
**CANADIAN BROADCAST STANDARDS COUNCIL
ONTARIO REGIONAL COUNCIL**

CIII-TV re First National News (Fur Industry)

(CBSC Decision 97/98-0445)

Decided July 28, 1998

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

THE FACTS

On October 20, 1997, during its 6:30 pm newscast, CIII-TV (Global Television) aired a segment about the fur industry. The report was preceded by the following "teasers":

- X "And still ahead, no more being 'pelted' with political correctness."
- X "Fur is back in fashion. Models are flaunting; consumers are once again buying."
- X "From taboo to trendy, that story just ahead on First National."

The near 3-minute report went as follows:

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| Anchor: | In recent years, Canada's fur industry was all but dead. Now, pelts are once again front and centre on the world's fashion runways. The story from Global's Marleen Trotter. |
| Reporter: | Protesting against fur as fashion was in vogue in the 80s. But according to haute couture, the anti-fur movement is as dead as the pelt on this super model's back. |
| H. Papadopoulos:
(Furriers Guild) | We expect this year probably 15 to 20% increase in retail sales. |
| Reporter: | Remember this ad? Models who swore they wouldn't be caught dead wearing a dead animal. Well, it's now 1997 and all homage to their furry friends is now forgotten. |
| Joe Carlino:
(Holt Renfrew) | Fur is here to stay and always has been. We've been through the worst years you can ever imagine, you know, during the anti-fur movement, but things now are booming. The worst is over and the best is yet to come. |

- Reporter: High profile fashion designers are pushing the trend and, for the first time in years, fur is front cover material for fashion magazines.
- D. Fulsang : I think internationally there is a trend to fur right now. We saw it in
(Flare Magazine) New York, Paris, Milan, Canada.
- Reporter: Forget about the dumpy fur coat your grandmother wore to church. Fur today is fun and funky. Of course not everyone can afford this \$155,000 sable. So designers are using fur in different ways to attract younger, hipper buyers.
- D. Fulsang: ... sweatshirt trimmed with mink which is a pretty young idea. Also kind of little blazons or little bomber jackets with fur belts, kind of unorthodox uses of fur.
- Reporter: Decadent is back in style and, like thick steaks and dry martinis, is directly linked to the economy. Fur is a classic symbol of luxury.
- H. Papadopoulos: Our products are back on their list to buy because they have a little bit more money to spend.
- Reporter: The resurgence has meant an upswing in the price of pelts and that's good news for Canada's 70,000 trappers. 80% of Canada's finished fur products go to the United States. But there is growing demand from the new money markets of the world like Russia and Korea.
- M. Downey (Trapper): As long as we can prove, which we have no problem doing, that fur is a sustainable renewable resource and that the animals are taken humanely, people can walk away buying a fur coat with a good feeling. They don't have to feel guilty about the animals suffering or anything like that.
- Reporter: There will always be people who for ethical reasons simply won't wear fur, even if it is at the forefront of fashion. But, if surging sales are any indication, Canadians once again not only dare to wear fur, they flaunt it. Marlene Trotter, Toronto.

The Letter of Complaint

On October 25, 1997, a viewer wrote to the Secretary General of the CRTC stating that:

I am writing to express my concerns about a biased and misleading news broadcast which promoted the interests of the fur industry in Canada without giving an opportunity to opponents of fur to express their opinions. ...

While my complaint is about the misleading and biased nature of the entire segment, I have included the following quotes to illustrate my concerns.

- 1) Reporter: "According to haute couture, the anti-fur movement is as dead as the pelt on this supermodel's back."

This statement implies that opposition to the fur industry no longer exists and that concerns about the suffering of animals in the production of fur coats have been resolved. This is not the case.

For example, last winter the Canadian government agreed to require the use of padded leghold traps for the capture of furbearing animals under threat of a European Union ban on importing fur from countries which still used the steel-jaw leghold trap. As well, the International Fund For Animal Welfare (IFAW) released videotape shot during the Canadian seal hunt which resulted in over 100 people charged with cruelty. The IFAW's campaign against the commercial seal hunt continues this winter with television and print ads calling for a ban.

- 2) Footage was shown of five models participating in a photo shoot for an anti-fur ad campaign.

