
APPENDIX

CBSC Decision 05/06-0500 CIII-TV (Global Ontario) re *Global News* reports (“Bluffs Danger”)

The Complaint

The following complaint was sent to the CRTC on October 5, 2005 and forwarded to the CBSC in due course:

Dear Sir/Madam,

I would like to report an incident of trespassing on private property, verbal assault, and endangering the safety of minor children, committed by a Global Television News crew on September 4th [sic], 2005, at a Lakeside Village townhouse complex in Scarborough.

I live in this townhouse condominium at Livingston Rd in Scarborough. Yesterday, a Global Television news crew entered our property to do a story about public safety with the Toronto fire department. I am currently the president of the condominium board and when I learned there was a fire truck at the property, I went to find out what was happening. As I walked toward the fire department staff, I noticed several people who were just leaving an area of our property that had been fenced off due to bluff erosion.

I immediately walked toward them asking what they were doing inside the fenced-off area. When I noticed the TV camera, I asked them to identify themselves. I didn't get an answer. I asked them to leave, as this is a private property (clearly identified at the entrance). At that moment the "reporter" started to shout and yell at me. I didn't know what to do. I turned and walked to the fire department staff as they were the only "uniform" in sight. As I was walking, the "reporter" followed me and continued shouting and yelling at me. I guess they were supposed to be questions, but there was no time in between them to actually give an answer – just a stream of accusations and insinuations.

I reached the fire department staff and asked them for help. One advised me just to "walk away". I had to compose myself as I felt much violated. And I walked away. The reporter didn't follow me anymore.

I believe that news people are not above the law, and cannot behave in a way that violates other people under the pretense of "getting the story". If an unidentified man verbally attacks you in this fashion, refusing to leave your property ... isn't that violence?

After the TV crew had left, I learned from the Fire Department staff that in order to shoot their story, the *Global News* team gathered children at our property (all excited that TV was here) and sent them to the edge of the cliff, so they got their shot. They did that AFTER the fire department people refused to walk there because it is unsafe, in an area that is outside of our property boundaries, without the children's parents' knowledge or permission. I consider that another violation of basic journalistic ethics, with potentially serious consequences to the safety of our residents.

The Global TV story about safety was shot violating every safety requirement, violating other

people's privacy, putting them in danger, and trespassing on private property. As much as I understand the inquisitive nature of news, I also believe that personal harassment cannot be justified and hide behind the mask of a "well, it's the news" attitude.

The complainant sent additional information on October 25:

Dear Sir/Madam,

Thank you for your reply to my complaint (Reference 269501). Since then, I've gathered additional information that I believe is relevant to my situation, and I urge you to review the footage of Scarborough Bluffs safety stories broadcast by Global TV in Toronto on October 4th and 5th, 2005.

First of all, I'd like to correct the event date - I was harassed by Global TV news crew on October 4th, not September 4th, as originally stated. As you may understand, I was quite upset (and I still am) about the whole situation, hence the mistake. It does not change the essence of what happened, though. To ensure I was properly informed about the way Global TV News covered the story, I have obtained a copy of the particular broadcast.

Reference:

GLOBAL NEWS (17:30) (CIII-TV), 4/10/2005, 17:58 Length:00:02, Ref:5323B2-20
 SCARBOROUGH: BLUFFS RESCUE LAST NIGHT HIGHLIGHT NEED FOR GREATER;
 GLOBAL NEWS (17:30) (CIII-TV), 5/10/2005, 17:50 Length:00:02, Ref:534533-14,
 SCARBOROUGH: FOLLOW-UP ON PREVIOUS SEGMENT ON SCARBOROUGH BLUFFS.

I strongly object to the fact that my image was used in the story without my consent, and that by including incorrect information in the story, Global TV News damaged my reputation in the community where I live. As I stated in my original complaint, I asked the crew (not knowing they were a TV crew) why were they in an area that was clearly marked as off-limits and to identify themselves. Instead of answering, they started asking me questions about public safety on Scarborough Bluffs. At that point, I noticed the camera and told them ours was a private property, and since they wouldn't identify themselves, I asked them to leave. I also covered the camera lens, which I believe should be a sufficient indication that I didn't wish to be included in their story. I started walking away and they followed me. They only stopped when I asked the fire department staff for assistance. Of course, none of this was included in the broadcast, except the moment when I noticed the camera and covered its lens. By editing the story the way they did, they imply that I have something to hide (with the reporter stating it in very suggestive terms), and that I could somehow be responsible for an accident that happened the day before.

