
**CANADIAN BROADCAST STANDARDS COUNCIL
PRAIRIE REGIONAL COUNCIL**

CITV-TV re "You Paid for It" (Immigration)

(CBSC Decision 95/96-0088)

Decided December 16, 1997

S. Hall (Chair), D. Braun (Vice-Chair), K. Christensen,
D. Dobbie, V. Dubois, D. Ish

THE FACTS

On November 13, 1995, as a part of both its 6:00 and 10:00 p.m. newscasts, CITV-TV (ITV, Edmonton) began a series entitled "You Paid for It" which focussed on how the government spends taxpayers' money. The first segment of this series dealt with the government's spending in relation to immigration.

The 2-minute report on the 6:00 p.m. newscast focussed on the language aspects of the immigration issue. It went as follows:

Boni Fox: Tai has been in Canada for three years and she is struggling with the English language. Tai and her fellow students are able to take this English as a second language course for free. The Mennonite Centre for Newcomers runs most of its services for immigrants that way, thanks to you, the taxpayer. Last year the budget showed revenues of \$1.1 million. More than half that came from Ottawa, about a third came from Alberta, another fraction from local government.

Laurel Borisenko (Mennonite Centre for Newcomers): It's becoming increasingly difficult to get the money to provide the services that we need. There's kind of a stereotype that these people are coming and taking our jobs and sucking money out of welfare when, in fact, that's not the case.

Boni Fox: Still, the Reform Party's Treasury Critic is convinced that much of the Department of Citizenship and Immigration's spending is unnecessary.

John Williams (Reform MP, Treasury Critic): We are, in some cases, buying the furniture, in many cases buying furniture for these people, paying the rent, buying the groceries, paying for them to go to school. So where does our obligation stop?

Boni Fox: Williams' Ottawa office went through Access to Information legislation and spent thousands of dollars researching this issue. Some of what he found he considers to be unacceptable.

John Williams: This is the one I like which is airport limousine, right here. About as soon as they arrive off the plane, we put them in the airport limousine and ferry them off to a hotel because these are the ones who are sponsored by the Government of Canada.

Boni Fox: These immigrants don't consider their English classes extravagant. After all, without the ability to communicate here, they'd have a tougher time becoming contributing taxpayers themselves. So the next time you meet a person struggling with your language, pay attention. It may be English that you've paid for. Boni Fox, ITV News at 6.

The 10 p.m. newscast aired the report again, using many of the same interview clips but focussing this time on computer training as well as the language courses issue. The report went as follows:

Boni Fox: A classroom full of young adults is introduced to computers. These students speak different languages and they come from different countries. Like Shirin, they're getting a helping hand with English and job skills for their new life in Canada. They don't have to pay for this twelve week course thanks to the Mennonite Centre for Newcomers and thanks to you, the taxpayer.

John Williams: We are, in some cases, buying the furniture, in many cases buying furniture for these people, paying the rent, buying the groceries, paying for them to go to school. So where does our obligation stop?

Boni Fox: Last year the Mennonite Centre's budget showed revenues of \$1.1 million. More than half that came from Ottawa, about a third came from Alberta, another fraction from local government.

Laurel Borisenko: It's becoming increasingly difficult to get the money to provide the services that we need. There's kind of a stereotype that these people are coming and taking our jobs and sucking money out of welfare when in fact that's not the case.

John Williams: This is the one I like which is airport limousine, right here.

Boni Fox: John Williams' Ottawa office went through Access to Information legislation and spent thousands of dollars researching this issue. Williams doesn't believe that many of the bills paid by the Department of Citizenship and Immigration are paying off.

John Williams: We are opening our door to these people and the minute they land, they need our significant assistance in the form of tens of thousands of dollars. And they are unable to contribute back to society because they don't have the skills, they don't have the language skills and other skills to be able to interact in our society.

Boni Fox: But fresh from Iran, Shirin thinks otherwise. With your help she plans to be a contributor. Without it ...

