

**Speaking Notes for  
Ron Cohen**

**National Chair  
Canadian Broadcast Standards Council**

**Speech to the Rotary Club**

***Broadcast Standards ...***

***Warning: This Speech May Contain Mature Subject Matter and Examples that May  
Offend Certain People.  
Audience Discretion Advised.***

**Toronto, Ontario  
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**Check against delivery**

Thank you very much, Robert, for that kind introduction.

And thank you, ladies and gentlemen, for that warm welcome; it's great to be here with you today.

I want to say at the outset how pleased I am to see so many of you here... It's encouraging to know that you weren't put off by the warning in the title of the speech.

... Come to think of it, maybe that convinced some of you to come out!

When Robert O'Brien invited me to address you, and he asked if I needed any audio-visual equipment, I wondered whether he was expecting the image of the Janet Jackson "wardrobe malfunction" on a large screen. Or the voice of Howard Stern in full insult. Or any of Bono, Eminem, or Cher using the f-word on television. Or the Stéphane Dion interview outtakes on *Mike Duffy Live*. We deal with all such matters.

In any event, whatever your motivation, I'm very glad you're here.

You know, in this very room, I have several times spoken of Sir Winston Churchill. Hence it is difficult for me to avoid at least a brief reference to him.

Let me, therefore, remind you that it was 69 years ago yesterday that he announced to the British House of Commons, with some trepidation no doubt, that, with the evacuation of Dunkerque, the Battle of France had ended and the Battle of Britain was "about to begin". Still, he was able to muster the strength to call upon his compatriots to brace themselves to their duty and to so bear themselves "that if the British Commonwealth and Empire lasts for a thousand years, men will still say, 'This was their finest hour.'" A moment for the ages.

Back to important, but less consequential, values. I'd like to begin by explaining why I chose the title for this speech. There are three main reasons.

First of all, because it's literally true ... this speech does deal with so-called "mature themes", and some people may be offended by examples I raise to illustrate my organization's work. So consider yourselves warned!

Second, the title reminds us of the warnings all of you have probably seen on television at some point, perhaps when watching a program containing scenes of violence, offensive language and/or sexual content.

For anyone here who's unfamiliar with the Canadian Broadcast Standards Council, those warnings are a good introduction, since we are responsible for ensuring that broadcasters run them.

If you consider them a nuisance, just remember that they are *information*, aimed at helping people make *informed* choices about what they want to watch or, more important, what they *don't want to watch*.

Finally, I chose that title because it provides a good starting point for a discussion of the kind of work we do.

And what is that? Well, in a very general sense, the CBSC's role is to ensure that Canadian broadcasting meets the high standards expected by Canadian viewers and listeners.

To get a better understanding of what I mean, let me give you a brief overview of the Canadian Broadcast Standards Council.

The CBSC is an independent, non-governmental organization. It was created nearly 20 years ago by the Canadian Association of Broadcasters – the “CAB” – to administer codes and standards that were created by its members, Canada's private-sector broadcasters.

Those members number almost 730 private sector radio and television stations, conventional networks, specialty and pay television services, and satellite radio services from across Canada. These radio and television licensees broadcast in English, French and more than fifty other languages.

Broadcasters created this voluntary system of codes because they recognized that the shows they broadcast on TV or on the radio have the ability to influence public opinion, modify attitudes and shape minds.

I recognize that some people might be a little sceptical about that idea, but broadcasters *recognize and care about* the power of their microphone and the influence of their small screen.

And the fact is, we are audience members, but often without even recognizing what that role means.

We all watch or listen to programming every day.

For some, it's the morning show on the TV in the kitchen while you're getting kids ready for school ...

... A TV news report streamed on your computer at the office ...

... The afternoon drive-home show, on the car radio ...

... or listening to satellite radio as you drive across the country.

Broadcasting is part of our day-to-day reality. Often, it brings us together, providing us with common experiences, or a shared perspective.

That's why it's important that the programming we listen to, or watch, meets the highest possible standards. Fairness. News that we can trust. Content compatible with

children's viewing limits and our own values. Uninsulting content. Provocative but responsible talk shows. And so on.

