004

D. Ish (Chair), V. Cownden, D. Dobbie, V. Dubois, J. Fong and R. Gallagher

THE FACTS

The November 5 and 6, 2003 episodes of the morning show *Forbes and Friends*, on CJAY-FM (Calgary), parodied then current news reports. The November 7 episode revisited the news story of the previous day without parody this time.

On the first broadcast in question, the hosts' brief comments on the report that dog and coyote remains were found in a freezer in an Edmonton Chinese restaurant were followed by a parody song that implied that cat meat might be a menu item instead of the chicken, beef, or pork listed there. This parody song was dealt with by this Panel in *CJKR-FM re Announcer Comments* (CBSC Decision 99/00-0130, May 5, 2000) (the lyrics of that song, as well as all relevant transcriptions of the November 5, 6 and 7 shows are reproduced in Appendix A to this decision).

On the broadcast that aired the next day, the hosts presented a news story of a police raid on Calgary massage parlours believed to have been operating as common bawdy houses. The police were attempting to close a trafficking pipeline for Thai sex trade workers. Charges laid included conspiracy to procure a person to enter Canada to work in a bawdy house, living on the avails of prostitution, keeping a common bawdy house and participation in illegal drug-related activities. The program host, Gerry Forbes, introduced a parody skit by saying that he actually had "a tape from inside the doors" of the massage parlours targeted by the police raid, referred to as "rub 'n' tugs" by the hosts. The skit went as follows (as indicated above, a more complete transcript is available in Appendix A):

Song: She's a Singapore whore
 A singing Singapore whore

Figuring out the words from her mouth
 Is quite a friggin' chore
 Pay her a buck she won't bore
 She's a Singapore whore
 A thickly tongue, marbled mouth
 Friggin' Singapore whore
 Announcer: Tonight on Singapore whore
 Woman: That's me. Hi, do you want to make love to me in my ash?
 Man: Um, what?
 Woman: In my *ash*.
 Man: "Ash"? What? What's that?
 Announcer: That's tonight at 8.
 Woman: In my round inviting *ash*.
 Man: Round...is something on fire? What...?
 Woman: No, my *ash*, my supple round *ash*. My J-Lo *ash*.
 Man: Get that thing out of my face. What are you saying? I'm not paying for this.
 Woman: Hit it, hit it. Hee hee hee. He's so funny.
 Man: Where is the door?
 Gerry: Hit it!
 Announcer: Tonight on *Singapore Whore*.
 Gerry: Hey, if you don't...
 Woman: He's so bashful!
 Gerry: If you don't patronize these places, this stuff doesn't happen.
 Jodi: Uh hum.
 Gerry: That's the key here.
 Wicksie: Although it sounds like they're getting aggressive with it, don't they?
 Gerry: Hit it.
 Jodi: Well. You go in because you've got an ache.
 Wicksie: Because you've gotta which?
 Jodi: An ache.
 Wicksie: What? In your *ash*?
 Jodi: No, in your...Oh, forget it.

The morning show crew again dealt with the prostitution ring story the following day on November 7. The discussion went in part as follows (a more complete transcript is available in Appendix A):

Gerry: 7:16 now with Forbes and Friends and this sex slave thing.
 Jodi: Uh hum.
 Gerry: [Whistles] Pretty sad stuff.
 Jodi: It is.
 Gerry: It's amazing how many Rub 'n' Tugs we do have in town.
 Wicksie: We do have a few.
 Jodi: Didn't know.
 [...]
 Gerry: Now, these are Thai people doing it to Thai people.
 Wicksie: Yeah.
 Gerry: They're bringing, they're bringing, uh, Thai agents who're sending people here to be sex-slaves, so it's really no better than what they have over in Thailand, in Bangkok.
 Wicksie: That's true.
 Jodi: Well, once they pay off their initial fee to get here.
 Wicksie: 40 Grand.

Host: Isn't that brutal?
 Jodi: Then I think they're allowed to be...
 Gerry: How many rub 'n' tugs do you have to do for 40 Grand?
 Jodi: I don't know.
 Wicksie: But these people can't even, can't even speak English.
 Jodi: I don't know what the going rate is.
 Gerry: All you need to know is "love you long time", right?
 Wicksie: Right.
 Gerry: And "up and down". That's about it. But it's terrible that they'll be doing this to these people.
 Hosts: Umm.
 Gerry: Now they're going probably all be deported which is even worse...but, uh...
 Jodi: Yeah, they paid 40 Grand, now they're deported.
 Gerry: Stay out of these places. That's a dirty, filthy, yuk...
 Wicksie: No kidding.
 Jodi: Imagine who's been there before you, umm, isn't that lovely!
 Gerry: Oh, boy. Lot of juice there! Anyway...
 Wicksie: What?
 Jodi: Well, you gotta think...
 Wicksie: I don't wanna think about that!