Shirin Jafara: I'm sure it would be awful because no one is out there to help you. And, if you want to learn English, it will be so expensive, there is no place like this.

Boni Fox: Boni Fox, ITV News at 10.

The Letter of Complaint

A viewer complained to the CRTC by letter dated November 14; this letter was in turn forwarded to the CBSC. The complainant's letter read, in part, as follows:

I wish to bring to your attention some concerns that I have about a program my husband and I watched last night, November 13/95, on the 6 p.m. news on ITV.

The program was titled Govt. Wastes, "You Paid for It." On this first segment they talked about free English classes given to new immigrants. The picture showed a Chinese woman. It gave the impression that all immigrants get free English classes, receive money for food and rent as well as furniture. The segment also implied that all immigrants get free limousine service from the airport. What I found is first of all, they talk about immigrants and refugees in the same sentence without explaining the difference. This is grossly misleading to the public and has racial overtones. Joe Average is led to believe that all immigrants are costing the government of Canada when that is not true. In speaking to the immigration department today, I learned that 98% of the new immigrants today settle very well in Canada and become an asset to the country and the few who do receive free classes or education loans, pay back in more ways than one.

The story was very poorly put together and not what one would expect from professional journalists. All this is going to do, is enforce a negative attitude towards immigration in the minds of people who already hold a poor view of immigrants. As we all know, every great industrial nation was built on immigration and people searching for a better and prosperous way of life and Canada is no exception.

The Broadcaster's Response

In a letter of November 21, ITV's Vice President of News and Public Affairs wrote:

We are sorry you feel the report left an impression that tends to reinforce negative attitudes towards immigrants. While we share your view that Canada is a better and more prosperous nation thanks to immigration, we do not feel the story in question was misleading, unfair, biased, poorly produced or unprofessional.

The report presents both sides of the issue and the point was clearly made that the stereotype of immigrants taking advantage of Canada's welfare system is NOT true. We take strong exception to your allegations of racism and misleading the public.

It is our responsibility to seek out and report differing opinions on matters of public interest. The story in question does that. Opinions held by the Reform Party's Treasury Critic on government funding for immigration services were balanced by an eloquent and moving defence of the language training program being offered in Edmonton.

One final note; the report was not titled *Government Wastes, Who Pays For It?* as you state in your letter. The actual title was *You Paid for It*.

The complainant was unsatisfied with this response and requested, on December 29, that the CBSC refer the matter to the appropriate Regional Council for adjudication.

THE DECISION

The CBSC's Prairie Regional Council considered the complaint under the Codes of Ethics of the Canadian Association of Broadcasters (CAB) and the Radio and Television News Directors Association (RTNDA). The texts of the relevant provisions of these Codes read as follows:

CAB Code of Ethics, Clause 6 (News):

It shall be the responsibility of member stations to ensure that news shall be represented with accuracy and without bias. The member station shall satisfy itself that the arrangements made for obtaining news ensure this result. It shall also ensure that news broadcasts are not editorial. News shall not be selected for the purpose of furthering or hindering either side of any controversial public issue, nor shall it be designed by the beliefs or opinions or desires of the station management, the editor or others engaged in its preparation or delivery. The fundamental purpose of news dissemination in a democracy is to enable people to know what is happening, and to understand events so that they may form their own conclusions.

Therefore, nothing in the foregoing shall be understood as preventing news broadcasters from analysing and elucidating news so long as such analysis or comment is clearly labelled as such and kept distinct from regular news presentations. Member stations will, insofar as practical, endeavour to provide editorial opinion which shall be clearly labelled as such and kept entirely distinct from regular broadcasts of news or analysis and opinion.

It is recognized that the full, fair and proper presentation of news, opinion, comment and editorial is the prime and fundamental responsibility of the broadcast publisher.

RTNDA Code of (Journalistic) Ethics, Article 1:

The main purpose of broadcast journalism is to inform the public in an accurate, comprehensive and balanced manner about events of importance.

The Regional Council members watched tapes of the 6 and 10 p.m. broadcasts of the report in question and reviewed the correspondence.

