
APPENDIX B
To
CFNY-FM re the Dean Blundell Show (David Carradine Appearance)(CBSC
Decision 03/04-1305, October 22, 2004)

I. The Complaint

The following complaint dated April 14, 2004 was sent to CRTC and forwarded to the CBSC in due course:

102.1 the Edge Toronto. The Dean Blundell Show. I was listening to the show on April 14th, 2004 at this time they had David Carradine as their guest. Right after they introduced him he said knowing he was on the air "can I use the word F**k." I was surprised there was no delay being used and I was put off by the station. I think there should be some delay to avoid this type of thing. And this is followed by the Jackass stunts which were offending a few weeks ago.

II. Broadcaster Response

The broadcaster responded to the complainant's letter on June 4, with the following:

The Canadian Broadcast Standards Council ("CBSC") has asked us to respond to your e-mail dated April 14, 2004. In your e-mail, you raised concerns the language used by the actor David Carradine during an interview on the Dean Blundell Show ("Program") on April 14, 2004. More particularly, you suggest that the actor used the "F***" word on air.

I reviewed the tape of the broadcast and here is a word-by-word transcription of the part of the interview in question:

"Dean Blundell: Joining us in studio today, the star of Kill Bill, volumes One and Two, (Volume [I] in theatres Friday)...Volume One you can get in stores on DVD as of yesterday...Mr. David Carradine.

David Carradine: Hey!

DB: We just had the long conversation about the...the use of foul language and I apo—

DC: Don't say "foul." That's a four letter word.

DB: Oh, sorry! The use of bad language. So thank you very much...

DC: That's an f-word, too."

As you can see from the foregoing, at no time was foul language used in that Program. Please be assured that we take our responsibilities as a broadcaster very seriously and to that end work to ensure all our programming complies with the Broadcasting Act, the Radio Regulations and the Canadian Association of Broadcasters Code of Ethics, administered by the CBSC.

We trust that the foregoing responds to the concerns expressed in your letter. At CFNY, we recognize the importance of listener feedback and appreciate all comments. We thank you for listening to the station and for taking the time to share your concerns with us.

III. Additional Correspondence

The complainant responded on June 7 with the following message which the CBSC considered as an equivalent to a Ruling Request.

I appreciate the response but the portion of the conversation you quoted happened after the part I was referring to in my complaint. The part you have just quoted was after the break in which the "f" word was used. That is why I am assuming they just had a discussion about foul language on the air. As is stated here: "We just had the long conversation about the...the use of foul language and I apo-"

If you did not hear this when you listened to the tape of the show I would assume it was removed from the archive. I know I did hear the "f-word" being used which would also explain his references to other "f-words"

I want to state I do enjoy the station but I felt some kind of delay should be used in those circumstances where this type of thing might happen.

On June 28, the Program Director provided the complainant with the following additional response:

The Canadian Broadcast Standards Council ("CBSC") has once again asked us to respond to your original e-mail (dated April 14, 2004) and your follow-up response on June 7, 2004. In your e-mails, you raised concerns the language used by the actor David Carradine during an interview on the Dean Blundell Show on April 14, 2004. More particularly, you're concerned that the actor used the F-word on air. As I was out of town at the time of the incident, I did not hear that broadcast and as such only heard the segment after your complaint was filed.

Furthermore, it appears that I had misunderstood your original message. Your second e-mail was instructive in alerting us about the timing of the use of "f***", which we have since learned was prior to the segment to which I thought you were originally referring.

You are, in fact, quite correct. It turns out that David Carradine did use the f-word. We apologize for not catching the use of the offending word. I thought you were referring to a different part of the interview and as a result completely missed the infraction. This was my error. Since we had no reason to believe that our guest—a well-known professional with a sterling reputation when it comes to dealing with the media—would use profanity, we were caught completely by surprise and had no time to react in a way that would have prevented the comment from being aired. The hosts immediately responded with disapproval.

Please be assured that we take our responsibilities as a broadcaster very seriously and to that end work to ensure all our programming complies with the Broadcasting Act, the Radio Regulations and the Canadian Association of Broadcasters Code of Ethics, administered by the CBSC. We have noted your concerns and have since had discussions with our on-air staff about appropriate on-air content and we will continue to exercise greater diligence on such matters. We have also taken steps to reiterate to our staff the importance of ensuring that our programs do not violate the applicable industry codes or otherwise offend our listeners. We deeply regret that the comment offended you for it was never our intention to

offend our listeners. Furthermore, we apologize for having misunderstood your original concerns.

We trust that the foregoing responds to the concerns expressed in your letter. At CFNY, we recognize the importance of listener feedback and appreciate all comments. We thank you for listening to the station and for taking the time to share your concerns with us.

The broadcaster also provided the following explanation to the CBSC on June 29:

Here are two CD recordings of the David Carradine f-word incident, originally broadcast on CFNY-FM on April 14, 2004. I've also included a copy of my letter to Mr. C. W., the listener who filed the original complaint and who also asked for additional action after our first response.

As you can see by the letter, our guest did utter the f-word. However, because of a miscommunication and misunderstanding regarding the first complaint – and because I was out of town at the time of the incident – I didn't discover the infraction until Mr. W made his request for adjudication.

My apologies. This was my error. I hope this will help clear things up.