Reporter: "Remember this ad, models who swore they wouldn't be caught dead wearing a dead animal. Well it's 1997, and all homage to their furry friends is now forgotten."

This comment is immediately followed by footage of apparently one of the models in the above mentioned photo shoot on a fashion show runway wearing a fur coat.

If, indeed, they are the same model and she has reneged on a pledge not to wear fur, this decision cannot be extrapolated to all models who participated in every anti-fur campaign. The implication that they all have changed their minds about wearing fur is both misleading and unfounded.

- 3) Mark Downey, trapper: "As long as we can prove, which we have no problem doing, that fur is a sustainable renewable resource and the animals are taken humanely, people can walk away buying a fur coat with a good feeling and they don't have to feel bad or guilty about the animals suffering."

As mentioned, concerns about the way in which animals are caught and their suffering and prolonged death has not changed. The program did not give an opportunity to opponents of fur to challenge claims of humane trapping and to air videotape to illustrate those concerns.

- 4) Reporter: "But if surging sales are any indication, it appears Canadians once again not only dare to wear fur, they flaunt it."

There were no figures provided during the segment showing an increase over the past few years in the sale of furs. The only numbers offered came from a member of the fur industry:

Harry Papadopoulos, Furriers Guild: "We expect this year probably a 15 to 20 per cent increase in retail sales."

If the expectation of increased sales is the only measure by which the program justifies claims of surging consumer interest, this too is misleading and unfounded. To use claims of increased sales provided by the fur industry ignores an obvious conflict of interest and the segment should have provided figures to back up these claims.

To conclude, the only interviews conducted were with a trapper, a fur retailer, a member of the furriers guild and a fashion magazine representative. In the context of a news program, I feel it is unacceptable to promote the fur industry while not providing opponents an opportunity to express their concerns. To quote from the CRTC web site: "If, however, a

broadcaster decides to cover an issue of public concern, it must ensure that all sides of the issue are presented to its audience.” I ask that the program, *First National*, be required to provide opponents of the industry an equal amount of time to express these concerns.

The Broadcaster’s Response

The Senior Producer of *First National* replied to the complainant on November 10, 1997 with the following:

I have read thoroughly your response to the *First National* story about fur and fashion broadcast on the 20th of October. While fur is a sensitive issue for many Canadians, it is not one that our production staff want to shy away from. As responsible journalists we are bound to provide our viewers with all aspects of this story and have done so on many occasions. Our archives are full of stories we’ve done concerning the seal hunt and other animal rights issues.

I have reviewed carefully the sound bytes you have keyed on and found that the reporter attributes them to a reputable source on each and every occasion. There is no deliberate attempt by the reporter to create bias or mislead. The reporter is simply stating fashion’s interpretation of where the anti-fur movement stands today. But it’s not really the reporter’s words that make the point here, it’s the real live action video of fashion models who are in fact wearing fur down the runways. Fur has been absent from these runways for years and is now making a comeback. It’s being used to trim and accent garments, thereby attracting new consumers.

The story was not about the cruelty of the hunt. If it contains any undertones they relate to political correctness and whether people are looking at fur in a different light these days.

I would ask that you watch our broadcast on a continual basis and not base your perceptions of bias on any one report. I appreciate your comments, they give us pause to stoop [*sic*] and re-examine our work with a critical eye.

The complainant was unsatisfied with the broadcaster’s response and requested, on November 17, 1997, that the CBSC refer the matter to the appropriate Regional Council for adjudication. With his request, the complainant added a lengthy note which further explained his position. (The full text of the note is provided as an appendix to this decision.)

THE DECISION

The CBSC’s Ontario Regional Council considered the complaint under the *Code of Ethics* of the Canadian Association of Broadcasters (CAB) and the *Code of (Journalistic) Ethics* of the Radio and Television News Directors Association (RTNDA). The relevant clauses of those 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.

CAB Code of Ethics, Clause 7 (Controversial Public Issues)

Recognizing in a democracy the necessity of presenting all sides of a public issue, it shall be the responsibility of member stations to treat fairly, all subjects of a controversial nature. Time shall be allotted with due regard to all the other elements of balanced program schedules, and to the degree of public interest in the questions presented. Recognizing that healthy controversy is essential to the maintenance of democratic institutions, the broadcast publisher will endeavour to encourage presentation of news and opinion on any controversy which contains an element of the public interest.