In the Council's view, the report failed to make the critical distinction between immigrants and refugees, thereby failing to inform the public in an accurate, comprehensive and balanced manner about the important issue of government spending with respect to newcomers to Canada. By airing this report, CITV-TV breached Article 1 of the RTNDA *Code of Ethics* as well as Clause 6 of the CAB *Code of Ethics*.

The Issue: Accuracy vs. Fairness

The complainant alleged that the broadcast did not distinguish between immigrants and refugees, thereby painting both with the same brush of government largesse. The broadcaster, in its response, did not deal with *that* point, preferring to take the position that the *balance* of views was the primary issue, and stating that “opinions held by the Reform Party’s Treasury Critic on government funding for immigration services were balanced by an eloquent and moving defence of the language training program being offered in Edmonton.”

It is important to appreciate that the complainant was *not* arguing that the report should have contained more positive comments regarding immigration. Such a complaint, had it been made, would have led to a conclusion similar to that of the B.C. Regional Council in *CHEK-TV re Evening News* (CBSC Decision 94/95-0137, December 18, 1996) or of the Ontario Regional Council in *CFMT-TV re South Asian Newsweek* (CBSC Decision 95/96-0160, October 21, 1996), both of which stand for the principle that broadcasters are generally free to tell the stories they wish.

The *CHEK-TV* decision concerned a newscast which dealt with the non-renewal of the B.C. government’s contract with NOW Communications. The report covered the statement by a Liberal MLA that NOW had been paid \$3,500 to write and print a letter to the Premier. A viewer complained that the news item had been biased, since the station made no mention of the previous government’s contracting practices or those of Liberal governments in other provinces. The Council found that the *reporting* of the allegation was objective and fair.

The complainant’s issue seems to be that the station did not go far enough in providing the balance to the political allegation at hand by providing an historical context for any issue of pork barrel politics. That, though, is a part of the political cut-and-thrust and is thus the job of the political opponents, *not* the news reporting bodies, electronic or print. A news-gathering body may legitimately *choose* to research and tell such a tale but it is not *obliged* to do so every time. The absence of such context to a report does not imply an absence of balance in it.

The issue in *CFMT-TV re South Asian Newsweek* (CBSC Decision 95/96-0160, October 21, 1996) concerned the telling of the story of a World Cup soccer match between Sri Lanka and India, which had been broken up by a riot of the Indian fans:

The bottom line is this. As long as the reporting does not breach the standards established in the various industry Codes, the broadcaster is free to tell the story the way it wishes to. Those rules have largely to do with accuracy, absence of bias, non-intermingling of news and editorial comment, avoidance of distortion and sensationalization, respect for privacy and avoidance of conflict of interest. Once those constraints have been respected, the broadcaster has considerable freedom of choice in the presentation of its news story.

In this case, however, it is the *accuracy* of the report, not its objectivity, that is questioned. Had the broadcaster chosen to tell the story of extravagant government spending in the area of *immigration*, it would have presented no problem to the Council. Unfortunately, the

station confused immigration policy with *refugee* policy, as discussed at greater length below. This resulted in an inaccurate report in which choice was not the issue.

The Application: Accuracy and Fairness

The Council notes that, throughout the report, newcomers to Canada were referred to most often by the designation “these people” or “them”. The word “immigrants” is used sparsely and the word “refugees” was not used at all in either the 6 or 10 p.m. broadcasts of the report. There is, however, no doubt that some of the comments made by the Reform Party M.P. were directed specifically at refugees. He states that “these are the ones who are sponsored by the government of Canada.” In the Council’s understanding, “sponsoring” refers to the various categories of refugees, not to “immigrants” to Canada.

