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## APPENDIX

### CBSC Decision 09/10-1980 CKIS-FM re the Roz and Mocha Show

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#### The Complaint

The CBSC received the following email complaint on August 13, 2010:

I wish to file a complaint against one of the stations under your supervision, 92.5 KiSS FM in Toronto. My complaint regards the conduct of "Roz and Mocha", the radio station's morning show hosts. At 7:51 am on August 13/2010, they had an inappropriate and offensive conversation with a 10-year-old male caller who identified himself as "Noah". During this conversation, they belittled his name, questioned his religion, colour and origin. They then had a conversation regarding erections with this innocent 10-year-old child. This offensive conversation is against the *Ontario Human Rights Code* and should not be tolerated by your agency, the radio station management or the public. I believe these radio hosts should face disciplinary action, have to apologize on air to the listeners and to "Noah". I have small children who listen to this station and they should not be subjected to this type of abusive conversation including a 10-year-old child.

Please investigate this matter.

#### Broadcaster Response

The station responded to the complainant with a letter dated September 10:

Dear Mr. B,

We have received your complaint to the Canadian Broadcast Standards Council (CBSC) regarding *The Roz and Mocha Show* broadcast on CKIS-FM on August 13, 2010 at approximately 8:00 am.

As you may be aware, the CBSC is an independent organization that administers codes and standards proposed by the Canadian Association of Broadcasters (CAB), and approved by the Canadian Radio-television and Telecommunications Commission (CRTC). CKIS-FM is owned and operated by Rogers Broadcasting and is a member in good standing with the CBSC.

The codes and standards administered by the CBSC include the *CAB Code of Ethics*. For your reference, the following clause is relevant to your concerns:

#### ***Clause 9 - Radio Broadcasting***

*Recognizing that radio is a local medium and, consequently, reflective of local community standards, programming broadcast on a local radio station shall take into consideration the generally recognized access to programming content available in the market, the demographic composition of the station's audience, and the station's format. Within this context, particular care shall be taken by radio broadcasters to ensure that programming on their stations does not contain:*

*(a) Gratuitous violence in any form, or otherwise sanction, promote or glamorize violence;*

*(b) Unduly sexually explicit material; and/or*

*(c) Unduly coarse and offensive language.*

Your complaint relates to a conversation between the hosts, Roz and Mocha, and a 10-year-old male who called in to the station. You stated that during the discussion the hosts belittled his name, questioned his religion, color and origin and discussed the slang terminology for an erection which you found offensive.

Please note that we have reviewed the broadcast in question and understand your concern.

As you are no doubt aware, CKIS-FM is a contemporary hit radio station with a target demographic of 18-49. The Roz and Mocha morning show is, by design, intended to be edgy and caters to a specific audience that enjoys listening to provocative discussions. As you can appreciate, live radio is immediate and unpredictable, but it also presents certain challenges when it comes to inappropriate remarks or poor choice of words.

Having said that, our management team agrees the hosts' comments regarding the erection were in poor taste. However, these comments were not directed to the boy but were part of a discussion between the hosts. Please note that management has spoken with them about this incident and were assured that it would not happen again.

However, given the format of the station, target audience and the fact that the conversation was not unduly sexually explicit, we do not believe that CKIS-FM violated the *CAB Code of Ethics*.

Notwithstanding, it is clear from your letter that you were offended and for that we sincerely apologize. We value the opinion of all of our listeners.

### **Additional Correspondence**

The complainant submitted his Ruling Request on September 13 with a short note:

In my opinion, the *CAB Code of Ethics* was indeed violated and the conduct demonstrated was careless, unprofessional, inappropriate and outside the boundaries of "excellence in broadcasting". I am not satisfied with the station's response.