In a follow-up story (October 5th), they re-used some footage from the day before, stating that the property belongs to Newton-Trelawney, which is incorrect. It is collectively owned by the unit owners of a condominium corporation, governed by a volunteer board of directors who serve the community in their spare time, without remuneration of any kind. By associating my image with the bluffs erosion and narration 'someone who says they are on the board', the story implies that I am associated with the property management firm which is also incorrect.

Further, after singling out our property as a 'problem area', the story shows several eroded areas of the Bluffs that are on city property, without explicitly mentioning that fact. This leaves the impression that the condominium corporation is negligent in maintaining safety around the bluffs. In fact, a short walk around the property and adjacent parks will show that our safety measures are sufficient and far exceed those on public property. Your reply stated

that "the CBSC is unable to pursue your complaint". I disagree. From the two stories broadcast, there is plenty of sources to follow according to your process – "The CBSC complaints-resolution process involves the review of all correspondence from both the broadcaster and the complainant as well as a review of any tapes of the broadcast in question."

The story is not based on any research, it seems, but it is clear that they were aware of being on a private property. It is clear I didn't wish my image to be included in the story. It is clear they misrepresented facts by omitting the distinction between public land and our property. It is clear they asked teenage children to enter a very dangerous area (which is on PUBLIC land, not on our property) to get their story. Whether or not the children went along voluntarily does not change anything about this being a potentially criminal behaviour. It is clear they taped and selectively showed a telephone conversation with our property manager and that as well happened without his knowledge or consent.

Until I had actually seen the story as broadcast, my complaint was about the way I was approached and treated by the crew. From your reply I understand that "The CBSC will not adjudicate off-air events, despite the provision in some Code clauses which would seem to entitle it to do so." But after seeing it the way it was broadcast in its edited form, I have no choice than to reiterate and expand on my complaint.

I believe the story is sensationalist, bordering on slanderous, and the footage was obtained by illegal means. I can assure you that I will pursue any venue to any length to clear up my reputation so viciously attacked by the station. I believe your organization's mandate is to carefully consider my complaint as it is related to at least two of your industry codes. You state that "The CBSC is a national voluntary self-regulatory organization created by Canada's private broadcasters to deal with complaints made by viewers or listeners about programs which they have seen or heard broadcast on a member station. The CBSC administers four industry codes, namely a code of ethics, a code concerning television violence, a code concerning sex-role stereotyping and a code of journalistic ethics, which set out the guidelines for television and radio programming."

I strongly suggest you obtain a copy of the relevant broadcast stories and put it to test against your own published *Code of Ethics* (<http://www.cbsc.ca/english/codes/rtnndacode/rtnnda.htm>).

Article One (Accuracy)

Broadcast journalists will inform the public in an accurate, comprehensive and fair manner about events and issues of importance.

Article Three (Authenticity)

Broadcast journalists will present news and public affairs without distortion. Interviews may be edited provided that the meaning is not changed or misrepresented. Broadcast journalists will not present news that is rehearsed or re-enacted without informing the audience. Newsrooms should take steps to ensure the authenticity of amateur video and audio tape before broadcasting it. Editorials and commentary will be identified as such.

Article Four (Privacy)

Broadcast journalists will respect the dignity, privacy and well-being of everyone with whom they deal, and will make every effort to ensure that news gathering and reporting does not unreasonably infringe privacy except when necessary in the public interest. Hidden audio and video recording devices should only be used when it is necessary to the credibility or accuracy of a story in the public interest.

Article Seven (Corrections)

Errors will be quickly acknowledged and publicly corrected.

Article Eight (Decency and Conduct)

Broadcast journalists will treat people who are subjects and sources with decency. They will use special sensitivity when dealing with children. They will strive to conduct themselves in a courteous and considerate manner, keeping broadcast equipment as unobtrusive as possible. They will strive to prevent their presence from distorting the character or importance of events.

On November 22, the complainant sent the following e-mail to the CBSC:

Regardless of all the nice promises, the Global TV station never replied to me in any form or manner. 21 days is long gone – it seems that CBSC is not taken seriously by Global TV station.