On November 6, a listener who had complained previously to the CBSC about ethnic slurs and whose complaints were the subject of a previous decision involving the same broadcaster [see *CJAY-FM Forbes and Friends (Chinese Language "Translations")* (CBSC Decision 02/03-1646, April 16, 2004)] sent the CBSC the following message that read in part (see Appendix B to this decision for the full text of this and all other correspondence):

I have another complaint I must make regarding some of the comments made by CJAY 92.1 FM, a radio station in Calgary, Alberta. [...]

The reason I am filing this complaint is that the Forbes and Friends morning crew has once again found it appropriate to continue their array of ethnic skits designed to mock and ridicule Asians in general. It seems that the morning crew has taken advantage of current events and used that as an excuse to continue their campaign of mockery and ridicule against Asians.

The following day, the complainant sent another e-mail adding the broadcast date of November 7th and providing more details concerning his complaint: The most pertinent parts read as follows:

My concern is that Mr. Forbes and his coworkers have taken advantage of recent events in Edmonton and Calgary to continue a series of comments and radio skits designed to humiliate and ridicule Asian Canadians. [...]

On November 5th Mr. Forbes and the rest of the morning crew found it amusing that a Chinese Restaurant in Edmonton had the gutted carcasses of dogs or coyotes in its freezer. As a dog owner and Chinese Canadian I am very sorry and even embarrassed that this happened. Mr. Forbes and the rest of the morning crew responded to this situation by playing an interesting radio skit where they suggest all Chinese people eat dogs and cats.

On November 6th, Mr. Forbes found it amusing that several Thai sex slaves were arrested in Calgary. The song "Singapore Whore" was played prior to a radio dialogue where an Asian prostitute offers to let a man make love to her in her "ahsk" (ass). The rest of the Morning crew then made rude comments of their own. My question to the morning crew: Do you believe the existence of Asian sex slaves to be amusing? Are Asian women whores to you?

Today on November 7th at 7:15 a.m. Mr. Forbes, who found the topic of sex slaves to be very funny yesterday called the incident involving Thai sex slaves to be "sad". This is an absolutely a pathetic attempt to redeem himself for the stupidity he gleefully exhibited yesterday.

In summary, it seems that CJAY 92.1 believes Asian people are dog eating freaks and that the Asian women are whores who deserve to be ridiculed and mocked.

The broadcaster's Vice President and General Manager responded on November 26. He said in part:

I can assure you, Mr. Forbes and his coworkers have not "taken advantage of recent events in Edmonton and Calgary to continue a series of comments and radio skits designed to humiliate and ridicule Asian Canadians." As stated in my earlier correspondence, I would like to reiterate that the programming in question is meant as comedy. CJAY 92 is a Rock radio station targeting and delivering [to] an audience of adults between 18 and 49 years of age. Due to the nature of our format and our audience, humour is found to be one of the main ingredients of the radio station. The use of dialect voices and skits is by no means "meant to mock or demean Chinese People or the Chinese language". This is subjective humour as is your interpretation.

In closing I must absolutely disagree with your summary. Our offices and broadcast facilities are located in the Asian community and many of our friends, clients, listeners and neighbours are of Asian decent. CJAY 92 does not "believe that Asian people are dog eating freaks or that Asian women are whores who deserve to be ridiculed and mocked".

The complainant was not satisfied with the response and filed a ruling request on November 26, accompanied by further comments. Among these he said:

[...] Due to the brusqueness and asperity of this message, I have come to the conclusion that further correspondence with CJAY 92.1 regarding my complaint will be of little use. I am unsatisfied with the broadcaster's response and would request that the CBSC panel consider my complaint.

THE DECISION

The CBSC's Prairie Regional Panel considered the complaint under the Canadian Association of Broadcasters' (CAB) *Code of Ethics*. The relevant provisions of this Code read as follows:

CAB Code of Ethics, Clause 2 – Human Rights

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

CAB Code of Ethics, Clause 6 – Full, Fair and Proper Presentation

It is recognized that the full, fair and proper presentation of news, opinion, comment and editorial is the prime and fundamental responsibility of each broadcaster. This principle shall apply to all radio and television programming, whether it relates to news, public affairs, magazine, talk, call-in, interview or other broadcasting formats in which news, opinion, comment or editorial may be expressed by broadcaster employees, their invited guests or callers.

CAB Code of Ethics, Clause 9 – Radio Broadcasting

Recognizing that radio is a local medium and, consequently, reflective of local community standards, programming broadcast on a local radio station shall take into consideration the generally recognized access to programming content available in the market, the demographic composition of the station's audience, and the station's format. Within this context, particular care shall be taken by radio broadcasters to ensure that programming on their stations does not contain:

[...]

(b) Unduly sexually explicit material;

The Prairie Regional Panel Adjudicators reviewed all of the correspondence as well as a recording of the challenged broadcasts. While the Panel does not find that the CJAY-FM broadcast in question was unduly discriminatory, it concludes that it did breach the Code provision relating to the use of unduly sexually explicit material.