Accuracy of the terminology used by reporters was one of the issues dealt with in *CHAN-TV re Newscast (Recycling Society)*(CBSC Decision 96/97-0004, March 10, 1997). In that decision the B.C. Regional Council chastised a reporter for his improper use of language:

The Council is of the view that the reporter’s principal failure was with respect to the financial issues raised in the newscasts. There is, for example, a difference between “grants” and “contracts for services rendered”. The Council does not agree with the broadcaster’s justification of the one term for the other as a “break[ing] out of jargon to properly and directly convey meaning”. The word “grant” is *not* jargon. It has a well-known meaning and an implication of government largesse. It provides an inherent justification for cautious oversight of the activities of an entity benefiting from such beneficence. It *appears*, on the other hand, that the Society *worked* for its money, that it rendered services for which it was paid. That does not imply that it can do what it wants; the investigation was not unwarranted. The reporter ought, however, to have been “tighter” in his choice of language. Words are, after all, his work.

In this case, the Council considers that CITV’s failure goes further than merely lacking “tightness”. The report on the issue of government spending in the area of immigration confused money spent on *immigrants*, *i.e.* foreigners who are accepted into Canada in the hopes that they will spur economic growth for the country, with money spent on *refugees*, *i.e.* people who are accepted into Canada out of humanitarian compassion. The confusion of money spent with respect to both groups in the context of the statement that a treasury critic “doesn’t believe that many of the bills paid by the Department of Citizenship and Immigration are paying off” was grossly misleading and had the overall effect of portraying *all* newcomers to Canada are “free-loaders”.

The fact that the report dealt briefly with a complex issue such as immigration spending is not what concerns the Council. To fail to adequately explain all the complexities of an issue does not in and of itself constitute a breach of the Codes. This was clearly stated in *CFTO-TV re Newscast (Pollution)* (CBSC Decision 92/93-0178, October 26, 1993) which dealt with a news story on pollution caused by automobile fuel emissions.

It should first be noted that the complainant's letter revealed in-depth technical expertise in the area. Indeed, this seemed to be at the root of the complaint. CFTO-TV's report had deviated from the thrust of the American study, but the Regional Council did not consider that the station had foisted an *inaccurate* report upon the public. The reporter had *briefly* referred to the American report as the *lead* to his story. In stating (emphasis added), "The fine particles come *mostly* from the burning of fossil fuels which, *among other things*, power our cars," he seems, even according to the complainant's explanation, to have not inaccurately reflected the summary of the American study.

It is here that the complainant and the station parted company, for CFTO-TV used the American report only as a "top" to its story, which dealt with a local perspective, oriented more particularly toward the automobile. It did not *represent* that this was the essence of the study, or even a part of it. The complainant was obviously dissatisfied that the report did not adequately explain the American study; *this was not the story which CFTO-TV chose to tell*. In that, it was not inaccurate or biased. At worst, it simplified the more complex issues raised by the study. This does not, however, constitute a breach of the CAB *Code of Ethics*.

Nor is it the fact that the report did not deal adequately with each group, immigrants *and* refugees. The Council has ruled in the past that emphasizing one part of an opinion poll without giving all of the results does not necessarily mean the report is inaccurate. In *CHUR-AM re Newscast (Abortion Poll)* (CBSC Decision 92/93-0207, February 15, 1994), a reporter stated on air that

A new poll out today indicates about a third of Canadians support the total legalization of abortion. The figures from the Gallup poll were unchanged from September of 1992. Results show 56 per cent of respondents believe abortion should be legal when the mother's health is at risk, or if conception occurred because of rape or incest. Only ten per cent said abortion should be outlawed in all cases.

The complainant felt that such reporting distorted the results of the survey and highlighted the minority opinion. The Council found no Code violation.

The broadcaster had not suggested that the minority opinion on the legalization of abortion was, in fact, the *only* opinion; the report had clearly indicated that a proportion of Canadians polled did not believe *at all* in the legalization of abortion. Therefore, contrary to the listener's contention, the station had not highlighted *only* a minority opinion in favour of the legalization of abortion; it had *also* highlighted the fact that some Canadians do not favour the legalization of abortion at all. In this sense, the station did not distort the news or attempt to further or hinder *either* side of this controversial public issue.

