

---

**CANADIAN BROADCAST STANDARDS COUNCIL  
NATIONAL CONVENTIONAL TELEVISION PANEL**

Global Television re *Global National* "Decision Canada 2004" Election Coverage

(CBSC Decision 03/04-1747)

Decided March 2, 2005

R. Cohen (Chair), H. Pawley (Vice-Chair), S. Gouin, P. Hebden, C. Murray

---

**THE FACTS**

On May 23, 2004, from 10:00 to 11:30 am, *Global National* provided live coverage of the call of the June 2004 federal election. It entitled this coverage "Decision Canada 2004" and featured scenes of Prime Minister Paul Martin walking to the Governor General's residence, commentary from correspondents across the country, profiles of the major national party leaders, the leaders' live press conferences following the announcement and other election-related material. Throughout the first hour of the broadcast, a text crawl at the foot of the screen featured changing captions that provided brief facts about the election and the Canadian political system. Examples of these captions included "This is Canada's 38<sup>th</sup> general election campaign", "Key elec issue: Health care", "NDP founded in Ottawa, 1961", "Paul Martin is Canada's 21<sup>st</sup> Prime Minister" and so on.

Some of the other captions provided information about the political party leaders. For example, the caption about Liberal Party Leader and Prime Minister Paul Martin ran five times and read as follows:

Martin: 65, married, three sons

A caption about Conservative Party Leader Stephen Harper ran three times and read as follows:

Harper: 44, Evangelical Christian

A caption about New Democratic Party Leader Jack Layton ran once and read:

Layton: 53, no seat in HOC

There was no particular focus on the religion, marital status or other similar personal information in any of the other commentaries or clips featured in the coverage.

On May 28, a viewer complained to the CRTC, which forwarded the complaint to the CBSC in due course. The viewer expressed his concerns in the following terms (the full text of all correspondence can be found in the Appendix to this decision):

On Sunday, after the election was called, Global TV gave an introduction of the leaders of the three principle [sic] parties. For Mr. Martin they gave his age, marital status and number of children. For Mr. Layton they gave his age and marital status. [In fact, in its review of the tape of the broadcast, the CBSC found no reference to the marital status of Mr. Layton.] For Mr. Harper the only thing stated was "Evangelical Christian".

I am requesting that you look into this matter and find out what Mr. Harper's religious affiliation has to do with anything pertaining to the election. Or, if it is significant, why was no religious affiliation given for the other two leaders?

I see this as a blatant case of religious bigotry. It seems to me this is something you do not countenance. Otherwise, why your opposition to religious groups having their own television stations?

The complainant also sent the following e-mail directly to the CBSC on June 9:

On Sunday, May 30, my wife and I were watching Global TV as Mr. Martin made his way to the Gov. Gen.'s residence and we were called upon to have an election. Following all the official hoopla the station gave an introduction of the leaders of the 3 principal parties. First was Paul Martin. The caption gave his age, marital status, and number of children. Next was Stephen Harper. The caption read Evangelical Christian. Last was Jack Layton. The caption gave his age and marital status. What is wrong with this scenario? Presumably you will not know so I shall tell you. We have a case here of blatant religious bigotry!

I want someone from your organization to explain to me what Mr. Harper's religious affiliation has to do with an election in Canada. If it is relevant, why was no religious affiliation provided for the other two people involved? And why was Mr. Harper's marital and family status omitted?

I have my own conclusions to these questions but I may be wrong. As I see it, we have no free press in Canada. We have only a Liberal press, at least in the television industry. I know that Global is owned by the Asper family who are staunch Liberal supporters. And then we have the CBC whose management can only be Liberal supporters and whose news commentators are all Liberal supporters or they would not be working there. So we have a system here like Hitler had in Germany where he controlled the press. And our Canadian press is doing every bit as good a job at demonizing the opposition as did his.