Discriminatory Humour

The Panel notes that the parody song “The Cat’s in the Kettle” broadcast on November 5 has been considered by this Panel in an earlier decision, namely, *CJKR-FM re Announcer Comments* (CBSC Decision 99/00-0130, May 5, 2000). On that occasion, the host had marked the alleged “anniversary” of a Chinese ban on family pets by playing this same parody song. This Panel did not agree with that complainant’s view that the broadcast was unduly discriminatory towards Chinese people. In the Panel’s view, the commentary was directed

in small part on the Chinese Government and in larger part on Chinese restaurants. The Council does not view these as a commentary on the Chinese

people at all. Fundamentally, the combination plays on the idea that, when you order a dish in a Chinese restaurant, you *may* get cat rather than chicken, beef, fish or pork.

The foregoing “humorous” suggestion may be outrageous or in bad taste. If the latter, it is, as the Council has often said, simply a choice for the listener with the on/off switch. If the former, though, the Council notes that there is no protection granted under the human rights provision of the Code for a *profession or an occupation* and being a Chinese restaurateur, or any other type of business person of any other ethnic origin, will not entitle one to protection any more than being a policeman did in the case of *CKLZ-FM re Announcer Comments* (CBSC Decision 94/95-0113, December 18, 1996).

The Panel took the proposition further, stating that, even if the comments could be reasonably seen to be discriminatory against Chinese people and not merely Chinese restaurateurs, they were neither abusive nor unduly discriminatory. This case is no different. If anything, the comment here is even more directly tied to Chinese restaurateurs (indeed, to a specific restaurant) than in the earlier case.

Turning then to the November 6 broadcast and the “Singapore Whore” skit, the Panel finds that its humour-driven basis is neither abusive nor unduly discriminatory (although it is considered inappropriate for broadcast on another count, as discussed below). First, the Panel notes that the skit focuses on *Singapore* sex workers, who are not even of the same nationality as the women caught up in the human smuggling enterprise in Calgary. At that, the Panel does not consider that the skit paints all Singaporean or Asian women, much less all Thai women, as whores. The skit is only about those women who work in the sex trade. There is nothing in the skit which broadens the scope of any discriminatory comment beyond the narrow confine of women sex trade workers.

Second, the humour of the skit, which may well be in bad taste, is neither nasty nor bludgeoning to use the criteria long ago established by the Ontario Regional Panel in *CHFI-FM re the Don Daynard Show* (CBSC Decision 94/95-0145, March 26, 1996). The Prairie Panel finds those comments, which it applied to its ruling on the present complainant’s complaint in *CJAY-FM re Forbes and Friends (Chinese Language “Translations”)* (CBSC Decision 02/03-1646, April 16, 2004), applicable here. In that decision, also rendered on this date, this Panel stated:

In the present instance, the Panel concludes that the humour is neither deep nor cutting. It depends principally on the relatively light-hearted technique frequently applied in cases of ethnically-oriented humour, namely, the use of accents. While these are generally employed so as to leave the impression that the person or group that is the brunt of the “joke” is inferior, occasionally the issue is simply that the person or group is different. The Panel believes that this is the case in the matter at hand. The Panel considers that the Chinese community is not belittled, mocked or marginalized. It is the object of humour, to be sure, but not on the grounds of any alleged or even implied inadequacy, weakness or failure. In a somewhat similar circumstance, in *CFYI-AM re Scruff Connors and John Derringer Morning Show* (CBSC Decision C01/02-279, June 7, 2002), the Ontario Regional Panel added that the “use of an alien accent will require

ancillary demeaning, degrading, harsh, nasty or negative commentary or association in order to be found in breach of the Code.”

Accordingly, the Panel finds no breach of the Human Rights provision with respect to the segments identified by the complainant. The Panel does, however, find that the segments are problematic for another reason.

Sexual Explicitness in Radio Broadcasting

The comments of a sexual nature broadcast on November 6 and 7 must be considered in light of Clause 9 of the *CAB Code of Ethics*, which prohibits the broadcast of unduly sexually explicit content. In addressing this subject, the Panel notes that, in another decision taken on this date, namely, *CJAY-FM re Forbes and Friends (graphic discussion)* (CBSC Decision 03/04-0157, April 16, 2004), it has considered the meaning of “explicit” as used in Clause 9. It stated there that

the *Shorter Oxford English Dictionary* defines the aspect of “explicit” that is material to the Panel as “distinctly expressing all that is meant; leaving nothing merely implied or suggested; unambiguous; clear.” While there can be no doubt that the use of the verb “rape” alone could be understood as clear and unambiguous, it is not in this sense that the Panel understands the codifiers’ intention in using the term “explicit”. The Panel considers that the codifiers meant explicit in the sense of graphic, full, expressing all that is meant, which is to say more than the isolated verb could convey. Indeed, it would make little sense for the use of a solitary verb, however unequivocal, to fall into the “explicit” category. What was intended was the unnecessary and excessive building upon that foundation, the “unduly explicit” description of, in this case, sexual activity.