RTNDA Code of 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 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 either of the Codes mentioned above.

The Content of the Program

The complainant's correspondence reveals in-depth knowledge about the anti-fur movement and it would appear that the complaint stems at least in part from a desire either that the broadcaster not deal with the issue of fashion furs at all or that it do so by providing a different focus to the story. The segment in question was clearly not a "hard news" item on the controversy surrounding fur as fashion; it was more of a news feature on a subject much in the public eye over the years. Some of the complainant's contentions were as follows.

First, contrary to the complainant's argument that the reporter "should have used less emotional language and been more independent", a segment such as this one which is "on

the lighter side of the news” is often characterized by creative use of language to create puns and sometimes amusing associations.

Second, the news item in question was about the resurgence of fur in fashion, not about the ethical considerations involved in obtaining animal pelts. While the complainant states that “the only interviews conducted were with a trapper, a fur retailer, a member of the Furriers Guild and a fashion magazine representative” and that this did not provide “opponents [of the fur industry] an opportunity to express their concerns,” the Council does not consider that either the broadcaster’s choice of topic or its handling of the topic *required* that members of the anti-fur movement be included as interviewees. The Council notes that the complainant points to comments made by a trapper to support his view that an opposing view should have been presented; however, it does not find that the comments of the trapper constituted a claim “of humane trapping” as alleged by the complainant. Rather, the Council notes that the trapper made the following *qualified* statement:

As long as we can prove, which we have no problem doing, that fur is a sustainable renewable resource and that the animals are taken humanely, people can walk away buying a fur coat with a good feeling. They don’t have to feel guilty about the animals suffering or anything like that. [Emphasis added.]

The complainant also contends that the news segment “implied that opposition to the fur industry no longer exists and that concerns about the suffering of animals in the production of fur coats have been resolved.” The Council disagrees. The reporter clearly attributes the statement that “the anti-fur movement is as dead as the pelt on this supermodel’s back” to the “haute couture” sector.

The Council considers that no news segment, nor any program for that matter, is required to be “all things to all people”. The determination of what is news and the focus of the story are matters which fall squarely within the purview of broadcaster independence. The Council dealt with a similar complaint in *CFTO-TV re Newscast (Pollution)* (CBSC Decision 92/93-0178, October 26, 1993). In that case, a complainant alleged that a news report had misrepresented a story about air pollution by merely referring to an American study on the topic without fully explaining its contents. The complainant felt that, by so doing, the news story misrepresented the issue, exaggerating the problem. The Council did not find that there had been a breach of the Code in that case.

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*.

Similarly in this case, the Council finds that what the complainant contends *should* have been included in the report does not match up with the story which Global chose to tell. It cannot be forgotten that the basis for this story was the resurgence issue and that, it must be recognized, was real. The presence of furs on magazine covers and fashion runways would make that as fair to report as the trend to the fashion of the Twenties or any other period, the re-introduction of Pullman-type carriages for train travel, the return of convertibles in automobile design or any similar issue. That *this* issue may have a negative aspect does not alter the fairness of a report on the fact that it was seen to be happening. No-one could fairly have described the broadcaster as "pitching" the trend. The reporter was a window on the issue, not an advocate for either side.

It appears that the in-depth knowledge of the complainant has led him to find faults with aspects of the story which may not have been as critical to an "ordinary" viewer. Among other things, the Council members were not left with any sense that the broadcaster had attempted to "influence" its audience. If anything, while the feature left a sense that there was a "come-back" component of the pro-fur viewpoint, the anti-fur viewpoint was neither far away nor settled. Language used suggested a *trend* to fur and a level of present-day acceptability that had virtually entirely disappeared previously. The reporter's equating of fur with decadence and other things which viewers would know are unhealthy can hardly be said to amount to wholesale approval by the broadcaster. And then there is the news item conclusion, the acknowledgment that "There will always be people who for ethical reasons simply won't wear fur."