What is the action you advise now? What is the protection you actually offer? What are the tools you can use to enforce your standards?

That same day, she also filled out the CBSC's Ruling Request web form with the following note:

I was advised that the broadcaster will contact me within 21 days. My concern was sent to Global TV station on October 26th. Today it is 27 days and I have received no response. As I have only 2 weeks after the "response deadline" to contact you, I wanted to inform you that your standards are not followed by the station. It is yet another clear indication of the station's arrogant disrespect of the rules, the law, individual personal rights, and objectivity in reporting.

Broadcaster Response

The broadcaster responded to the complainant on November 25:

Your correspondence to the Canadian Broadcast Standards Council has been forwarded to me for reply.

Let me begin by stating that the *Global News* team strives to uphold the highest level of journalistic integrity and ethics at all times. Our producers, reporters and other journalists are dedicated to produce material that is balanced, fair and in accordance with community standards and with the Canadian Association of Broadcasters' (CAB) *Code of Ethics* as well as the Radio Television News Directors Association of Canada (RTNDA) *Code of Ethics*.

On Tuesday, October 4, 2005 a *Global News* crew was assigned a follow-up story on the dangers posed by the crumbling Scarborough Bluffs. The original story that aired on Monday, October 3rd related to three minors who were rescued after going over the side of the bluffs. During pursuit of the follow-up story, a *Global News* crew of three (reporter, producer and cameraman) happened on a crumbling parking lot several hundred yards from where the original incident took place. My response to your concerns are based on three independent written accounts of the events that transpired that day from members of the *Global News* crew that were present.

After interviewing a local resident, who was frustrated by the potential danger posed by a crumbling parking lot on a property adjacent to the Scarborough Bluffs, *Global News* placed a call to the property manager who refused to discuss the situation and terminated the call abruptly. A woman, Ms. [K.], who refused to immediately identify herself, then approached the *Global News* crew. In addition to clearly visible Global markings on the crew's electronic field production equipment, the Global crew verbally identified themselves. At no time were images of Ms. [K.] taken in a clandestine fashion without her knowledge. At no time was the *Global News* crew asked by Ms. [K.] to leave the property. All three members of the crew insist that at no time did any of them shout at Ms. [K.]. Questions regarding public safety were repeatedly asked but Ms. [K.] refused to answer them. At one point Ms. [K.] grew frustrated with the interview and attempted to cover the lens of the *Global News* camera with her hand.

I am satisfied that the reason a *Global News* crew was at a dangerous part of the Scarborough Bluffs was to pursue a story of public interest and safety. I am satisfied that the *Global News* crew clearly identified itself. I am fully satisfied that the story that aired on *Global News* on October 4th was accurate and did not take Ms. [K.]'s remarks out of context nor did it misrepresent her in any way. I also believe our news crew did not invade Ms. [K.]'s privacy, as she was the one who approached the crew. I am also satisfied that the crew treated Ms. [K.] respectfully.

In conclusion, I believe that we are in compliance with sections 1, 3, 4, 7 and 8 of the RTNDA referred to in Ms. [K.]'s letter.

Additional Correspondence

The complainant re-submitted her Ruling Request on December 6 along with additional comments:

Global Television Network has finally replied to my complaint from October 11, 2005, regarding a story related to public safety at Scarborough Bluffs in Toronto. Global TV's response did not address any of my concerns, and it went further in denying events at our property that led to my complaint in first place, regardless of easily verifiable facts from their own footage and the aired broadcast.

It is upsetting to learn that while the subjects of my initial complaint, the members of the *Global News* crew, obviously had the benefit of reading my side of the story, I didn't have the benefit of reading theirs. All I got was an arrogant, superficial response by News Director [R. W.], in which only few sentences were relevant to the actual complaint. The fact that he did not care to respond in the required 21 day limit, and the superficiality of his response indicate his lack of interest in finding out the truth, and his disrespect to me, as well as CBSC.

I expect that in further inquiry, CBSC will obtain copies of the two broadcasts in question, and compare them with the detailed breakdown of the stories that I prepared and forwarded to [the] CBSC Correspondence Officer. Only that will allow CBSC to see the actual facts, and the ethical and legal problems with how the story was presented, with an obvious bias against my community, and violation of my personal rights.