In applying that understanding to the words “He grabbed her by the neck with both hands, which is a foul, turned her around, bent her over the chair and raped her,” the Panel considers that the broadcaster has been “unduly sexually explicit”. Had the host limited his observation to the fact that Bryant had raped the accuser, that would almost certainly have presented no problem. He chose, however, to convert the rape (if rape there was – this matter is still before the Courts as of the date of this decision) into a four-step event, which exceeded the bounds of Clause 9 of the *CAB Code of Ethics*.

In the matter at hand, the Panel notes that the November 6 broadcast contained repetitive references to anal sex. While a single reference might have been subtle or might have led to a double-entendre, the repetition of those references and the descriptors (“my round inviting ash”, “my round supple ash”, “my J-Lo ash”) in “Singapore Whore” renders the potentially ambivalent term “ash” quite clear and explicit.

In *CJAY-FM re Forbes and Friends (joke songs and parody advertisement)* (CBSC Decision 02/03-0674, December 15, 2003), in dealing with a song entitled “My Ex-boyfriend”, this Panel discussed euphemisms for anal sex in the following way:

There may come a point in metaphorical expression when the accumulation of individual metaphors, any one of which might be sufficiently subtle to be excusable, that the body of subtleties becomes unequivocally apparent. That is the case with “My Ex-boyfriend”, which, line-by-line, finds a different metaphorical treatment for sexual acts, principally of the anal variety. Heard, or read, cumulatively, they are, without doubt, explicit. They are, moreover, *unduly* explicit and, as such, in breach of Clause 9(b) of the *CAB Code of Ethics*.

The Panel considers that, in this case, some of the morning crew’s comments regarding occurrences in common bawdy houses were unduly sexually explicit. Specifically, the Panel notes the repetition of a prostitute’s invitation to have anal intercourse with her as well as the comment “Imagine who’s been there before you. Humm, isn’t that lovely!” combined with the reply “Oh, boy. Lot of juice there!” In the Panel’s view, these comments constitute unduly sexually explicit content for morning radio and are in breach of Clause 9 of the *CAB Code of Ethics*.

Inappropriate Humour

In *CHMJ-AM re a segment on Loveline* (CBSC Decision 02/03-0459, July 22, 2003), the B.C. Regional Panel determined that references to the Holocaust, while not discriminatory towards Jewish people, were inappropriate for use as a humorous device. That case involved a discussion with a phone sex operator who was seeking a way to keep her clients on the line a bit longer. The hosts suggested a “subliminal” messaging technique that would dampen the ardour of her callers. She was instructed to insert such words as “cancer”, “Vietnam” and “Holocaust” in her usual spiel. When, however, she attempted to use the word Holocaust, it was clear that she had no idea either of what the hosts were asking her to do or, indeed, what the Holocaust was. The hosts made fun of the hapless phone sex worker by further expounding on the Holocaust. They stated things such as “Yeah, yeah, burn those Jews”, “Gas’em in the shower” and “Send’em on a train to Krakow.” The Panel found no breach of the Human Rights Clause as the statements were clearly not intended to discriminate against people of the Jewish faith but the Panel did consider that the humour was sufficiently inappropriate as to constitute a Code breach. It stated:

The Panel draws a significant distinction between its conclusion in the previous section regarding the *nature* of the hosts’ remarks about the Holocaust and their *use* of those references in their humorous dialogue. The issue in the previous section was racism. The Panel found none. The issue here is the employment of the apocalyptic historical event as a humorous crutch. The Panel readily understands the suggested dampening effect of such non-risible concepts as cancer, Vietnam (in reference, of course, to the 1960s war) and the Holocaust on Lorraine’s yearning telephone clients. It equally understands the intended humour in the ludicrous concept of the sexual purveyor “subliminally” mouthing such words in the midst of her erotic discourse. It also understands the mockable inanity of the intellectually hapless Lorraine. When, however, the hosts progressed to the level of “Yeah, yeah, burn those Jews. Gas ’em in the

shower, baby,” and so on, even in aid of their sarcastic view of the ignorant “telephone actress”, they exceeded any reasonable level of propriety. The laughter of the hosts directed at the notion of the concentration camp trains and lethal “showers”, which combined to exterminate six million Jewish persons, accentuated the inappropriateness.

The humorous constructs erected here on the base of great tragedy constitute improper comment. The broadcast of this segment of *Loveline* constitutes a breach of the standard requiring the “full, fair and proper presentation of news, opinion, comment and editorial.”