In my opinion, Global should be required to issue a nationwide apology to Mr. Harper and to the Canadian people. If this does not happen, we will know how useful the CBSC is and how close we are to a police state. I am glad we have

the Americans next door as I foresee the day when we will have to be liberated (an ironic word isn't it) from this tyranny!

The Managing Director of Global National News responded to the complainant on June 19 explaining its rationale for airing the information that offended the complainant:

First, let me inform you that as responsible broadcasters, our entire news team strives to uphold the highest level of journalistic integrity and ethics at all times. Our staff members are educated to make programming decisions thoughtfully and with sensitivity and to produce, purchase and schedule material in accordance with community standards and with the Canadian Association of Broadcasters' (CAB) *Code of Ethics*, *Sex-Role Portrayal Code for Television and Radio Programming*, and the *Voluntary Code Regarding Violence in Television Programming*. Our news department also adheres to the Radio Television News Directors Association of Canada (RTNDA) *Code of Ethics*.

Broadcasters are given the task of providing a broad spectrum of entertainment and information for a wide variety of audiences. Each viewer will have his or her own interpretation based on personal background, experience, and values.

With respect to your specific complaint, the caption that included "Evangelical Christian" in the description of Conservative Leader Stephen Harper was taken from a Canadian Press biography of Mr. Harper that was released just prior to the broadcast in question. However, we believe the descriptor should not have been used unless the religious affiliations of the other leaders were also noted. When senior news management noticed that discrepancy, the descriptor was removed. The error was brought to the attention of the staff member responsible, and was not repeated during Global News coverage of the ensuing campaign.

That said, this caption was not intended to be derogatory but informational. Mr. Harper's religious affiliation formed part of Mr. Harper's press biography, which was available through Canadian Press. As a result we do not believe that the caption including "Evangelical Christian" was an example of religious bigotry as you pointed out in your letter, but rather factual in nature.

The complainant wrote back to the broadcaster on July 8 and, on July 27, forwarded a copy of that letter to the CBSC, which considered the letter to be the equivalent of a Ruling Request. The relevant portions of that correspondence are as follows:

Your rationalization of what and how this occurred does not wash. You are telling me that your news editors are lazy or careless when you say they took their profile from a Canadian Press biography. I am sure there was a lot more info than just that. Yet your editor chose to use only that small caption.

Granted it was not used again later. But by this time you had accomplished your purpose which was to portray Mr. Harper as "dangerous". It is akin to using the term "devout Catholic" or "Orthodox Jew" or "fundamentalist Muslim". By now the media [you people] have got Canadians convinced that these people are dangerous. [...].

You admit that the descriptor should not have been used. So what did you do to correct the oversight? As I pointed out in my complaint, I believe you owe Mr. Harper and the thousands of Canadians who call themselves Evangelical a public apology.

We have a serious problem in Canada in that we have only two national television broadcasters. One is the state owned CBC which is controlled by the Liberal Party of Canada. The other is Global which is owned by Liberal friendly individuals. Consequently we have a lot of bias in our news reporting. On top of that, the CRTC upper management have got to be Liberal friendly or they would not be in that position. And the CRTC is only concerned with political correctness when it involves any other than evangelical Christians or white males.

By now you probably think I am paranoid. But I speak for a whole lot of people that I know personally. And probably a whole lot that I don't know personally. If you have read the book "The Most Dangerous Branch" you will know what I mean.

At any rate, I still believe you need to do more to atone for what can be seen as nothing less than religious bigotry whether you see it that way or not.

The complainant sent further correspondence to the CBSC on August 8:

Our *Charter* makes reference at times to "a reasonable person". And that is where I will begin. When presenting several apple varieties, no reasonable person would say "apple A is juicy and sweet, apple B is yellow, apple C is crisp and tart". No. One would compare either the color or the flavour or the shape but use the same criteria for all.

That is not the way Global presented the leaders of the three major parties on the day the election was called. For Mr. Martin they gave the age, marital status and progeny. For Mr. Harper they gave his age and his religious affiliation. For Mr. Layton they gave his age and marital status with no mention of progeny.

