
**CANADIAN BROADCAST STANDARDS COUNCIL
ONTARIO REGIONAL COUNCIL**

CFMT-TV re South Asian Newsweek

(CBSC Decision 95/96-0160)

Decided October 21, 1996

A. MacKay (Chair), R. Stanbury (Vice-Chair), R. Cohen (*ad hoc*),
P. Fockler, M. Hogarth, M. Ziniak*

*M. Ziniak, who works for the station, abstained from participation in this decision.

THE FACTS

“South Asian Newsweek” is a weekly hour-long news show (re-broadcast once on the week-end) focussing on news and current events, whether local or international, which might be of interest to the South Asian community within broadcast reach of CFMT-TV (Toronto, with UHF re-transmitters in Ottawa and London, Ontario). Among the many issues covered in the program of March 17, 1996 were the story of a missing man of South Asian descent possibly found in Ontario, an election in India, temples in Bangalore, fluoride problems in India, an interview with the author of a West Indies book on cricket, a poet born in Sri Lanka, and the subject matter of this complaint, the reporting of the cricket World Cup semi-final match between Sri Lanka and India. Twenty minutes into the program, the host introduced the report on the cricket championship in the following words:

The cricket World Cup is over for the next four years at last. Sri Lanka won, defeating Australia roundly in the finals. But before the finals, one match was a riot, literally. Fans in Calcutta, India forced the match between Sri Lanka and India to be called off. India would have lost anyway but this made the defeat even worse. Later in the program Jai will be interviewing [someone] who has written a book on the rise of West Indian cricket.

The actual news story on the riot began with the following words:

There was all round condemnation of the Indian cricket team following their disastrous performance in the first semi-final match of the Sixth World Cup against Sri Lanka on March 13.

The host reported that the match was called when spectators started behaving in an unruly manner. He stated that those inside the stadium could not “stomach an Indian upset by the Lankans” and began throwing bottles on the field. Reference was made to the Indian team’s lacklustre performance and there was an allegation by one spectator that the Indian team had been bribed. The host did add that “there were others who praised the Lankans.” Some of those were interviewed, including one person who had quite positive comments and another who said that the Indian team should have taken full advantage of the home turf. She also pointed out “that the Indian team is desperately bad in fielding.” And then the report pointed out the demonstration against the unruly fans and the criticism in speeches by local luminaries.

The Letter of Complaint

The complaint, which was sent with seventeen supporting signatures, stated that generally the signatories were unhappy with “the manner in which the South Asian Newsweek producers have been telecasting views concerning matters to Sri Lankans.” The signatories were particularly concerned with the manner in which the cricket World Cup results had been reported. They said:

But to the bitter disappointment of the Sri Lankan Cricket fans living here, the South Asian Newsweek carried only negative issues, and the event of the winning of the World Cup Trophy was undermined. Why? This was a great achievement for us Sri Lankans not only to the cricket enthusiasts, but to all Sri Lankans who share patriotic feelings about our motherland! We have found that the South Asian Newsweek will always give much publicity to the rest of the countries like India, Pakistan, Bangladesh and so on in the region. But any news from Sri Lanka has been negative publicity. And acceptance given to the Ealam Activists and demonstration by them, who in fact fund the notorious terrorist crime and suicide bombing in Sri Lanka. Therefore there is only one conclusion that can be made out of this South Asian Newscasters [*sic*], and producers, and that is they have been encouraging terrorist activities and violence in another country.

The Broadcaster’s Response

In her letter of April 17, 1996, CFMT-TV’s Vice President and Executive Producer explained that

The news story at issue, the cricket championships in India and Pakistan, was carried as a news story, not as a sports or community story. It was reported as quickly as our schedule would allow on a weekly program. ...

We also reported on the events that surrounded the forfeit by India of the semi-final game and the behaviour that caused such an unusual thing to occur at any world championship. We assure you that we did not broadcast in an unbalanced manner,

intentionally or otherwise, nor do we have any intended prejudice in our editorial coverage.

CFMT is multilingual and multicultural in its focus to serve Canadians. Our coverage is designed to be informative and relates primarily to cultures not countries and we certainly do not take political positions. ...

In our continuing quest for equitable reflection in South Asian Newsweek, our senior producer met in Ottawa recently with Mr. S. B. Weregama, Minister-Counsellor of the High Commission of the Republic of Sri Lanka. The object of this meeting was to try to source more news footage directly from Sri Lanka. Efforts in this respect are ongoing.