I also request that this letter, as well as any further correspondence is NOT shared with Global TV, but only with an independent panel of broadcast experts who can decide without any undue influence from Global TV management. So far, I feel that the CBSC's complaint

resolution process favours the broadcaster against a single individual.

The complainant also sent the following e-mail and attached letter:

As the actual Ruling Request form available on your website doesn't allow for attachments, I am forwarding my letter to you. I identified in the ruling request that my detailed breakdown of the story was sent to you. Please pass it to the appropriate people.

Thank you for facilitating the complaint process.

Attachment

As you are aware, Global Television Network has finally replied to my complaint from October 11, 2005, regarding a story related to public safety at Scarborough Bluffs in Toronto. Global TV's response did not address any of my concerns, and it went further in denying events at our property that led to my complaint in the first place, regardless of easily verifiable facts from their own footage and the aired broadcast.

Before I continue, let me state that I don't appreciate that while the subjects of my initial complaint, the members of the *Global News* crew, obviously had the benefit of reading my side of the story, I didn't have the benefit of reading theirs. All I got was an arrogant, superficial response by News Director [R. W.], in which only few sentences were relevant to the actual complaint. The fact that he did not care to respond in the required 21-day limit, and the superficiality of his response indicate his lack of interest in finding out the truth, and his disrespect to me, as well as CBSC.

[The News Director] supposedly based his letter on "three independent written accounts of the events that transpired that day from members of the *Global News* crew that were present". I believe it would be prudent to attach them. I would very much like to read those written accounts to see how "independent" they were, and how the crew continue to misrepresent facts. Based on his response, I have no reason to have any faith in the accuracy and objectivity of [News Director]'s investigation.

I expect that in further inquiry, CBSC will obtain copies of the two broadcasts in question, and compare them with the detailed breakdown of the stories that follows. Only that will allow CBSC to see the actual facts, and the ethical and legal problems with how the story was presented, with an obvious bias against my community, and violation of my personal rights.

I also request that this letter, as well as any further correspondence is NOT shared with Global TV, but only with an independent panel of broadcast experts who can decide without any undue influence from Global TV management. So far, I feel that the CBSC's complaint resolution process favours the broadcaster against a single individual.

My complaint concerns two broadcasts, one on October 4th, and a follow-up on October 5th, 2005. I purchased the aired program, and the breakdown below refers to the copy of the program. I will deal with each program separately.

I. The October 4th broadcast

The story starts with someone off-camera removing temporary fencing that was put in place around a section of our parking lot to prevent an accidental access to the damaged area.

Reporter: "The first sign of trouble – a flimsy plastic fence, nothing more than a band-aid."

The way the story opens suggests the attitude with which the crew approached the rest of it. Its very first sentence shows the bias with which the reporter treats the whole issue.

Who gave the TV crew permission to remove the fence? Is it legal for them to do so? I very much doubt it. What they failed to mention is that it is a considerable distance from the temporary fencing to the actual damaged area.

At approximately 6 seconds, they cut to a shot of maintenance workers repairing a fence.

Reporter: "Work crews are putting up something more permanent, but even they aren't optimistic."

This comment suggests that the fence had not been there before the work. In fact, this is a part of the fence that was cut just the day before, when an unfortunate accident happened after a teenager climbed over the fence that is over five feet high (5'4"). The fence was cut open on October 3rd to allow emergency rescue crews gain access to the Bluffs. It was being repaired the very next day after the accident. It shows that both our condominium and the property managers take safety of our residents very seriously.

At 26 seconds, a close shot of the damaged area of the parking lot is shown, accompanied by a reporter's comment:

"Look what we found just two hundred yards away ..."

followed by another comment a few seconds later:

"... and look: it's clear even kids are playing here, and nothing is being done about it."

How does a presence of a toy prove that children are playing in that area is beyond me, especially in light of a following shot showing a resident's dog going into the troubled spot – just seconds later. How is that for accurate and responsible reporting? It is a conjecture, nothing more. According to our condominium rules, children must be supervised when playing on the property. It is far less likely a child would be allowed to play anywhere near the damaged area, than a dog snatching a toy at the playground and dropping it there. If someone finds a toy in a garbage dump, does that mean that children play there?

In my opinion, a responsible reporter takes only the relevant fact, and makes the conclusions that have the simplest explanation – but that is not done by a reporter who has made up his mind about what he wants to show and how he wants to tell a story.