My point is that any normal, reasonable person would have also given the marital status and progeny for Mr. Harper. This means that a deliberate, conscious decision was made by the editorial staff at Global to "inform" Canadians about Mr. Harper's religious connections and thus portray him as someone dangerous to the country. [*Global National News*' Managing Director], in his letter to me, acknowledged that "we believe the descriptor should not have been used". You're darn right it should not! My understanding is that, in Canada, one's religion is not supposed to be used or even publicized in this manner. As I asked before, what connection has Mr. Harper's religious affiliation with an election?

[The Managing Director] shrugged it off as insignificant. I disagree. If Mr. Harper were a Muslim or a Sikh there would have been a human rights inquiry. I believe that Global owes an apology to Mr. Harper. Furthermore, there should be a nationally televised apology as well. This is the issue before an adjudication panel.

## THE DECISION

The CBSC National Conventional Television Panel examined the complaint under both the Canadian Association of Broadcasters' (CAB) *Code of Ethics* and the Radio-Television News Directors Association of Canada (RTNDA) *Code of (Journalistic) Ethics*. The following clauses of those Codes were considered in this adjudication:

### *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.

The Panel finds no breach of the Human Rights Clause but it does find that the use of a religious description of only one of the candidates was improper journalism and, to that extent, in breach of Clause 6 of the *CAB Code of Ethics*.

### **A Preliminary Matter: What Constitutes the Newscast?**

The information in the crawl at the foot of the screen (used most frequently, but not exclusively, on all-news channels) may supplement the stories being reported in what is undeniably the major thrust of the newscast, namely, the anchor, reporter, interview or other picture component, or it may report other current news stories so as not to interfere with the principal matters being reported. Although it is, in appearance, a relatively minor part of the newscasts in which it is employed, the crawl is subject to the same rules and principles that apply to the main part of the newscast. It must be accurate, fair, proper, free of bias, respectful of dignity and privacy rights, as so on, in other words, not in violation of any codified standards.

### **Another Preliminary Matter: The Source of the Information**

The Panel would have found it useful to have the source of the information regarding Stephen Harper's religious affiliation on hand. In its response, the broadcaster merely indicated that its source was the Canadian Press (CP) story. There was no more fundamental source referred to in the broadcaster's letter. Given the reaction that could reasonably have been expected of any political figure, the Panel considers that it might have been helpful in making this point for the broadcaster to have had additional information flowing, perhaps, from the Conservative Party itself. As a sole source for the accuracy of a representation regarding such a matter as Stephen Harper's religious affiliation, the CP story would, in and of itself, not necessarily be sufficient evidence of the accuracy of the matter dealt with therein. In any event, the Panel is not concluding that the broadcaster had no such information or breached any standard by not providing such references. Moreover, had the source been the Conservative Party itself, there would have been every reason for the Party to expect that the information about the Leader's religious affiliation (which it might well have considered a vote-getter) would have been used publicly at one moment or another deemed appropriate by recipients of the information. In the circumstances, the Panel merely observes that *it* is in no position to evaluate the accuracy of the representation or the appropriateness of its publication, other than as a part of the initial election coverage, as discussed below.

### **A Violation of the Human Rights Clause?**

The complainant has left no doubt as to his view of the information related to Stephen Harper in the news crawl at the foot of the screen. Its presence is, he alleges, "a blatant case of religious bigotry." The National Conventional Television Panel does not agree. While it considers the inclusion of the words "Evangelical Christian" in the crawl a Code breach, it does so for a different reason, as discussed in the following section. To argue that the characterization of an individual as an "Evangelical Christian" is *bigotry* is to argue that such an appellation is *negative*. To many, being described as an Evangelical Christian would be a proud and positive designation. It is indeed curious, from the Panel's perspective that, in his e-mail of July 8, the complainant says that the use of the description Evangelical Christian "is akin to using the term 'devout Catholic' or 'Orthodox Jew' or 'fundamentalist Muslim'," curious because the Panel considers that none of the comparative terms is by its nature insulting. Catholics to whom their religion is important are proud to be described as "devout"; Jews who are "Orthodox", participants in one of the three main divisions of the religion, respect the tenets of their faith; and fundamentalist Muslims are those who adhere to the text of the Qu'ran more than to the context of its precepts. While all three groups may represent the more conservative and traditional elements of their religions, none of the comparative designations would be viewed as negative or harmful.