While some parallels can be drawn between the two cases, the Panel finds a material distinction between the *Loveline* decision and the facts of this case. First, in the *Loveline* case, the humorous device was clearly linked to the tragic events of the Holocaust. The hosts used real, morbid and painful Holocaust references in their attempt to carry further the humorous situation created by the phone sex operator’s lack of knowledge of the historical occurrence. In this case, the humour and the tragedy are merely coincidental. The application of the Singapore Whore skit may have been inspired by the sad current Alberta events but it does not use them as part of the humour itself. There is, for example, no reference to sex-slavery in the skit in question. The second important distinction relates to the on-air recognition of the inappropriateness of the humour. The Panel notes that, on the morning following the November 6 broadcast, Gerry Forbes and his crew again dealt with the topical story of the sting operation but this time commiserated with the Thai women who came to Canada only to be forced to work in the sex trade under slave-like conditions. There was no such follow-up broadcast in the *Loveline* case. Quite the opposite, in the *Loveline* case, the inappropriate segment had in fact been repeated as part of a “best of” episode.

All in all, the Panel does not consider that the skit concerning Singapore sex workers crossed the line for inappropriate humour so as to constitute a breach of Clause 6 of the *CAB Code of Ethics*. That being said, the Panel urges broadcasters to exercise care and sensitivity in developing humour based on tragic events, no matter how topical the stories may be.

Repetitive Nature of the Broadcaster’s Breaches

This is not the only time that CJAY-FM has been found in breach with respect to sexually explicit content. See the decision taken on this date by this Panel in *CJAY-FM re Forbes and Friends (graphic discussion)* (CBSC Decision 03/04-0157, April 16, 2004) for the Panel’s decision concerning the repetitive nature of these breaches.

Broadcaster Responsiveness

In all CBSC decisions, the Regional Panels assess the broadcaster’s

responsiveness to the complainant. Although the broadcaster need not agree with the complainant, it is expected that its representatives charged with replying to complaints will address the complainant's concerns in a thorough and respectful manner. In this case, the Panel finds that the broadcaster's response was, in this regard, entirely appropriate. While it did not satisfy the complainant (which is always the case for complaints requiring adjudication), the Panel is satisfied that it addressed the specific points brought up by the complainant. The Panel considers that CJAY-FM has met its CBSC membership obligations with respect to responsiveness.

CONTENT OF THE ANNOUNCEMENT OF THE DECISION

CJAY-FM is required to: 1) announce this decision, in the following terms, once during prime time within three days following the release of this decision and once more within seven days following the release of this decision during the time period in which the morning show *Forbes and Friends* is broadcast; 2) within fourteen days following the broadcast of the announcements, to provide written confirmation of the airing of the announcements to the complainant who filed the Ruling Request; and 3) at that time, to provide the CBSC with that written confirmation and with air check copies of the broadcasts of the two announcements which must be made by CJAY-FM.

The Canadian Broadcast Standards Council has found that, in its broadcast of the episodes of the *Forbes and Friends* morning show of November 6 and 7, 2003, CJAY-FM has breached a provision of the Canadian Association of Broadcaster's *Code of Ethics*. In repetitively referring to specific sexual acts during those broadcasts, CJAY-FM's programming was unduly sexually explicit and was aired in breach of Clause 9 of the *CAB Code of Ethics*.

This decision is a public document upon its release by the Canadian Broadcast Standards Council.

**APPENDIX ATO
CJAY-FM RE FORBES AND FRIENDS (PARODY SONG RE CHINESE
RESTAURANT & THAI SEX TRADE WORKERS)(CBSC DECISION 03/04-0259,
APRIL 16, 2004)**

I. Transcript

The following content was aired on CJAY on the following dates:

November 5 morning show segment:

Gerry: You know who just called?
Other hosts: Who?
Gerry: The folks from Panda Chinese Food up in Edmonton.
Wicksie: Oh.
Jodi: Oh, the ones with the...uh...
Gerry: They wanted to know if we could play a tune for 'em and I said what the
heck. Jodi: I don't think this is right
Gerry: No, I said "wha'da heck".
Jodi: Oh, oh

Song starts: Did you ever think
When you eat Chinese
It ain't pork or chicken
But a fat Siamese
Yet the food tastes great
So you don't complain
But that's not chicken
In your chicken Chowmein
Seems to me I ordered
Sweet and sour pork
But Garfield's on my fork
He's purring here on my fork
There's a cat in the kettle
At the Peaking Moon
The place that I eat
Everyday and noon
They can feed you cat
And you'll never know
Once they wrap it up
In dough ball

Gerry: They have take-out but unfortunately not on a leash.
(A cat meows)
(Parody continues): They fry it real crisp in dough.