At 43 seconds, a shot of one of our residents shows her to retrieve [sic] her dog, followed by a reporter's comment:

"Veronica Warren walks her dog here every day. On this occasion, Spike, who is deaf, ended up on the wrong side of the fence."

While we may be sympathetic to Ms. Warren and her dog, the undisputed fact is that there are signs all over our property clearly indicating that dogs must be on a leash. How did Spike end up on the wrong side of the fence, and where exactly was Ms. Warren walking her dog? Those are safety issues as well, ones that are solely the responsibility of the residents. We are a condominium, not a police state. Safety is everyone's concern, and it is ironic that a

person that chooses to violate her own safety responsibilities is the one used in the story to somehow suggest that the condominium is negligent.

Unfortunately, the reporter chose to portray someone who was caught on camera not following basic common sense safety precautions as a frustrated resident, in contrast with how they chose to portray me later in the story.

At 59 seconds, more shots of the damaged area follow, with reporter's comments:

"Dangerous – so we tried to find out who should be fixing this. We started with the property manager." (cut) "Are you gonna fix the parking lot, sir?"

Property manager's response heard from the speaker phone:

"I am not going to answer any questions, I am hanging up on you."

The reporter failed to mention how long that phone call took. The aggressive and confrontational style of the reporter's questioning increasingly frustrated our property manager, eventually prompting him to put the phone down. They didn't inform the property manager that the conversation was being taped. Recording and broadcasting a telephone conversation without the other party's knowledge and consent is illegal in Canada, as [the News Director] surely knows. Yet he has the audacity to defend this clearly illegal behaviour of his crew.

The next concern is the way the crew gained access to our property. From the story, it is clear they were aware of being on a private property. They had not received a prior permission to record footage at our property, as is evidenced by the fact that they only called the property manager after they had entered the property. The property manager is not authorized to make these sorts of decisions without an approval by the condominium board, and that was the reason he eventually ended a call that led nowhere, with the reporter not acknowledging the limits of what the property manager could legally do.

Instead, the next comment – *"Nothing. And – he did hang up on us."* – suggests unwillingness to cooperate, which was clearly the reporter's own fault.

At 1:15, the story cut to my image. At the risk of being redundant, let me restate what happened:

When I went outside to find out why there was a fire truck at our property, I did what any reasonable person would do, especially in the context of the accident the day before: I challenged strangers lingering on our property, in an area marked off-limits by temporary fencing. I did not approach A TV CREW. I approached TRESPASSERS – people who were NOT members of my community, who were putting themselves in danger by crossing into an area marked off-limits, thus creating a potential liability for the whole condominium. Anyone who is concerned about public safety would do the same.

I was not aware that they were a TV crew until I started to talk to one of the individuals. At that point, I was not even aware of the camera because the other person was further inside the fenced-off area. This is quite obvious from closely looking at the footage.

At the cut, I am shown talking to someone off-camera, while the camera keeps moving from the area behind the person I talked to, finally resting on me. It was only then I noticed the camera. [The News Director] refers to "clearly visible Global markings on the crew's electronic field production equipment", but all I saw was the lens. I didn't have a chance to

identify any markings, and the people did not introduce themselves. [News Director] and his crew refer to this as an *'interview'*. Let me break the news to them: An interview is something the subject agrees to, is aware of, and doesn't object to. What happened here was a paparazzi-style ambush on an unsuspecting person who acted and behaved in the best interest of the community and its safety.

During the shot, the reporter comments:

"Moments later, we were met by someone who told us she was a member of the board. Still, no answer."

In reality, my voice can be heard, albeit unintelligibly, behind the reporter's comment. Clearly, I did give them SOME answer, and that answer was that they were trespassing on a private property, and that they should leave.

Had [the News Director] actually reviewed the raw footage, before it was so creatively edited by the news crew, he would see and hear me clearly state they should leave the property immediately. He would also see me walking away, with the cameraman following me, and the person I had talked to shouting something in the sense *"So you think that because this is a private property, it's not a public safety issue?"*

I am sorry – I don't cooperate with people who behave like this. Obviously, [the News Director] was not shown that incriminating footage, otherwise he wouldn't be able to stand behind his crew with such vehemence he has shown in his reply:

"I am fully satisfied that the story that aired on Global News on October 4th was accurate and did not take Ms. [K.]'s remarks out of context nor did it misrepresent her in any way. I also believe our news crew did not invade Ms.[K.]'s privacy, as she was the one who approached the crew. I am also satisfied that the crew treated Ms. [K.] respectfully."