Simply put, while there can be no doubt that the isolation of Mr. Harper's religious background is discriminatory, in the sense that it differentiates him from the other party leaders by attributing a religion to him, the Panel does not find the use of the term at all abusive or *unduly* discriminatory in the newscast in question. As far as *racial bigotry* is concerned, the term is wholly inapplicable to the election coverage at issue here. The use of Evangelical Christian in the circumstances of this newscast does not breach Clause 2 of the *CAB Code of Ethics*.

### **Full, Fair and Proper Presentation**

While the Panel does not consider that the use of the phrase breaches the Human Rights Clause, it is concerned that its presence was unbalanced and inappropriate. Given that the principal thrust of the newscast was the anticipated election call associated with the Prime Minister's walk across the street to meet with the Governor General at Rideau Hall, the information in the crawl was of a supplementary nature, focussing on electoral and political matters, including such captions as "This is Canada's 38<sup>th</sup> general election campaign", "Key elix issue: Health care", "NDP founded in Ottawa, 1961", "Paul Martin is Canada's 21<sup>st</sup> Prime Minister" and so on. None of the issues raised in the electoral coverage of the broadcast in question touched on matters for which religious affiliation would have been a relevant consideration. Had positions on abortion or same-sex marriage, to pick two examples, been under discussion, religious predilection *might* have been pertinent. They were not. Consequently, it was not. Moreover, it is the view of the Panel that, even if the Conservative Party had included Evangelical Christianity on its Leader's "official" biography (and the CBSC does not have such information), the inclusion of that information in the crawl ought not to have been provided for him *alone*. At best, it was careless journalism to have it solely for Stephen Harper because of the perception of bias that it could, and apparently did (for the complainant), engender. In any event, in the present matter, the issue is not material and the Panel makes no decision based on the presence or absence of underlying supportive material. It merely concludes that the provision of the religious affiliation of Stephen Harper, even if reflective of his own biographical materials and even if accurate, was improper in the absence of corresponding information for the other party leaders and, as such, in breach of the provisions of Clause 6 of the *CAB Code of Ethics*.

### **Broadcaster Responsiveness**

In all CBSC decisions, the Council's 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, appropriately accommodating. The acknowledgment of the

error on the part of the news production team was candidly provided and the steps taken to eliminate the error during the remainder of the campaign were delineated. The Panel considers that Global Television has fully met its CBSC membership responsibility of responsiveness on this occasion.

## **ANNOUNCEMENT OF THE DECISION**

Global Television 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 *Global National* "Decision Canada 2004" was broadcast; 2) within the fourteen days following the broadcast of the announcements, to provide written confirmation of the airing of the statement 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 Global Television.

The Canadian Broadcast Standards Council has found that, in its *Global National* broadcast of the election coverage on May 23, 2004, Global Television breached the provisions of Clause 6 of the Canadian Association of Broadcasters' *Code of Ethics*. By including the religious affiliation of one, but not all, of the national party leaders in the crawl at the foot of the screen, Global Television breached the provisions of the clause of the *Code of Ethics*, which requires the fair and proper presentation of news.

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



---

## APPENDIX

### CBSC File 03/04-1747

### Global Television re *Global National* "Decision Canada 2004" Election Coverage

#### The Complaint

The following complaint dated May 28, 2004 was sent directly to the CRTC and forwarded to the CBSC in due course:

On Sunday, after the election was called, Global TV gave an introduction of the leaders of the three principle [*sic*] parties. For Mr. Martin they gave his age, marital status and number of children. For Mr. Layton they gave his age and marital status. For Mr. Harper the only thing stated was "Evangelical Christian".

