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**CANADIAN BROADCAST STANDARDS COUNCIL  
ONTARIO REGIONAL COUNCIL**

CFPL-TV re News Item (Topless in Public)

(CBSC Decision 96/97-0236)

Decided February 20, 1998

A. Mackay (Chair), R. Stanbury (Vice-Chair), P. Fockler, T. Gupta, M. Hogarth  
and M. Ziniak

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**A Letter of Complaint**

On June 24, 1997, a complainant wrote a letter to the CRTC concerning broadcasts on both the CTV network and CFPL-TV. This letter, which is quoted at length in a related CBSC decision dealing with the portion of the complaint dealing with CTV programming, namely, *CTV re News Item (Topless in Public)* (CBSC Decision 96/97-0235 and 0242, February 20, 1998), stated, in part:

Once again as a woman and a human being I became (and remain) outraged and appalled as I surveyed the 11:00 p.m. news coverage the week of June 9 - June 15, 1997. This disgusting display was portrayed for three evenings on both London TV (CFPL) and CTV Network. This great Canadian news coverage was in fact one of the most pornographic, dehumanizing, degrading and exploitative media coverages of women that I have seen.

You may ask "How were women exploited on this coverage?"

Close up and explicit shots of women's breasts and buttocks

Interviews with men re contests as to who could take off women's bras the fastest

An interview of a pub owner in Grand Bend who advertises that they welcome topless women so that their male customers can ogle them.

Squeegee kids shown topless washing cars

Shots of prostitutes and strippers taking advantage of the new law so they could ply their trade

Shots of women on beaches with breasts and buttocks in full view

## **The Broadcaster's Responses**

The Senior Vice-President, Programming, for Baton Broadcasting responded to this complaint on July 21, 1997. She stated:

Thank you for your letter of June 24, 1997. I am responding on behalf of CFPL-TV, CKCO-TV and Baton Broadcasting Incorporated. CFPL-TV will be responding to you directly under separate cover.

The management at each station has reviewed the tapes of the 11p.m. news during the week of June 9<sup>th</sup> to 15<sup>th</sup>. On CKCO, the 11 p.m. newscast is The CTV National News. On CFPL, the 11 p.m. newscast is a local newscast originating out of London, Ontario.

I note you have written to CTV and am sure they will respond to your concern.

All Baton Broadcasting stations and CTV are member of the Canadian Broadcast Standards Council and adhere to the CRTC Guidelines on Sex-Role Stereotyping.

All of our stations are also members of the RTNDA (Radio Television News Directors Association) and abide by their content guidelines regarding news content and journalistic practises [*sic*].

After careful review of the newscasts in question, we believe we have adhered to all guidelines and regulations as required.

Baton Broadcasting and its stations have been leaders in strong ties with the viewers in each community we serve. We strive to maintain a high standard throughout our program schedules, particularly in news and information programming.

Baton's staff have actively participated in the development and establishment of the CAB and CRTC's guidelines and industry policies.

As indicated in BBS's letter, CFPL-TV also responded to the complaint. In a letter dated July 23, 1997, the Director of News & Information for CFPL-TV stated the following:

Thank you for your letter about our news coverage, which has been forwarded to me by both the CRTC and the CBSC. You indicate in your letter that you mailed a copy of this letter to our station at some previous date. Unfortunately, I can find no record of such a letter being received at this station.

We appreciate hearing from our viewers and take their concerns seriously. Specifically in response to your complaint, I have spent several hours now reviewing tapes of CFPL-TV's late evening newscast for the period June 9th through June 15th, 1997.

You indicate in your letter that you had serious concerns regarding the exploitation of women in connection with the news coverage by CFPL-TV for three evenings during that period. You

also outlined six separate types of coverage that you had seen during this period that you found offensive.

Firstly, I should state that it is the policy of the newsroom to reflect the standards of the community in which we broadcast. For that reason, we have standing policy to never ... and I mean NEVER ... show explicit frontal nudity of any kind on our newscasts.