It is not surprising that people who have no problem twisting or editing out verifiable facts also have no problem denying their own illegal and unethical behaviour.

Once again – I object very strongly to the way my footage was obtained, that it was taken on my private property to which the crew had not gained a lawful access, and that it was broadcast despite my obvious objections, without my permission, and in a wrong context. The simplest explanation for my covering the lens (not wishing to be recorded) is misinterpreted by the reporter as *"It's clear they don't want you to see this."*

At 1:24, a shot of several teenagers climbing over a fence follows, with a comment:

"Nor do they want you to see where these kids took us, just metres away from the sinking parking lot – over a single-wire fence, down the steep, narrow, well-used path. They call this 'The quiet getaway on the edge'."

The reporter makes it sound as though this area is also on our property. In fact, right at the beginning of this segment, as one of the teenagers is climbing over the wires, a 5-foot and 4-inches high fence can be seen in the background. That fence separates our property from City of Toronto's South Marine Park. All the footage that follows until a cut at 1:55 is on the public property, and is not *"just metres away"*. It is a distance of at least 100 metres on the ground. Contrary to the reporter's sensational statement, I don't have any reason why I would want to hide the danger in a public area close to my own home.

Once again, the reporter chose to seek a sensation, rather than responsibly, objectively, and

accurately state the facts. It is also in a strong contrast with the claim by City Councillor David Soknacki in the follow-up story – but I'll get to that later.

The 'teenager' sequence also shows utter disregard for other people's safety. If the crew themselves choose to enter a dangerous area to pursue a story (as is claimed in [the News Director]'s response, "I am satisfied that the reason a *Global News* crew was at a dangerous part of the Scarborough Bluffs was to pursue a story of public interest and safety"), I might accept that. But they clearly encouraged the teenagers to 'take them there', as was witnessed by some residents and the fire department crew on site, who themselves refused to go there for safety reasons.

So, here we have a crew that is doing a story on public safety, and that doesn't hesitate to endanger lives of minors to put some sensation into it. I can hardly think of anything more shameful and unethical a journalist can do. But according to [the News Director], it's all right.

Finally, at 1:58, they cut back to the crumbling parking lot, with a grand finale comment:

"So who is responsible for fixing this? No one really seems to know. This cliffhanger in Scarborough doesn't seem to be going anywhere soon."

All the crew needed to do is to use a proper way to gain access to our property, our board members, and City of Toronto's Conservation Authority in whose jurisdiction repairing of collapsed bluffs belongs.

II. The October 5th broadcast

The story starts with the anchor commenting while we see a shot of two people standing at the edge of the Bluffs:

"The Global News' chopper is live over the Scarborough Bluffs tonight. While scenic, the Bluffs can also be a dangerous place, as we saw two nights ago, when three people had been rescued from the cliff. Global's Antony Robart now with how little has been done to make the Bluffs safer, despite the appeals of area residents."

This narration, while reasonable on the surface, when taken in context with the previous broadcast and the rest of this one, gives an impression that the unfenced area in the shot is also part of the property that had been singled out as a 'problem'. Anyone who knows Scarborough Bluffs area will immediately see that this shot was taken several kilometres away from our community.

At 0:16, a fancy transition follows – from a shot of the Bluffs falling straight into Lake Ontario, to a shot that shows a clearly visible stretch of shoreline restoration project at the bottom of the Bluffs. Several kilometres apart, but that doesn't stop Mr. Robart from presenting it as one and the same. Very accurate and objective, indeed.

At 0:21, a cut follows from a shot that shows the area adjacent to our property, to a completely unprotected area in City of Toronto's Guildwood Park, about a kilometre east of our property, an area to which there is no immediate access from our community. The reporter comments:

"To appreciate this beauty, you put your life on the line, literally. Open access to the edge ..."

Cut to a shot of the parking lot at our community:

"... parking lot that's going down the cliff. What's going on here?"