November 6 morning show segment

Gerry: Boy, wacky stuff in the paper today! Crazy!
 Jodi: No kidding.
 Wicksie: Crazy, crazy
 Gerry: Picked up the Calgary Sun and I find out, they have 40, 50 Asian women working here.
 Jodi: Uhmm
 Gerry: They got in apparently without any papers.
 Wicksie: What?
 Jodi: Uh huh...You know how?
 Gerry: How?
 Wicksie: Yeah.
 Jodi: Gerr?
 Gerry: They snuck'm in...for the old "rub'n tug"...Oh, it's, you see, what they, what they were doing, right, is they said they're bringing them to cook in the Panda restaurant in Edmonton.
 Jodi: Oh!
 Wicksie: And then brought them down Highway 2.
 Gerry: Right. After they cooked up the coyotes.
 Jodi: Put them in the old (whistle)
 Gerry: Now the police've been working on this since April.
 Jodi: Ya, last year.
 Wicksie: Operation relaxation.
 Jodi: Last year, last year.
 Wicksie: I like that "relaxation".
 Gerry: Now I wonder if it really took that long.
 Jodi: Oh, sure, they had to go undercover.
 Gerry: 'Cause I'm sure they are couple of guys going "You know, we should probably string this one through 'til February."
 Wicksie: They went under covers a few times.
 Jodi: Uh huh.
 Gerry: But, yeah, that's 'cause they had to send under co...undercover officers into the massage, the rub 'n tug and what not.
 Jodi: But how are they gonna know otherwise?
 Gerry: Well, we actually have a tape from inside the doors ...
 Wicksie: We do?!
 Jodi: Really!
 Gerry: It's not only famous, it's the world famous relaxation parlour.
 Wicksie: Oh.
 Gerry: Let's go indoors.
 Parody: She's a Singapore whore
 A singing Singapore whore
 Figuring out the words from her mouth
 Is quite a friggin' chore
 Pay her a buck she won't bore
 She's a Singapore whore
 A thickly tongue, marbled mouth
 Friggin' Singapore whore
 Announcer: Tonight on Singapore whore
 Female voice: That's me, hi, do you want to make love to me in my "ash"?
 Male voice: Um, what?
 Female voice: In my "ash"?

Male: "Ash", what? What's that?
 Announcer: That's tonight at 8.
 Female voice: In my round inviting "ash".
 Male: Round...is something on fire? What...
 Female voice: No, my "ash", my supple round "ash". My J-Lo "ash".
 Male: Get that thing out of my face. What are you saying? I'm not paying for this.
 Female voice: Hit it, hit it. Hehehe, he so funny.
 Male: Where is the door?
 Gerry: Hit it!
 Announcer: Tonight on Singapore whore.
 Gerry: Hey, if you don't...
 Female voice: He's so bashful!
 Host: Yeah.
 Gerry: If you don't patronize these places, this stuff doesn't happen.
 Jodi: Uhummm
 Gerry: That's the key here.
 Wicksie: Although it sounds like they're getting aggressive with it, don't they?
 Gerry: Hit it.
 Jodi: Well. You go in because you've got an ache.
 Wicksie: Because you've gotta which?
 Jodi: An ache.
 Wicksie: A what? In your "ash"?
 Jodi: No, in your...Oh, forget it.

November 7 broadcast

Gerry: 7:16 now with Forbes and Friends and this sex slave thing.
 Jodi: Uhummm
 Gerry Firbes: (Whistles) Pretty sad stuff.
 Jodi: It is.
 Gerry: It's amazing how many Rub'N Tugs we do have in town.
 Wicksie: We do have a few.
 Jodi: Didn't know.
 Wicksie: There is one on 17 Avenue, right by the Boston Pizza, South-West.
 Gerry: There is one right there.
 Wicksie: I thought, I thought everybody knew about that one. I think it's called the Sunshine Studio.
 Gerry: Is that the one that got busted too?
 Wicksie: Yeah, I thought people knew about that.
 Gerry: Now, these are Thai people doing it to Thai people.
 Wicksie: Yeah.
 Gerry: They're bringing, they're bringing, uh, Thai agents who're sending people here to be sex-slaves, so it's really no better than what they have over in Thailand, in Bangkok.
 Wicksie: That's true.
 Jodi: Well, once they pay off their initial fee to get here.
 Wicksie: 40 grand.
 Host: Isn't that brutal.
 Jodi: Then I think they're allowed to be...
 Gerry: How many rub'n tugs do you have to do for 40 grand?
 Jodi: I don't know.

Wicksie: But these people can't even, can't even speak English.
Jodi: I don't know what the going rate is.
Gerry: All you need to know is "love you long time", right?
Wicksie: Right.
Gerry: And "up and down". That's about it. But it's terrible that they'll be doing this to these people.
Hosts: Umm.
Gerry: Now they're going probably all be deported which is even worse...but, uh...
Jodi: Yeah, they paid 40 grand, now they're deported.
Gerry: Stay out of these places. That's a dirty, filthy, yuk...
Wicksie: No kidding.
Jodi: Imagine who's been there before you, umm, isn't that lovely!
Gerry: Oh, boy. Lot of juice there! Anyway...
Wicksie: What?
Jodi: Well, you gotta think...
Wicksie: I don't wanna think about that!
Gerry: Kudos to the Sun too for bringing this forward, to Mike DeMoore who is sort of the guy behind this thing and did some good investigative reporting and managed to get an exclusive.
Wicksie: I didn't know he was part of "operation relaxation".
Gerry: Oh, yeah, DeMoore, he knows what's going on. He was down to getting his own tug. Don't ever kid yourself.
Wicksie: Haha...He'll be happy to hear that.
Jodi: It's work. Research.
Gerry: The Sun, the Sun didn't send me out for this assignment. I could have a special exposé on Sunday.
Jodi: Oh, nice!
Gerry: They'll get me on the next one. It's, uh, 7:18. How about a contest? Jodi, what you got there?