I am requesting that you look into this matter and find out what Mr. Harper's religious affiliation has to do with anything pertaining to the election. Or, if it is significant, why was no religious affiliation given for the other two leaders?

I see this as a blatant case of religious bigotry. It seems to me this is something you do not countenance. Otherwise, why your opposition to religious groups having their own television stations?

Now, I am asking you to exercise your assumed role of broadcast police and lay some charges against Global TV.

You can also reach me by email at [email address]. I anticipate a speedy reply.

The complainant also sent the following e-mail directly to the CBSC on June 9:

On Sunday, May 30, my wife and I were watching Global TV as Mr. Martin made his way to the Gov. Gen.'s residence and we were called upon to have an election. Following all the official hoopla the station gave an introduction of the leaders of the 3 principal parties. First was Paul Martin. The caption gave his age, marital status, and number of children. Next was Stephen Harper. The caption read Evangelical Christian. Last was Jack Layton. The caption gave his age and marital status. What is wrong with this scenario? Presumably you will not know so I shall tell you. We have a case here of blatant religious bigotry!

I want someone from your organization to explain to me what Mr. Harper's religious affiliation has to do with an election in Canada. If it is relevant, why was no religious affiliation provided for the other two people involved? And why was Mr. Harper's marital and family status omitted?

I have my own conclusions to these questions but I may be wrong. As I see it, we have no free press in Canada. We have only a Liberal press, at least in the television industry. I know that Global is owned by the Asper family who are staunch Liberal supporters. And then we have the CBC whose management can only be Liberal supporters and whose news commentators are all Liberal supporters or they would not be working there. So we have a

system here like Hitler had in Germany where he controlled the press. And our Canadian press is doing every bit as good a job at demonizing the opposition as did his.

In my opinion, Global should be required to issue a nationwide apology to Mr. Harper and to the Canadian people. If this does not happen, we will know how useful the CBSC is and how close we are to a police state. I am glad we have the Americans next door as I foresee the day when we will have to be liberated (an ironic word isn't it) from this tyranny!

## **Broadcaster Response**

The Managing Director of Global National News responded to the complainant on June 19:

The CRTC has forwarded your complaint to me with respect to concerns about religious bigotry in *Global National's* coverage of the federal election call. Your complaint referenced our broadcast of May 30, 2004 but in fact the broadcast was on May 23<sup>rd</sup>, 2004.

First, let me inform you that as responsible broadcasters, our entire news team strives to uphold the highest level of journalistic integrity and ethics at all times. Our staff members are educated to make programming decisions thoughtfully and with sensitivity and to produce, purchase and schedule material in accordance with community standards and with the Canadian Association of Broadcasters' (CAB) *Code of Ethics*, *Sex-Role Portrayal Code for Television and Radio Programming*, and the *Voluntary Code Regarding Violence in Television Programming*. Our news department also adheres to the Radio Television News Directors Association of Canada (RTNDA) *Code of Ethics*.

Broadcasters are given the task of providing a broad spectrum of entertainment and information for a wide variety of audiences. Each viewer will have his or her own interpretation based on personal background, experience, and values.

With respect to your specific complaint, the caption that included "Evangelical Christian" in the description of Conservative Leader Stephen Harper was taken from a Canadian Press biography of Mr. Harper that was released just prior to the broadcast in question. However, we believe the descriptor should not have been used unless the religious affiliations of the other leaders were also noted. When senior news management noticed that discrepancy, the descriptor was removed. The error was brought to the attention of the staff member responsible, and was not repeated during Global News coverage of the ensuing campaign.