What the Council finds problematic in this case is the fact that the report was craftily put together to suggest that the government's immigration policy does not stand up to economic scrutiny by including facts concerning refugees but without making this clear in the report. The Council does not consider that the lack of distinction between immigration spending and spending with respect to refugees was inadvertent; rather, the Council is concerned that, in her attempt at investigative reporting, the reporter either deliberately skewed facts to give her story more shock value or had not done sufficient research on the subject to prepare such a report. While the M.P. *may* have deliberately skewed *his* answer for political reasons, the reporter either missed that contortion or was complicit in its effect.

The Council is also concerned with the overall tone of the report and the reporter's gratuitous snide remarks such as "immigrants struggling with *your language*". The Council is of the view that the report preyed on the negative feelings which some Canadians have towards immigrants. This, in the Council's view, is unnecessary, unfair and inappropriate.

The B.C. Regional Council faced a similar situation in *CHAN-TV re Newscast (Recycling Society)* (CBSC Decision 96/97-0004, March 10, 1997). In that decision, the Council commented on the overall tone of the report created by the reporter's presentation of the facts

by saying that the Society was "not strapped for money", he implied, perhaps inadvertently, that there might have been something wrong with the way the money had been accumulated, particularly in the implied context of exploitation of physically and mentally challenged workers.

He then made the sarcastic and apparently unwarranted comment that the wages of the "administrative staff" rose by "12%, which apparently translates to 2%". It appears to the Council that the reporter was reading a line item in a budget and extrapolating from this a conclusion that *each* administrative wage may have risen by an average of 12% rather than that the *overall* administrative wage pot may have increased by that amount, which is essentially the information conveyed both by the Executive Director in her interview and in the letter she provided.

It is, of course, eminently material that she was given the opportunity to be on the record and to present her point of view but, in viewing and re-viewing the tape, Council members believe that the waters were muddied by the reporter in the confused and unnecessarily sarcastic way he chose to introduce the item.

In this case, the Council considers that the serious inaccuracies contained in the report, in the full knowledge that the issue was an evocative, if not a provocative, one, for the audience, combined with the reporter's overall tone, created an unfair, unbalanced and inaccurate report. By airing this report, the broadcaster contravened the requirement of Article 1 of the RTNDA *Code of Ethics* to "inform the public in an accurate, comprehensive and balanced manner" and the requirement of Clause 6 of the CAB *Code of Ethics* to "ensure that news shall be represented with accuracy and without bias".

Broadcaster Responsiveness

The CBSC always recognizes the broadcaster's obligation, as a CBSC member, to be responsive to complainants. In this case, the Council finds the broadcaster's response lacking. The Council is of the view that not much attention was paid to the complainant's letter, as evidenced by the fact that the broadcaster failed to address the fundamental issue raised by the complainant, that is the lack of distinction between immigrants and refugees, and by the fact that even in its attempt to correct the viewer regarding the segment's title, it did not accurately reflect what was stated by the complainant in her letter.

In the Council's view, a more careful reading of the complainant's letter would have been called for in this case. While the Council does not find the broadcaster fell below the standard of responsiveness in this case, it reminds the broadcaster of its responsibility in this regard.

CONTENT OF THE BROADCASTER ANNOUNCEMENT

The station is required to announce this decision forthwith, in the following terms, during prime time and, within the next thirty days, to provide confirmation of the airing of the statement to the CBSC and to the complainant who filed a Ruling Request.

The Canadian Broadcast Standards Council has found that CITV-TV breached provisions of the Canadian Association of Broadcasters' *Code of Ethics* and the Radio Television News Directors Association's *Code of (Journalistic) Ethics* in its broadcast of the segment "You Paid For It" on November 13, 1995. The report failed to make an important distinction between immigrants and refugees in a report which required such distinction to be made and thereby failed to inform the public in an accurate, comprehensive, unbiased and balanced manner about the important issue of government spending with respect to newcomers to Canada.

This decision is a public document upon its release by the Canadian Broadcast Standards Council.