**APPENDIX B TO
CJAY-FM RE FORBES AND FRIENDS (PARODY SONG RE CHINESE
RESTAURANT & THAI SEX TRADE WORKERS)(CBSC DECISION 03/04-0259,
APRIL 16, 2004)**

I. The Complaint

The following complaint was sent to the CBSC on November 6, 2003:

Dear [...] and Mr. [...]:

Good morning to both of you. I have another complaint I must make regarding some of the comments made by CJAY 92.1 FM, a radio station in Calgary, Alberta. The broadcasts in question took place on November 5 and 6th, 2003 on the Forbes and Friends Morning Show. These broadcasts took place at approximately 9:48 am on Nov 5, 2003 and on 9:26 am on Nov 6, 2003.

The reason I am filing this complaint is that the Forbes and Friends morning crew has once again found it appropriate to continue their array of ethnic skits designed to mock and ridicule Asians in general. It seems that the morning crew has taken advantage of current events and used that as an excuse to continue their campaign of mockery and ridicule against Asians.

I am infuriated that the Morning Crew has ignored my previous complaint dated August 11th, 2003 (CBSC File Number C02-03-1646) and has continued their campaign of intolerance.

Due to CJAY 92.1's continued offensive behaviour, I would appreciate it if the CBSC expedited its investigation into this matter.

Thank you.

The complainant also attached a copy of the letter dated September 8 that he sent regarding another file (CBSC File Number 02/03-1646) involving the same broadcaster and the same nature of the complaint at hand.

Dear Mr. [...]:

First off, I would like to thank you for taking the time to answer the e-mail sent to you on August 12th, 2003. You will notice that I am also sending this message to members of the CBSC and to Jerry Forbes and the rest of the CJAY morning crew. It is very important to me that you, the CBSC and the rest of the CJAY 92.1 morning crew understand why I have taken the steps I have in recent days.

As you know, I am offended by the content aired by CJAY on August 11th during its morning show. Your reply to my original message was thoughtful and it is obvious you took some time to put the message together. However, after reading your message, I feel your ultimate goal is to protect CJAY and its radio announcers and not to address my concerns. **This is the reason I have asked the CBSC to adjudicate my complaint.**

To be blunt, I feel your comments about subjective humour and humour based on dialect voices are nonsense. There is nothing funny or acceptable about what was aired on August 11th, 2003. The banter between Jody, Forbes and another unknown voice actor was crude, disgusting and brings to mind some of the most offensive stereotypes imaginable. I would argue that CJAY 92.1's habit of broadcasting skits like the one broadcast on August 11th that it does promote racism and prejudice among its listening public. The ethnic comedy routine broadcast on August 11th, 2003 was only the latest of a whole array of ethnic skits designed to mock and ridicule Asians in general. Just off the top of my head, I can name several instances when CJAY decided it was funny to mock and degrade Asians. Do the following songs and skits sound familiar to you? Perhaps Mr. Forbes and the rest of the morning crew will find the follow skits and songs familiar.

Singapore Whore Song
Wing the Wong number skit
Korean, Chinese sitcom gag
Korean Olympic committee mockery (After Vancouver was awarded the Olympic games)

I have been really patient with CJAY and, in the past have tried to accept CJAY's offensive comments as SNL or Simpson's type "humour". But now, after hearing all the degrading comments they have made against Asians, I see that CJAY seems to be more malicious than I thought they were in the past. My theory is that your radio station is has [sic] singled out and targeted one ethnic group for ridicule and bigotry. Unfortunately Mr. [...], your last letter has not convinced me this is **not** the case.

Mr. [...], I know that you have invited me to call you so that we can discuss this matter over the telephone. I have decided not to do so because I do not believe that you and I can come to an understanding. To be blunt again Mr. [...], you have showed me your interest is in preserving the reputation of CJAY and not in addressing my legitimate concerns. I can only hope the CBSC will make an acceptable ruling in the months to come.

If you have any questions or comments feel free to contact me through e-mail.

Thanks.

The following day, the complainant sent another email adding the broadcast date of November 7th and providing more details concerning his complaint:

Dear [...], Mr. [...] and the rest of the CJAY 92.1 Morning Team:

Yesterday I submitted a complaint against the programs broadcast by CJAY 92.1 FM on November 5th and 6th. I realize that I did not provide all the information required by the CBSC for a complaint. This message will provide you with more information regarding why I find it necessary to protest the actions of CJAY 92.1

Radio Station

CJAY 92.1 FM

Name of Program/On Air personality

Forbes and Friends Morning show (Gerry Forbes in particular)

Date and Time of Broadcast

November 5th 9:48 am
November 6th 9:26 am
November 7th 7:15 am

Specific Concern

My concern is that Mr. Forbes and his coworkers have taken advantage of recent events in Edmonton and Calgary to continue a series of comments and radio skits designed to humiliate and ridicule Asian Canadians. On August 12th I sent a complaint to CJAY 92.1 regarding a radio dialogue that mocked and demeaned Chinese People and Chinese language (CBSC# C02/03-1646). Please refer to this file for more information.

