
**CANADIAN BROADCAST STANDARDS COUNCIL
ONTARIO REGIONAL COUNCIL**

CKVR-TV re Toronto Raptors Basketball Game

(CBSC Decision Decision 96/97-0063)

Decided May 8, 1997

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

THE FACTS

At the start of its broadcast of a Toronto Raptors basketball game against the Sacramento Kings on November 26, 1997, CKVR-TV (Barrie)'s announcer stated that the Raptors were on a 5-game losing streak, that "The Pack needs to put a win on the board," and that the Sacramento Kings were also on a 3-game losing streak. He then concluded by saying: "And the cry in the Skydome is 'Bring down the Monarchy.'" Following about 35 seconds of music, dance, cheerleading and basketball shots, there was a simulated scoreboard lighting spelling out "Assassinate the Kings" at 7:01:33 p.m., which was visible for two seconds.

The Letter of Complaint

On the following day, an Oakville couple sent the following letter to the CRTC:

I have a concern about a program broadcast at 7:00 pm, on CKVR. This was a broadcast of a Toronto Raptors basketball game. Raptors were playing the Sacramento Kings. During the opening titles sequence I heard a voice-over mention the Raptors were out to "Assassinate the Kings". Although this "trash talk" is common in sports these days, for people of my age the words "King" and "Assassinate" in the same sentence are associated with the assassination of Dr. Martin Luther King, Jr. in Memphis in 1968. Please review the tape of the broadcast. There may have been other promo spots with the same offensive message. This type of talk is not responsible broadcasting.

The Broadcaster's Response

The letter was forwarded to the CBSC, which in turn sent it to the broadcaster for reply. The Program Manager of the station sent her response to the complainant on December 19. She said:

Your concern centered on a voice over during the opening of a Toronto Raptors basketball game broadcast on Tuesday, November 26th. You suggested that the announcer stated that the Raptors were out to assassinate the Kings. We checked the tape very carefully, and we did not find the audio voice over that you mention. We did find a visual graphic that included the above noted phrase. We apologize if you were offended, the copy was undoubtedly intended to stimulate interest in the game and, we believe had no connection whatsoever to the assassination of Dr. Martin Luther King, Jr. In hindsight, it may have been an unfortunate turn of phrase to employ in this situation. We at CKVR Television recognize our responsibility for all material that is broadcast on our station.

We have forwarded a copy of your comments to the Director of Communications of the Toronto Raptors, whose responsibility is the broadcast of the games. We believe that the Toronto Raptors should be aware of your concerns.

CKVR is a member of the Canadian Broadcast Standards Council. In order to remain a member in good standing we agree to voluntarily abide by the CAB Code of Ethics. We recognize that our most valuable asset as a broadcaster is public respect which can be maintained only with strict adherence to the highest possible standards of public service.

Clause 2 "Human Rights" of the Code of Ethics states:

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.

We do appreciate your concerns, but do not feel that the language in question was in violation of the above clause of the Human Rights [*sic*]. Again, we apologize if you were offended. We believe that the steps we have taken to bring this matter to the attention of the producers of the telecast will serve to sensitize them to the importance of selecting symbols and language that will be non-offensive.

The viewer was unsatisfied with this response and requested, on December 25, 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 *Code of Ethics* and the *Violence Code* of the Canadian Association of Broadcasters (CAB). The relevant clauses of those Codes read as follows:

CAB Code of Ethics, Clause 6, paragraph 3:

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.

Voluntary Code Regarding Violence in Television Programming, Clause 10.1:

10.0 VIOLENCE IN SPORTS PROGRAMMING

10.1 Broadcasters shall not promote or exploit violent action which is outside the sanctioned activity of the sport in question.

The Regional Council members viewed a tape of the program in question and reviewed all of the correspondence. The Ontario Regional Council considers that there is no breach of either Code.

The Content of the Program

While the broadcaster was quite thoughtful in quoting Clause 2 of the *Code of Ethics* in its response to the complainants, the Ontario Regional Council does not believe that it is necessary for it to review that provision in order to arrive at its decision in this matter. Fundamentally, it considers that the matter can be resolved by its determination of whether the comment was “full, fair and proper” in terms of Clause 6, paragraph 3 of that Code.

The CBSC has, on previous occasions, observed that it always has an advantage vis-à-vis viewers or listeners in that the Council members have the opportunity to have the logger tapes in hand when they review the complaint files and arrive at their decisions. Audience members, on the other hand, watch (or listen to) a program *once* and are forced to attempt to catch a potentially offensive moment without the ability to rewind and review the material several times.

In this case, the ability to do that would have resolved the matter immediately. The viewers would have realized that, despite *their* (and society’s) tragic association of the word “assassination” with civil rights leader Martin Luther King, Jr., the explicit reference of the announcer 35 seconds earlier had been to the monarchy; ‘Bring down the Monarchy’ were the exact words used. Apart from the fact that the Raptors were playing the *Kings* of Sacramento, the only other “kingly” reference had been to the monarchy. As in the B.C. Regional Council decision in *CKLZ-FM re Announcer Comments* (CBSC Decision 94/95-0113, December 18, 1996), the Ontario Regional Council members here believe that few persons would have made the association made by the complainants in the light of the references to the Sacramento Kings and the monarchy. However unfortunate the juxtaposition of the words “Assassination” and “King”, the Council does not consider it reasonable to hold the broadcaster liable for a breach of the Code.

Insofar as Article 10.1 of the *Violence Code* is concerned, the Council does not consider that the broadcaster was either promoting or exploiting violent action in any way, much less “violent action which is outside the sanctioned activity of the sport in question.”

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. Moreover, the Program Manager extended an apology for the comments which offended the complainant, which she was not required to do. Nothing more is called for.

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.