Moreover our station is a member of the Canadian Broadcast Standards Council and adheres to all industry codes, including the CRTC Guidelines on Sex-Role Stereotyping as well as the Code of Ethics of the Radio Television News Directors Association Canada (the "RTNDA").

With the change in law to allow women to appear in public without wearing clothing on their tops, numerous protests have taken place, and various municipalities have been considering adopting bylaws to deal with the situation. This has meant the issue has been in the news with some frequency.

However, after reviewing the tapes of our late evening newscasts for the period from June 10th to June 15th, I can assure you that our coverage did not include any of the situations you highlighted as being shown on this station.

As per the requirements of the CBSC, we have retained all tapes of the newscasts in question as were in our possession at the time of receipt of the complaint. Unfortunately, the June 9th logger tape was no longer in our possession as we are only required to retain our logger tapes for a period of thirty days.

On August 20, 1997, apparently further to a telephone conversation with the complainant about a discrepancy between the Baton letter and CFPL's letter, the Senior Vice President, Programming, for Baton Broadcasting sent a letter to the complainant which reads in part as follows:

It was a pleasure to talk to you this afternoon as a follow-up to my letter of July 21, 1997.

As I indicated, the discrepancy between [CFPL-TV]'s letter and mine will be dealt with internally. We are only required to maintain copies of our programs for a limited time and consequently reviewing all the tapes were [sic] difficult at each station.

Most importantly, your comments and views have been taken most seriously. The industry guidelines are applied to all of our programs and we attempt to reinforce them with good judgment and sensitivity.

As I revealed, during my tenure at the CRTC, I chaired the committee which developed the CRTC Guidelines on Sex-Role Portrayal. I fully appreciate the negative impact of exploitative portrayal of either sex. In view of this, Baton Broadcast System regards these matters and your comments as very important.

I appreciate your concerns and views on our responsibility regarding this matter. I will follow-up with Mr. Clark and each of our stations to ensure that we continue to adhere to the Guidelines and the principles upon which they are based.

The complainant was unsatisfied with CFPL-TV's response and requested that the Ontario Regional Council consider her complaint.

## THE DECISION

The CBSC's Ontario Regional Council read all the correspondence and viewed logger tapes of the late night CFPL-TV newscasts of June 10<sup>th</sup> through June 15<sup>th</sup>. The Council did not find any of the segments alleged to have been included in reports on the "topless issue". Indeed, the Council did not find *any* reports at all on the topless issue in any of CFPL-TV's newscasts in that period.

It is not the first time that the Council has had to deal with such a flagrant factual discrepancy. In *CTV re Canada AM (MacDonald Interview)* (CBSC Decision 94/95-0059, August 18, 1995), a complainant alleged that a guest on the public affairs program Canada AM had accused someone on the show of paedophilia. The Council found no such thing.

Simply stated, a review of the tape and the program transcript indicated that the guest, Gerry MacDonald, had not uttered the words quoted by the complainant or anything remotely similar to them. Indeed, it was difficult to see what part of what MacDonald had said could possibly have given rise to such an accusation. The subject matter of the interview never approached *any* sexual issues. Furthermore, members of the Regional Council were puzzled by the reference to "a Nobel Prize nominee" in the complainant's letter. It seemed to be as remote from the reality of the interview as the matter of paedophile.

The Council is of the view that this complaint, made against multiple broadcasters, is completely without foundation.

### Broadcaster Responsiveness

In addition to assessing the substance of the complaint, the CBSC always assesses the *responsiveness* of the broadcaster to the substance of the complaint. In the present case, in which the complaint appears to be utterly without foundation, the Regional Council considers the responses of both CFPL-TV and Baton Broadcasting to the complainant to be amply satisfactory in the fulfilment of the CBSC's standard of responsiveness. Nothing more is required.

*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.*