On November 5th Mr. Forbes and the rest of the morning crew found it amusing that a Chinese Restaurant in Edmonton had the gutted carcasses of dogs or coyotes in its freezer. As a dog owner and Chinese Canadian I am very sorry and even embarrassed that this happened. Mr. Forbes and the rest of the morning crew responded to this situation by playing an interesting radio skit where they suggest all Chinese people eat dogs and cats.

On November 6th, Mr. Forbes found it amusing that several Thai sex slaves were arrested in Calgary. The song "Singapore Whore" was played prior to a radio dialogue where an Asian prostitute offers to let a man make love to her in her "ahsk" (ass). The rest of the Morning crew then make rude comments of their own. My question to the morning crew: Do you believe the existence of Asian sex slaves to be amusing? Are Asian women whores to you?

Today on November 7th at 715 a.m. Mr. Forbes, who found the topic of sex slaves to be very funny yesterday called the incident involving Thai sex slaves to be "sad". This is an absolutely a pathetic attempt to redeem himself for the stupidity he gleefully exhibited yesterday.

In summary, it seems that CJAY 92.1 believes Asian people are dog eating freaks and that the Asian women are whores who deserve to be ridiculed and mocked. The programs broadcast during the three day in November I mention, in addition to the situation I describe in CBSC Case No. C02/03-1646 have led me to believe CJAY 92.1 has violated Section 3 of the Radio Regulations, 1986.

II. The Broadcaster's Response

The broadcaster responded to the complainant on November 26:

Dear Mr. [...]

The purpose of this e-mail is to reply to your complaint of November 7th, regarding content aired on the CJAY 92 Morning Show on November 5th, 6th and 7th, 2003.

I can assure you, Mr. Forbes and his coworkers have not "taken advantage of recent events in Edmonton and Calgary to continue a series of comments and radio skits designed to humiliate and ridicule Asian Canadians". As stated in my earlier correspondence, I would like to reiterate that the programming in question is meant as comedy. CJAY 92 is a Rock radio station targeting and delivering [to] an audience of adults between 18 and 49 years of age.

Due to the nature of our format and our audience, humour is found to be one of the main ingredients of the radio station. The use of dialect voices and skits is by no means "meant to mock or demean Chinese People or the Chinese language". This is subjective humour as is your interpretation.

In closing I must absolutely disagree with your summary. Our offices and broadcast facilities are located in the Asian community and many of our friends, clients, listeners and neighbours are of Asian decent. CJAY 92 does not "believe that Asian people are dog eating freaks or that Asian women are whores who deserve to be ridiculed and mocked".

II. Additional Correspondence

The complainant sent the following message to the CBSC, along with a Ruling Request from, dated November 26:

Dear [...] and Mr. [...]:

Today I have received Mr. [...]'s response to the complaint I made regarding CJAY 92.1's broadcasts on November 5th -7th. Due to the brusqueness and asperity of this message, I have come to the conclusion that further correspondence with CJAY 92.1 regarding my complaint will be of little use. I am unsatisfied with the broadcaster's response and would request that the CBSC panel consider my complaint.

One thing I would like to point out is that CJAY 92.1 has a very peculiar way of dealing with listener complaints. On November 10th at approximately 9:45 am I did receive a response from Gerry Forbes. On the radio station he said " I have something for my buddy Al! (I assume he was referring to me, unless he has another buddy called Al)" Gerry Forbes then played a Wing the Wong number radio dialogue. In this dialogue, a man with a Chinese accent calls people up, asks for their last name and says "Sorry! I wing the Wong number" Mr. Forbes then yells into the radio "Ha ha ha I am sooo funny". He then goes off the air (by the time all this was finished it was about 10am. Forbes and Friends show ends at 10am) Obviously Mr. Forbes and CJAY 92.1 does not take my complaint seriously. **Please consider this incident when the CBSC panel makes its ruling.**

[Nota: A separate complaint file was opened with respect to this incident. Following the broadcaster response, no Ruling Request was returned.]

Mr. [...],

Twice Mr. [...], you have responded to complaints I have made about the radio station you manage and twice you have insisted that there is no maliciousness, cruelty or racism behind the "humorous" comments made by CJAY 92's Forbes and Friends Morning team. I disagree and believe that the comments made by CJAY are inherently racists and demeaning. You also repeatedly state that humour and the interpretation on humour is subjective. Very well, I suggest that rely on the interpretation of the CBSC gives regarding the humour your radio station broadcasts.

Thank you.