At 0:30, a cut follows to an interview with City Councillor David Soknacki, with reporter's narration:

"That's what this area's City Councillor is asking", and then Mr. Soknacki's opinion:

"... it is a finger-pointing exercise over the issue whether something ought to be built up there or not." Seconds later (at 0:43), he continues *"... and property owners are now saying 'but we have this investment'"*, followed by a cut back to our community's troubled parking lot (at 0:46), with the reporter saying:

"A number of residents have lodged complaints, but on this private property owned by Newton Trelawney Management, nothing has been done."

This is a double lie. If there are any complaints regarding the Bluffs from OUR residents, I as a board member would definitely know about it. If Mr. Robart's information about any lodged complaints was correct and verified, he would also know that our property is NOT owned by Newton Trelawney Management. It is pure imagination on Mr. Robart's part that makes him utter unsubstantiated statements and present them as the truth.

At 0:53, Mr. Soknacki's interview continues: *"It's not as if it is a park, because if it's a park, we could make the phone call, and the fences would be up like that"* (snapping his fingers).

It's disturbing enough that a city councillor would make a statement that is contrary to the truth (as I believe I have shown). What is doubly disturbing is that the reporter would leave this obvious falsehood without a challenge, or at least a comment. Truly objective and accurate reporting, Mr. Robart and [the News Director]!

At 0:59, Mr. Soknacki continues: *"It's private property, and people regard that as you would your own backyard."*

At 01:04, cut back to our property, with reporter's comment: *"And many share this backyard. The Conservation Authority says it offered to help, ??? the owner ideas on what it needs to do. That was three weeks ago."*

That information is inaccurate. There has been no offer from the Conservation Authority. They prohibited our condominium to do any repairs until a geological assessment was completed. No offer to help, no suggestion on who and how should fix [sic] the collapsed area. Mr. Robart did absolutely nothing to verify his information, only slanderously put all the blame on our condominium.

At 1:19, a fire department captain has some words of wisdom:

"The Bluffs are always unpredictable ... when they're going to break away, so the best advice I can give you is 'that's what these fences are for'. The fences tell you not to go over to the other side."

It is precisely the same advice with which I approached the trespassers (who turned out to be a TV crew) the day before. The crew chose to portray me as a paranoid, secretive board member who 'doesn't want you to see this'.

At 1:29, the reporter continues (with a shot from Guildwood Park, NOT our property):

“The scary thing is – that is not the only area that is a major safety concern. All along the edge of the Bluffs, there are many, many open access points that lead to a cliff, and with erosion has become very unstable, and obviously, very dangerous.”

While I have to acknowledge this attempt by the reporter to include some additional context to the story, I must say it is too little, too late. Moreover, he reverts back to the overall theme of the story (at 1:43), putting blame on our property:

“So will anything be done to this dangerous part of the Bluffs? The city councillor vowed on the record that pressure will be put on the owners, but with the finger-pointing in full-swing, the residents’ trust is in short supply. If nothing is done soon, the Bluffs won’t be the only thing to erode.”

This may seem quite reasonable, except like in any finger-pointing exercise, my position is the city needs to clean its own house first.

Out of about ten kilometres of Scarborough Bluffs, our property is just a few hundred metres long, and it is much better protected than any of the publicly-owned areas of the Bluffs. To suggest otherwise is incorrect, and to broadcast it on TV is slanderous.

Our property is safe and very well maintained. In the ten years I’ve lived here, the accident on October 3rd, 2005 was the first of its kind that happened on our property, through no fault of the property manager, the condominium board, or any of our residents. The person who climbed over the fence was not even our resident. Not only was she trespassing, she had shown a complete absence of common sense, that can put anyone in danger at any time, fences or no fences.

Several hundred metres of our property is immediately adjacent to the Bluffs. The whole length is protected by a metal fence 5’4” feet high. About ten metres in length collapsed last spring due to natural erosion of the Bluffs, and was immediately fenced off to prevent any accidental access. We have done all attempts [*sic*] to resolve the issues of safety, ownership, jurisdiction, and environmental protection, and all delays in repairing the fence are caused by the Conservation Authority’s extremely slow response.

Then one day, an obnoxious TV reporter shows up and singles out our property as if it is a disaster waiting to happen. Out of ten kilometres of the Bluffs, much of which is on public land, they took ten metres (about one tenth of a percent) and built a whole story around it. As I have shown above, Global TV, its reporter Mr. Robart, the crew, and finally the News Director [R. W.] have no problem misrepresenting verifiable facts, making far-fetched conclusions, and making liberal editing decisions to structure the story to fit their preconceived ideas. It is no wonder they have no problem lying about the events that took place off-camera, or were edited out and conveniently deleted.