While the news cannot be expected to have both sides of *every* issue covered on each occasion, the Regional Council considers that there was more acknowledgment of the *other* side, the anti-fur side, of the issue than this knowledgeable complainant would be prepared to recognize.

Broadcaster Responsiveness

In addition to assessing the relevance of the Codes to the complaint, the CBSC always assesses the *responsiveness* of the broadcaster to the substance of the complaint. In this case, the Council considers that the broadcaster's response addressed fully and fairly all the issues raised by the complainant. Nothing more is required. Consequently, the broadcaster has not breached 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.

Appendix
CBSC Decision 97/98-0445
CIII-TV (Fur Industry)

Letter from the complainant accompanying his request for a CBSC ruling:

I am writing to request that a CBSC regional council make a ruling about my complaint. Having received a reply from [the broadcaster], I am not satisfied with his response. Based on [his] comments, I have elaborated on and clarified some of the concerns expressed in my original letter in order to demonstrate a pervasive bias and an attempt to mislead viewers.

1. [Broadcaster]: “ I have reviewed (your) sound bytes and...the reporter attributes them to a reputable source on...every occasion”

I disagree. One example I cited was a comment by the reporter who said: “According to haute couture, the anti-fur movement is as dead as the pelt on this supermodel’s back.” [The broadcaster] writes in his reply that the reporter was “simply stating fashion’s interpretation of where the anti-fur movement stands today.”

Second, three of the four interviews conducted were with participants in the fur industry. Their bias and self-interest in suggesting that the anti-fur movement would be “dead” cannot be overlooked and they should not be used as a reputable source for opinion on the issue.

More importantly, I question why haute couture and the fashion industry would have a vested interest in the outcome of a social movement in the form of the anti-fur campaign. Fur is not the foundation of fashion and I doubt any designer would have gone out of business because of a lack of consumer interest. Therefore, what would the reason be for the industry to make a statement that the anti-fur movement is “dead”. I believe the reporter was drawing her own conclusions based on comments made by the various interviewees in order to influence viewer opinion.

This is characteristic of the editorializing which pervades the piece. Would it have not been sufficient for the reporter to say that “the anti-fur movement is over”? Instead, the reporter used language that is out of place in the context of a news program. Later, the reporter states that “there will always be people who, for ethical reasons, simply won’t wear fur, even if it is at the forefront of fashion.” This comment can be interpreted two ways; as a claim by the reporter that fur is at the forefront of fashion, or that there are those who wouldn’t wear it regardless of fur’s place in fashion. The possible perception in this comment that the reporter is endorsing fur is reinforced by another comment she made earlier that fur is “fun and funky” and footage of her wearing fur coats at two times during the piece. I feel this gives the impression of an endorsement on the part of the reporter.

2. One of my two greatest criticisms of the piece has to do with the footage of five models participating in a photo shoot for an anti-fur ad campaign.

Reporter: “Remember this ad, models who swore they wouldn’t be caught dead wearing a dead animal. Well it’s 1997, and all homage to their furry friends is now forgotten.”

This comment is not attributed to anyone. In order to validate the claim that “all homage to their furry friends is now forgotten”, this statement is immediately followed by footage of apparently one of the models in the above mentioned photo shoot on a fashion show runway wearing a fur coat.

It must be pointed out that the banner the models are holding in the anti-fur photo shoot is written in French. Since Global television serves an English-speaking market, their viewers could not possibly “remember this ad” because it was not intended to be seen by them. What they would

probably have seen are similar anti-fur campaigns.

[The broadcaster]: “But it’s not the reporters words that make the point here, it’s the...fashion models who are in fact wearing fur down the runways”.

If the reporter had wanted to use footage of models wearing fur to demonstrate that it was increasingly being used, it would not have been necessary to use the footage of the anti-fur photo shoot. What then was the point?

I contend that the reporter is deliberately trying to mislead the public, implying that all models who participated in anti-fur photo shoots had done so merely out of political correctness and not out of a genuine concern, and that they were all once again modelling fur.

To reinforce this suggestion, the piece draws a specific visual connection. The model in question is standing at the far right of the screen. When the footage of her apparently modelling fur is introduced, it strobos out of her torso, temporarily obstructing the other models so that the only two images on the screen are of the model participating in the anti-fur campaign and modelling fur again. It is an extremely manipulative technique, designed to impact in the viewers that the models are hypocrites, although only footage of one of the models is offered as evidence.