That is why broadcasters take this issue so seriously. And don't forget – they *live* in the communities to which they broadcast.

Through their codes, private broadcasters promise to respect the interests and sensitivities of the people they serve.

At the same time, they're meeting their responsibility to preserve the industry's creative, editorial and journalistic freedom. There is nothing easy about *that* juggling act.

Since 1990, for nigh on twenty years, the CBSC has helped the industry ensure that these high standards are maintained. We also inform the public of the existence of these standards, and, perhaps most important, we provide a recourse for members of the public regarding the application of these standards.

We have created an effective complaints procedure. While its goal is to encourage the resolution of complaints at the local level, directly between broadcasters and their audiences, we step in when that is impossible.

When needed, we convene a Panel composed of public and industry representatives to adjudicate unresolvable complaints. We've done that with CJMF-FM in Quebec City, we've dealt with a caller's comments on CHNI-FM in Saint John, NB, a discussion on CTV's *Question Period* about the movie *Young People You Know What-ing*. And this happened recently in a case involving former Liberal leader Stéphane Dion and CTV News.

You may remember that, five days before the last federal election, Stéphane Dion was made to look silly when he was shown asking a TV newsmen to repeat an unclear question several times, and never seeming to understand what was being said.

The CBSC received a number of complaints from Canadians about how Mr. Dion had been treated, both during the original broadcast on CTV's Atlantic newscast, and on a re-broadcast of the outtakes on *Mike Duffy Live* on CTV Newsnet that night.

Two CBSC Panels considered these two broadcasts separately. In both cases, the conclusion was that the decision to air Mr. Dion's was in violation of two different Broadcast Codes.

As a consequence of these decisions, CTV was required to first run a statement saying it had violated broadcast journalism standards during the supper hour newscast in Halifax, nation-wide during Tom Clark's *Power Play*, the successor to the Mike Duffy show; and then to repeat both in prime time.

Now, some people might say "Make two announcements? Is that all? Big deal!"

But it is a big deal for *any* news organization, indeed, for any broadcaster.

After all, every broadcaster's number one asset is its integrity and reliability. That is why the Codes were established in the first place: to set a standard that broadcasters must meet, every single day. And they strive mightily to do so, generally with *great* success. As a result, Canadians enjoy news coverage that is generally of very high quality.

The CTV decision was certainly not a "one-off". Over the past 19 years the CBSC has dealt with more than 18,000 complaints. We have handed down nearly 450 decisions, all of which are posted on our website.

Of that total, since 2000-2001, the overwhelming majority of the formal decisions (nearly 73%) have been in favour of the complainant, and the broadcasters in question have been required to make changes to conform to the codes. In some cases, such as Howard Stern, Laura Schlessinger, the Power Rangers, and Doc Mailloux and Louis Champagne in Quebec, the solution has been to remove the programs from the airwaves. In other talk show environments, there have been changes to the broadcasters' approach.

As part of our commitment to better reflect Canada's changing society, we also have a new code, the *CAB Equitable Portrayal Code*.

This Code is intended to overcome unduly negative portrayal and stereotyping in broadcast programming, including commercial messages.

It deals with portrayals based on matters of race, national or ethnic origin, colour, religion, age, gender, sexual orientation, marital status or physical or mental disability.

It is worth pointing out that, even though it was developed by private broadcasters, the *Equitable Portrayal Code* has been endorsed by the CRTC. And every broadcaster in Canada, however small, is required to adhere to this Code.

On that subject, the CBSC took an important step forward in the past year – we were asked to review and take a position on a show that was broadcast on Radio-Canada, the French-language side of CBC.

This is new ground for us, since, as I mentioned earlier, the CBSC was created by Canada's private broadcasters. We got involved in reviewing a CBC program because the CRTC asked us to examine the broadcast and report back.

Let me explain ...

Some of you may be familiar with a television fixture in Quebec: the annual "Bye-Bye" broadcast on New Year's Eve.