I have no other choice than ask CBSC for a review and issue a following ruling on this broadcast:

1. Global TV violated Article One of CBSC Code of Ethics:

Broadcast journalists will inform the public in an **accurate, comprehensive and fair manner** about events and issues of importance.

As I have shown above, on several occasions in the two broadcasts, Global TV omitted or misrepresented facts. While I have no objection to previous coverage of the accident that took place on October 3rd, I object to the fact that they did not perform basic journalistic fact checking before appearing on our property for a follow-up story. They misrepresented who

the owners of this property are, they portrayed me contrary to the events that actually took place. They failed to seek an informed opinion on the status of the collapsed Bluffs environment. They presented several parts of publicly owned lands as part of our property, painting a picture of a property owner that disregards its obligations to its residents. They have shown strong bias in the way they chose to portray my community, and me as one of its representatives. I was the only identifiable person in the story connected to the property's ownership and management, and the story's bias has jeopardized my reputation.

2. Global TV violated Article Three (Authenticity):

Broadcast journalists will present news and public affairs without distortion. **Interviews may be edited provided that the meaning is not changed or misrepresented.**

The unauthorized recording of a telephone conversation with our property manager was edited to suggest that he refused any communication whatsoever. In reality, he was trying to communicate that he was not authorized to give interviews regarding the property without a prior authorization by its owners represented by the condominium board of directors. He grew increasingly frustrated with Global TV's demands, and eventually hung up.

The unauthorized recording of my conversation with one of the crew members took place without prior notice, and was edited out of context. My response was edited out, leaving out of the broadcast the fact that I challenged the crew's reason for being on our property, and asked them to leave.

3. Global TV violated Article Four (Privacy):

Broadcast journalists will respect the **dignity, privacy and well-being of everyone with whom they deal**, and will make every effort to ensure that news gathering and reporting **does not unreasonably infringe privacy** except when necessary in the public interest.

The crew entered a private property unannounced and without permission. They illegally removed temporary fencing put in place to restrict access to a crumbled area of the parking lot. They refused to leave the property when asked to do so. The crew did not introduce themselves and did not treat me with respect. They recorded and broadcast my image without my permission, and they followed me with their recording equipment as I was walking away from them, shouting insinuating questions to which I had no answers. I never gave consent to an interview or to have my image shown on air.

To make a story of public interest, they chose to single me out at my private property that is much safer than any of the adjacent areas of Scarborough Bluffs. Entering our property and including it in the story was not in the general public interest.

**4. In light of the points 1.-3. above and point 5. below, Global TV violated Article Seven (Corrections):
Errors will be quickly acknowledged and publicly corrected.**

In my original complaint, as well as in this letter, I have shown multiple errors in the two broadcasts. Some of those errors the broadcaster must have been aware of at the time of producing the story. Namely, they made multiple misrepresentations with regards to private and public property ownership, and presented the repair of an existing fence cut for rescue workers as an installation of a brand-new fence that had not been there before (presumably only after an accident happened).

I demand that Global TV air a correction story, in a prime-time news segment, with all the relevant facts verified and checked, a story that restores the reputation of my condominium, myself, and our property manager. I demand that I review the correction before it is

broadcast. Finally, I demand a letter of apology that is signed by a member of Global TV's senior management.

5. Global TV violated Article Eight (Decency and Conduct):

Broadcast journalists will treat people who are subjects and sources with decency. **They will use special sensitivity when dealing with children. They will strive to conduct themselves in a courteous and considerate manner.**

Global TV violated this article by encouraging children to enter an unprotected area of the Bluffs, outside of our property, knowing well that it is an extremely dangerous place.

As an identifiable subject of their story, I demand that Global TV produce the necessary permissions to enter my private property, and record and broadcast my image.

Last but not least: In the total of 4:11 minutes of the combined story time, 3:20 minutes are directly showing or were recorded at the edge of Scarborough Bluffs. Only 1:41 of that is showing our property, yet the whole story is presented as a particular owner being negligent in maintaining public safety measures. This story can be called many things – slanderous, biased, unethical. Objective, accurate, or balanced it is not.