The complainant was unsatisfied with this response and requested, on April 22, 1996, that the CBSC refer the matter to the appropriate Regional Council for adjudication.

THE DECISION

The CBSC's Ontario Regional Council considered the complaint under Clause 6 of the *CAB Code of Ethics*, which reads 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.

The Regional Council members viewed a tape of the program in question and reviewed all of the correspondence. The Council considers that the program in question does not violate the *CAB Code of Ethics*.

The Content of the Program

The content of the complaint had, as a context, the question of the broadcaster's overall treatment of Sri Lankan news but the specific issue related to CFMT-TV's coverage of the World Cup within the particular South Asian Newsweek episode. Since the program in question provided ample opportunity to evaluate the fairness of the broadcaster's treatment of *this* Sri Lankan report, the Council will limit its comments to the show in question. If, on another occasion, it is called upon to deal with the accuracy or fairness of CFMT-TV's treatment of a different Sri Lankan matter, it will comment with the specific matter at that time.

The CBSC has, on several occasions, dealt with the treatment of a story when the station has not dealt with the matter in the way in which the complainant would have wished. The emphasis may have been placed on one aspect of a report when a viewer or listener believed that another matter deserved the attention of the broadcaster. On occasion, a story from one part of the world may have had its emphasis altered by a broadcaster who wished to make the report more relevant to its own audience. In some cases a story may have been reported which a member of the audience wished would not have been told at all.

What all of these concerns have in common is that the broadcaster will have made a choice not shared by one or some members of its audience. Ultimately, though, the broadcaster has the responsibility as well as the obligation to make those choices. Moreover, those decisions generally have to be made either quickly or *very* quickly. Nor should it be forgotten that, in a *broadcast* news (and even a public affairs) context, those choices are circumscribed by many constraints, one of the most critical of which is *time*, that is to say, the length of the time slot available to treat the issue. Another is, of course, audience interest. With the exception of *major* news events, which usurp all available broadcast time, news or public affairs stories must fit into a 60-minute, 30-minute, 10-minute or even shorter news period. And news and public affairs directors must constantly juggle the material available to them to deal with the newsworthy in a way which will appeal to the news hungry. Some examples from previous CBSC decisions follow.

In *CFTO-TV re Newscast (Pollution)* (CBSC Decision 92/93-0178, October 26, 1993), the broadcaster had referred to an American pollution study, using the information to give the story local relevance. The Council did not find that there had been a breach of the Code.

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*.

In *CHEK-TV re Evening News* (CBSC Decision 94/95-0137, December 18, 1996), the newscast included an item on 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 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 the matter at hand, the complainant suggested that the World Cup victory was an opportunity to broadcast some positive news about Sri Lanka which the broadcaster had missed. The Council does not come to the same conclusion. It considers, first of all, that the broadcaster obviously agreed that the event itself was newsworthy; otherwise the story would not have appeared at all. It is, however, possible that the broadcaster deemed the story worthy of reporting primarily because of the existence of the fan riot. *If* this was the case, the Council considers that it fell to the broadcaster to make such a choice. It may even be that the story would not have been covered at all *without* the riots. The Council cannot, of course, know what the coverage, if any, would have been in the absence of the riot. As the station's Vice-President stated in her letter, "We also reported on the events that surrounded the forfeit by India of the semi-final game and the behaviour that caused such an unusual thing to occur at any world championship."

The Council can, however, make an evaluation of the coverage as it actually occurred. In this respect, it concludes that the newscast did not ignore the Sri Lankan victory, nor did it associate the negative riots with the Sri Lankans; the reporting clearly attributed the riots to the Indian fans. Furthermore, the broadcaster did present a factual and positive account of the Sri Lankan victory, which is

evidenced by the interviews with various fans. Accordingly, the Council considers that there was both balance and fairness in this specific news presentation.

The Broadcaster's Response

The CBSC always recognizes the broadcaster's obligation, as a CBSC member, to be responsive to complainants. In this case, the Regional Council considers that the response from the broadcaster dealt fairly with the issues raised by the complainant. Nothing more could have been expected of her. Consequently, the station did not breach the Council's standard of responsiveness.

This decision is a public document upon its release by the Canadian Broadcast Standards Council. It may be reported, announced or read by the station against which the complaint had originally been made; however, in the case of a favourable decision, the station is under no obligation to announce the result.