
**CANADIAN BROADCAST STANDARDS COUNCIL
ONTARIO REGIONAL COUNCIL**

CILQ-FM re Parody Skit

(CBSC Decision 95/96-0218)

Decided May 8, 1997

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

THE FACTS

On June 10, 1996, CILQ-FM (Q-107, Toronto) aired a skit entitled "Bob the Fag Man" as part of its morning show (at about 8:30 a.m.). The transcript of that part of the broadcast follows.

Announcer: This program is funded by the British Arts Foundation.

Bob: Hello and welcome to Fag Talk, the program where we talk about fags, or as they are called in America, cigarettes. I'm your host, Bob the Fag Man and we'll actually be holding your calls today because I'd like to talk about sort of a sensitive topic for fag lovers - when your fag loses its cherry. So now...

Announcer: Fag Talk is experiencing technical difficulties, please stand by.

Background music for several seconds.

Announcer: We now return you to Fag Talk, already in progress.

Bob: ... and you got that fag all nice and hot again and ready to give a good suck. Well that will do it for us today here on Fag Talk. But do join us again when we talk about fags, or as they are called in America, cigarettes.

The Letter of Complaint

On June 12, 1996 a listener sent the following complaint to the CRTC which was then forwarded by the Commission to the CBSC.

Ostensibly under the pretext of a discussion regarding British cigarettes (or "fags") highly offensive and stereotypical language was used with a view of mocking "fags". As is well known, the term "fag" is a term that is frequently used in a derogatory and demeaning sense to refer to persons of a particular sexual orientation, namely, gay or homosexual men.

The various language and terminology used during the item in question were both offensive and insulting and, in my view, were designed to ridicule that particular sector of society. It is clear, now that discrimination on the basis of sexual orientation is prohibited by both the Canadian Human Rights Code as well as the Ontario Human Rights Code, that such language and such parodies have no proper place on the public airways.

The Broadcaster's Response

The Vice-President of Programming replied on behalf of the broadcaster by letter of July 17.

I've had the opportunity to review the programming of concern to you, a parody skit entitled, "Bob the Fag Man" in which two British sounding television hosts discuss cigarettes on a satirical talkshow. If taken out of context, the sketch could be considered offensive by some.

The piece was produced in America by a company that provides comedy services to stations on a subscription basis, of which Q-107 is a customer.

I'm convinced the individuals involved in making the decision to air the skit did so with full intention of it being interpreted as satire by the audience. There was no intention on their part to ridicule any segment of society as a result of its airing.

Having said that, your complaint is valid in terms of the sensitivities of some audience members and we have no intention of disregarding those concerns. We have since decided not to have a reoccurrence of this particular comedy feature on-air.

The complainant was unsatisfied with this response and requested, on September 6, 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 the *CAB Code of Ethics*. The relevant clause of the Code reads as follows:

Clause 2 (Human Rights)

Recognizing that every person has a right to full and equal recognition and to enjoy certain fundamental rights and freedoms, broadcasters shall endeavour to ensure, to the best of their ability, that their programming contains no abusive or discriminatory material or

comment which is based on matters of race, national or ethnic origin, colour, religion, age, sex, marital status or physical or mental handicap.

The Ontario Regional Council members listened to a tape of the broadcast in question and reviewed all of the correspondence. The Council considers that CILQ-FM has not breached the provisions of the *Code of Ethics*.

The Content of the Program

The CBSC has frequently dealt with the issue of humour generated at the expense of an identifiable group. It has also dealt on numerous occasions with its determination that "sexual orientation" is viewed by it as an enumerated ground in Clause 2 of the *CAB Code of Ethics*. There is not, in the circumstances, any need for the Ontario Regional Council to add to this decision excerpts of those texts which can be easily found by a review of those matters, which are as follows. In the case of sexual orientation: *CHQR-AM re Forbes and Friends* (CBSC Decision 92/93-0187, August 8, 1994); *CJRQ-FM re Opinion Poll* (CBSC Decision 94/95-0135, March 26, 1996); and *CHCH-TV re Life Today with James Robison* (CBSC Decision 95/96-0128, April 30, 1996). In the case of "ethnic" jokes: *CFOX-FM re the Larry and Willie Show* (CBSC Decision 92/93-0141, August 30, 1993); *CHOG-AM re the Jessie and Gene Show* (CBSC Decision 93/94-0242, November 15, 1994); *CHUM-FM re Sunday Funnies* (CBSC Decision 95/96-0064, March 26, 1996); *CHFI-FM re the Don Daynard Show* (CBSC Decision 94/95-0145, March 26, 1996); and *CJOH-TV re Ellen* (CBSC Decision 96/97-0095, May 8, 1997).

There is nothing complex about the matter under consideration here. The short skit in question is intended as a parody. It plays on the *double entendre* of the word "fag", which is used primarily in Britain and its former colonies as a slang term for cigarette, and which has a slang usage in North America to describe a gay man. The sole issue for the Council to consider is whether or not this use of the term was *abusively* discriminatory *vis-à-vis* gay men. In the view of the Council, it is not. While possibly an unflattering term, it does not, in the Council's view, rank with certain racial or ethnic epithets (which it does not wish to repeat here), particularly since members of the gay community use the word themselves from time to time in a non-discriminatory fashion. At worst, "fag" could be considered to be in poor taste, a matter on which the CBSC does not rule. In consequence, the Council finds that there is no breach of the Code.

Broadcaster Responsiveness

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 letter of complaint. Nothing more is expected. 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.