It's a satirical, hopefully humorous, look back at the past year's major events, from federal and provincial politics, entertainment, sports, and whatever the big news stories were in a given year. Think "This Hour Has 22 Minutes" or "Air Farce".

It's been running on and off for forty years, and is a tradition in Québécois homes. Even kids are permitted to stay up over the midnight hour to watch the "Bye-Bye".

Anyway, in recent years – but not last year – the show had been put together by the Comedy troupe RBO. They used to have their own weekly show. While that's no longer on the air, they would come together for the "Bye-Bye" and they made it a big success.

Last year RBO decided not to do it. So Radio-Canada recruited another bunch of comics. And that's where the problems started.

The show was troubling. Many viewers found it deeply offensive, on many levels. The media reaction was overwhelmingly negative. The complaints from viewers poured into the CRTC.

People objected to so-called "jokes" about Barack Obama in particular, and blacks in general. They objected to misguided attempts at humour about violence against women. They were also offended by a number of insulting and stereotypical comments about English Canadians.

To get a better sense of what people complained about, let me give you a few samples of what appeared on that broadcast. And let me pause before I do so to remind you of the title of my speech. Some of you—very likely all of you—will no doubt be offended by the following.

During one skit one of the performers commented that Barack Obama would be easier to shoot ... yes, with a gun ... because he is a *black* man living in a *White* House.

The same man, who was pretending to interview Obama, warned viewers to "hide their purses" because he was hosting a "black" on his show.

In another skit, about former hockey star Patrick Roy and his aggressive hockey-playing sons, a recurring element was the violence inflicted on Patrick Roy's *wife*.

The actress playing the wife flinched when the "Patrick Roy" character approached. And then when her "son Jonathan" pounced on her, she got up off the floor with a black eye.

So there you have three examples of the most offensive race-based and misogynous content I have seen in a very long time.

And those are just three examples of what people complained about.

The CBSC's Quebec Regional Panel adjudicated the 210 complaints about the show, and found that the broadcast violated both the *Equitable Portrayal Code* and the *CAB Violence Code*.

Now, what is the result of that public reprimand? Well, in response, let me quote from an Associate Press article, which appeared last month.

The ... CRTC will use the council's report as a basis for its own eventual decision on complaints against the show.

The regulatory body does not have the power to issue a fine ..., but if it also reprimands the broadcaster, that could create problems for Radio-Canada when its license is up for renewal.

[...]

Dan Philip, president of the Black Coalition of Quebec, expressed satisfaction with the findings of the broadcast standards council.

'This is what we have been looking for,' he said. 'Radio-Canada, an institution that is supposed to be representative of the public, I think violated all basic understanding as to its responsibility in society.'

That is, I think, one of our chief contributions: we help ensure fairness in broadcasting.

As Mr. Philip correctly pointed out, broadcasters have a responsibility in our society, and the CBSC helps ensure that they honour that responsibility.

Still, I know some people say, "If you don't like what's on, change the channel or turn it off."

But that's not the right approach. It's wrong to expect the person who has been insulted to remove himself, or herself, from the group.

And if we advocate simply ignoring offensive programming, what about the audience members who don't change the channel, either because they aren't offended by the insults aimed at *others*, or because they're too young to tell the difference?

When someone tries to be funny on the airwaves with a sexist joke or an exploitative promotion, that behaviour marginalizes the targeted people. And desensitizes everyone.

If some host makes insulting comments about a cultural community or about someone's sexual preference, under the guise of "political commentary" or "opinion", that also marginalizes people. And desensitizes the rest of us. It's not political correctness; it's *Canadian values*.

Offensive comments or images, conveyed on a respectable public medium like a TV network or a radio station, normalize such negative portrayals and bring them into the mainstream. And leave everyone else with the sense that such comments are okay. Nudge nudge. Wink wink. Just kidding.

In so doing, they undermine the ideals of mutual respect and co-operation that are the very pillars of our country's equitable society.

That is why I believe so strongly in what we are doing. And it's why I am so pleased to have this opportunity to meet with all of you, and other Canadians right across the country.

Thank you very much.