
**CANADIAN BROADCAST STANDARDS COUNCIL
ONTARIO REGIONAL COUNCIL**

CFRB-AM re the Ed Needham Show (OWD Publication)

(CBSC Decision 92/93-0096)

Decided May 26, 1993

Marianne Barrie (Chair), Al MacKay (Vice-Chair), Susan Fish, Paul Fockler, Don Luzzi,
Robert Stanbury

FACTS OF THE CASE

The January 6, 1993 Ed Needham show, a phone-in talk show on CFRB, discussed, among other items, a recent Ontario Women's Directorate Publication entitled "Words that Count Women In." The Canadian Broadcast Standards Council (CBSC) received two complaint letters about the program.

First complaint

The first complaint, referred from the Canadian Radio-television and Telecommunications Commission (CRTC) was dated January 28, 1993. A listener felt that the host of the program "conducted his own anti-woman program." The listener further indicated that

[h]e used such phrases as 'up yours OWD' and 'fascist fascist rabid feminists' etc. etc. Not only what was said was offensive, it was the vile manner in which ... [the host]... spat out the words [The host] ... hid under the guise of defending the freedom of speech (a red herring) to attack the OWD and women in general [...]

The CBSC Secretariat sent the letter to CFRB for response.

In its response, CFRB indicated that it sought to present topics "in a fair and balanced manner." With respect to this particular program, the station added,

... the program which you have identified featured ... [the host's] ... strenuous objection to a government body (the Ontario Women's Directorate) attempting to control the way the citizens of a country should speak

... [The host] ... did not attack the OWD as a group, but rather he voiced objection to their attempt to dictate to the population in general, the manner in which they should communicate to ensure that they are 'politically correct.' ...

Second complaint

The CBSC also directly received a second complaint, dated January 28, 1993, about the same program. The complainant felt that the host had been "harassing, vituperative and unconscionably sexist." The complainant added that during the program, the host

spent over 2 hours making such remarks as 'Don't talk to these idiots. Just phone and spew at them for nuisance value.' Calling the publication 'a stoopid ignorant savage wrong ... evil, vile pamphlet dripping with slime' and the Women's Directorate, 'fascistic fascist fascist rabid feminists' ...

... [the host] ... is using the Canadian airwaves to promote hatred and verbal acts of aggression against women

The CBSC Secretariat forwarded this complaint to CFRB for response. In its February 26, 1993 response, CFRB wrote that

The theme of ... [the]... program and comments was to question the use of taxpayers' money, to fund a booklet which in his opinion attempts to dictate how people should speak.

[The host]... has never made an attack on women in his entire career, including the above-mentioned broadcast.

Your accusation that '... [the host]... is promoting hatred and verbal acts of aggression against women' is completely untrue and slanderous

The complainants, unsatisfied with CFRB's response to their complaints, wrote to the CBSC to have their complaints considered by the CBSC's Ontario Regional Council. The regional council met on May 26, 1993 to discuss the complaints.

CODE AT ISSUE

The CBSC Secretariat determined that the complaints could be considered in terms of the Canadian Association of Broadcasters' (CAB) *Code of Ethics*, clause 2 (Human Rights), and clause 15 (Sex-Role Stereotyping). Clause 2 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 comment which is based on matters of race, national or ethnic origin, colour, religion, age, sex, marital status or physical or mental handicap.

Clause 15 states that:

Recognizing that stereotyping images can and do cause negative influences, it shall be the responsibility of broadcasters to exhibit, to the best of their ability, a conscious sensitivity to the problems related to sex-role stereotyping, by refraining from exploitation and by the reflection of the intellectual and emotional equality of both sexes in programming.

CBSC DECISION

After listening to a tape of the program and reviewing the correspondence, the regional council members agreed that the issue was not the broadcaster's difference of opinion with the Ontario government. Rather, the issue was the host's choice of language to refer to the Ontario Women's Directorate and women.

Code of Ethics, clause 2

In a unanimous decision, the regional council decided that the host used abusive, degrading and discriminatory language when referring to women, in particular, when he claimed that, "A lot of women nowadays will vomit this one at you ... 'why do you feel threatened?' ... This is their favourite little way, because they can't think and they can't argue properly -- these radical feminist nutcakes Don't even respond to that Don't talk to the dumb stupid idiots", and "bug off, bimbo!" The host added, "That's just how these crazed, unhappy, twisted creatures who turn out this kind of swill are. These are unhappy people, hard to get along with in the world, can't find a real job, so they turn to producing this kind of nonsense. You know, it's a shame. They need help. They really need help."

Thus, the regional council members decided that the CFRB contravened clause 2 of the Code of Ethics.

Code of Ethics, clause 15

In addition, the regional council members decided that the host's comments displayed a lack of sensitivity to the problems related to sex-role stereotyping, and that, therefore, the station contravened clause 15 of the Code of Ethics.

More specifically, regional council members highlighted comments made by the host, such as "When you dignify them by debating with them, you kind of legitimize their thought processes by engaging in discussions with them as if they were [...] an intellectual and emotional equal with you and they are not", and "I am not going to discuss this kind of thing with these morons and waste my time. I have other things to do like pick my nose, scratch my behind. Those are much more important than talking to people who think like this [...] You presume that these people can be moved by common sense and logic, and this is wrong. Their minds are twisted and bent and they are case hardened around the edges. It is futile and it is timewasting to talk to these nuts [...]"

Because the Ontario Regional Council decided that CFRB had contravened the codes, CFRB is required to report this decision during peak listening times, and to confirm in writing the reporting of the decision to the CBSC Secretariat, within 30 days of the release of this decision.

The decision is also being released to the regional media.