That said, this caption was not intended to be derogatory but informational. Mr. Harper's religious affiliation formed part of Mr. Harper's press biography, which was available through Canadian Press. As a result we do not believe that the caption including "Evangelical Christian" was an example of religious bigotry as you pointed out in your letter, but rather factual in nature.

Thank you for the opportunity to respond to your concerns.

## **Additional Correspondence**

On July 8, the complainant sent an e-mail to the broadcaster expressing his dissatisfaction with Global's response. He forwarded that e-mail to the CBSC on July 27:

Herewith I am sending you a copy of the letter I faxed to [the Managing Director of Global National News] of Global TV. I sent you a hard copy but it came back as I did not have the full address. I sent a cc to the CRTC as well. The letter follows:

July 8, 2004

Dear Sir,

Thank you for responding to my complaint about Global's election coverage. You are right about the date. I don't know how I got that mixed up. But I did say it was the day the election was announced so that helped pinpoint the date.

Your rationalization of what and how this occurred does not wash. You are telling me that your news editors are lazy or careless when you say they took their profile from a Canadian Press biography. I am sure there was a lot more info than just that. Yet your editor chose to use only that small caption.

Granted it was not used again later. But by this time you had accomplished your purpose which was to portray Mr. Harper as "dangerous". It is akin to using the term "devout Catholic" or "Orthodox Jew" or "fundamentalist Muslim". By now the media [you people] have got Canadians convinced that these people are dangerous. Your tactic was very similar to what the CBC did in the previous election when they ran the documentary "The Fundamental Day".

You admit that the descriptor should not have been used. So what did you do to correct the oversight? As I pointed out in my complaint, I believe you owe Mr. Harper and the thousands of Canadians who call themselves Evangelical a public apology.

We have a serious problem in Canada in that we have only two national television broadcasters. One is the state owned CBC which is controlled by the Liberal Party of Canada. The other is Global which is owned by Liberal friendly individuals. Consequently we have a lot of bias in our news reporting. On top of that, the CRTC upper management have got to be Liberal friendly or they would not be in that position. And the CRTC is only concerned with political correctness when it involves any other than evangelical Christians or white males.

By now you probably think I am paranoid. But I speak for a whole lot of people that I know personally. And probably a whole lot that I don't know personally. If you have read the book "The Most Dangerous Branch" you will know what I mean.

At any rate, I still believe you need to do more to atone for what can be seen as nothing less than religious bigotry whether you see it that way or not.

On August 8, the complainant sent further correspondence to the CBSC:

Thank you again for moving this item forward. I know a lot of correspondence has transpired over an extended time period. I decided it might be well for me to articulate my complaint once more in a susinct [*sic*] manner.

Our *Charter* makes reference at times to "a reasonable person". And that is where I will begin. When presenting several apple varieties, no reasonable person would say "apple A is juicy and sweet, apple B is yellow, apple C is crisp and tart". No. One would compare either the color or the flavour or the shape but use the same criteria for all.

That is not the way Global presented the leaders of the three major parties on the day the election was called. For Mr. Martin they gave the age, marital status and progeny. For Mr.

Harper they gave his age and his religious affiliation. For Mr. Layton they gave his age and marital status with no mention of progeny.

My point is that any normal, reasonable person would have also given the marital status and progeny for Mr. Harper. This means that a deliberate, conscious decision was made by the editorial staff at Global to "inform" Canadians about Mr. Harper's religious connections and thus portray him as someone dangerous to the country. [Global National News' Managing Director], in his letter to me, acknowledged that "we believe the descriptor should not have been used". You're darn right it should not! My understanding is that, in Canada, one's religion is not supposed to be used or even publicized in this manner. As I asked before, what connection has Mr. Harper's religious affiliation with an election?

[Global National News Managing Director] shrugged it off as insignificant. I disagree. If Mr. Harper were a Muslim or a Sikh there would have been a human rights inquiry. I believe that Global owes an apology to Mr. Harper. Furthermore, there should be a nationally televised apology as well. This is the issue before an adjudication panel.