If, indeed, it is the same model and she has reneged on a pledge not to wear fur, this decision cannot be extrapolated to all models who participated in every anti-fur campaign. Does the reporter have evidence that the other four models featured have reneged on a pledge not to wear fur, as is being implied?

The reporter counted on the audience being familiar with similar anti-fur campaigns in order to take advantage of footage of a model who had pledged not to wear fur who is now modelling it again. But in order to exploit this footage, the reporter had to include footage of an anti-fur campaign that was not destined for Global’s viewing audience. This, too, is extremely manipulative.

3. [The broadcaster]: “The story was not about the cruelty of the hunt”.

I am somewhat confused by this comment. Although I made reference to the seal hunt in my original letter to demonstrate that the anti fur movement was not “dead”, as the reporter had stated, my remarks about cruelty dealt with claims made by the trapper, Mark Downey, that animals are taken humanely.

And this is my second greatest criticism of the piece. Although I believe it is possible to do a report on the fur industry and not address concerns about animals suffering in the process, the report featured unsubstantiated and self-serving claims by the trapper. Any independent wildlife biologist or veterinarian, with a background in these issues, should be able to verify the following:

- a) The steel-jaw leghold trap, as its name implies, is designed to hold, not kill the animal. It causes serious injury and extreme pain. Some animals will attempt to bite through their leg in order to free themselves. Requirements vary across the country as to how often traps need to be checked, from 24 hours to five days. Regardless, the animals are left exposed to the elements without food or water for that period.
- b) The underwater leghold trap is identical. However, when the animal, such as a beaver, gets caught it will drown. In the case of the beaver, drowning

can take as long as twenty-four minutes. In addition to the pain of the leghold trap, the drowning causes prolonged suffering.

- c) If the animal that is caught in the trap has dependent young, they are orphaned when the adult is taken or dies and the young will also die, either of starvation or from predators.
- d) “Trash” animals refer to those that are caught in traps but cannot be used for fur or were not intended to be caught. Dogs and cats are some of the thousands that are caught each year. The trap renders the body part which has been caught, usually the leg, useless. If it is a family pet, the whole leg will have to be amputated. If it is a wild animal and manages to escape or is released, it will likely starve or be killed because it is unable to defend itself.
- e) The “padded” leghold trap, which the federal government has said it is going to require at some time in the future, has been demonstrated in a 1996 study to cause nerve damage. Therefore, the animal’s leg will still be rendered useless if caught. Even though it does not cause as much injury as the steel-jawed trap, a dog would still have to have its leg removed and a wild animal would likely die.

These examples deal only with animals caught in the wild and not the suffering which takes place on fur farms. While the methods used by trappers to “take” animals from the wild are legal, this does not mean that they are humane.

Of all the statements made in the piece, the reporter could most easily have verified this claim or at least provided an opportunity to opponents to dispute it. By not doing so, bias was evident in the piece by allowing unsubstantiated, self-serving claims to pass as fact.

4. [The broadcaster]: “ I would ask that you watch our broadcast on a continual basis and not base your perceptions of bias on any one report”.

I am a regular viewer, which is how I became aware of the report in the first place, and resent his accusatory tone. His contention seems to be that because First National has covered various animal rights issues in the past, that they are justified in presenting this one-sided report about the fur industry. I disagree and believe that they have a responsibility to present balanced and objective reporting at all times. First National cannot expect its viewers to sort through information based on previous reports, which they may or may not have seen, and it is precisely for this reason that each piece must be dealt with thoroughly regardless of coverage of similar topics in the past.

I believe I have shown there to be bias in the piece. Although the reporter acknowledges concerns about cruelty, and mentions anti-fur campaigns, no opportunity was given to opponents of fur to contest the claims that animals are taken humanely or that the anti-fur movement is “dead”. As well, I believe several choices made by the reporter in wording her remarks were ill-advised and that she should have used less emotional language and been more independent.

I greatly appreciate your time and would be happy to discuss my concerns further if the regional council feels it would benefit the process.