
**CANADIAN BROADCAST STANDARDS COUNCIL
ONTARIO REGIONAL COUNCIL**

CKRU-AM re Noon News

(CBSC Decision 97/98-0446)

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 17, 1997, the noon news broadcast on CKRU-AM (Peterborough, Ontario) contained a report on the opening of a new palliative care unit in the area. The report and its introduction were as follows:

J. Badham: Well the news is not all doom and gloom and bad and all the rest of it. Got a brightening story for you, coming up in just a moment.

[commercial break]

J. Badham: There is some good news, at least for those coping with the bad news that sometimes comes at St. Joseph Health Centre in Peterborough. It opened its new Palliative Care Family Centre. The Festival of Trees contributed to the \$160,000 renovation, through the hospital foundation. Dr. John Beamish, Medical Director of Palliative Care, says they designed it like a big apartment.

Dr. Beamish: This area is unique in that it allows families time and space to recover while they are visiting with their family members. We have rooms that patients and their families can stay over night in. We have a large lounge area for families to prepare meals and stay. So, this allows families to remain at the bed side and remain in hospital with those that they love and are caring for while they die. The wonderful part about it is that it took place and was funded by the Festival of Trees. So the community of Peterborough was behind this unit. So the unit is really an expression of the community's caring for those who are dying within the community.

J. Badham: Well said, Dr. John Beamish. The Family Centre is located in the hospital's old intensive care unit.

The Letter of Complaint

On October 20, 1997, a listener wrote a letter to the CRTC stating that:

Although this letter is directed towards Kruz 980-Chex 12 news broadcasts, I have noticed the lack of respect for the mandate of the Fifth Estate. This mandate is to present the news as an information service, facts not opinions or assumptions.

Kruz's Oct. 17 first news broadcast at 12:00 noon, by John [Badham] was a prime example of the lack of respect for the mandate, causing me to write this letter. His manner and attitude of presentation was so biased and aggressive in the support of his own personal ideals and opinions it overcame the news aspect of the NEWS broadcast.

This person has a time spot called Strictly Personal - which I have the right to listen to or not - it is not a news cast. I can assess the OPINION on what I consider his mental capabilities, personality and general attitude. However; he is doing it uncontested [*sic*]. If [*sic*] may have little value no matter what my judgement. This is why news must be presented in a factual and unbiased manner, it then can be twisted and distorted, but hopefully in a contested [*sic*] manner where the general public can make up their own minds.

But this announcer does not consider this sounding board enough, his early morning show, if not during the news broadcast then after, always manages to get his own personal opinions and biases aired. I would suggest this shows an unfairness to all sides of a news story that usually has two or more opinions, beliefs, and results. It would also indicate a tunnel visioned, unprofessional announcer who the management might give some training to. Another solution might be to give him a live talk show, he would die a natural death.

While this letter may seem to be directed at one situation it is really the culmination of many incidents, the glaringly pre-questioned supplied interviews with politicians, the lack of determination by interviewers to get answers to good questions - if the person refuses or tangents tell the audience the person is either refusing or unable to answer what he is paid and responsible to know. If I as a worker cannot answer my employer [as] to what I am doing and not able to do what he asks - lose my job, then why shouldn't a politician or a bureaucrat have the same consequences?

You the CRTC should be spending more time monitoring this. Making sure both the public and private media are presenting the news incidents as they are in a factual form. That questions asked are pressed equally as hard to the top levels of the social scale (it still exists) as the lower levels. That all sides of the story get fair coverage and the bias gets left out of the news.

One other thing - I think that the private media should be forced to disclose their salaries, they are constantly placing their opinions on others whose salaries must be announced or groups where, because of leaks for bargaining position, salaries become known. In many cases the media seems to indicate these salaries may be more than adequate. The recent release, I believe for the first time, of TVO's Stevie and what's her name would give many of these who have had their salaries questioned grounds to wonder if TVO's management might need a reality check.

The Broadcaster's Response

In his letter of November 25, 1997, CKRU-AM's Vice-President of Information responded to the issues raised by the complainant with the following:

This letter is written on behalf of CHEX-TV, CKRU-AM and CKWF-FM - two of which were mentioned in your letter.

I listened twice to the October 17th 12:00 Noon radio broadcast to locate the editorial comment you wrote of. All I could find were the words "Well spoken, doctor". We do not have a problem with that comment, nor do we feel the comment is worthy of complaint. We have, however, reminded Mr. Badham of the policy of our stations: "There is to be no editorial comment in the body of the newscast. Editorial comments have their own place, such as within the program 'Strictly Personal'."

The complainant was unsatisfied with the broadcaster's response and requested, on December 9, 1997, that the CBSC refer the matter to the appropriate Regional Council for adjudication. Along with his Ruling Request, the complainant added the following note:

In his letter [the broadcaster] dwells specifically on editorial comment, my letter was based on overall delivery and presentation by the newscaster.

I think that [the broadcaster] is trying to dance around my concern, and ask that the issue be looked into.

THE DECISION

The CBSC's Ontario Regional Council considered the complaint under the *Code of Ethics* of the Canadian Association of Broadcasters (CAB). The relevant clause of this Code 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 listened to a tape of the program in question and reviewed all of the correspondence. The Council considers that the program in question does not violate clauses 6 of the *CAB Code of Ethics*.

The Content of the Program

There is no doubt about the *general* validity of the point made by the complainant; “facts not opinions” belong in newscasts. As Clause 6, paragraph 2, of the *CAB Code of Ethics* provides, “editorial opinion ... shall be clearly labelled as such and kept entirely distinct from regular broadcasts of news or analysis.” Moreover, the letter of the station group’s Vice President of Information indicates that they share that view. The letter of complaint is, however, wide-ranging. The only specific newscast to which it refers is that of noon on October 17. The complainant then amplifies his concerns with the following words: “While this letter may seem to be directed at one situation it is really the culmination of many incidents,” but no details of other such instances are provided. In such circumstances, the CBSC can deal only with the incident of October 17.

With respect to that newscast, the only potentially problematic statement made is that of John Badham at the end of the very short news item: “Well said, Dr. John Beamish.” In the view of the Regional Council, that comment might be understood as an indication of the news reader’s view of either the St. Joseph Health Centre, the Palliative Care Family Centre, the contribution of the community of Peterborough, the role of the Festival of Trees, the concluding statement of Dr. Beamish that “the unit is really an expression of the community’s caring for those who are dying within the community” or the doctor’s own articulation of the entire issue. Even if, therefore, the words “Well said” *could* be viewed as a technical breach of the *CAB Code of Ethics*, the focus of the benefit is sufficiently uncertain and the news issue so uncontroversial and innocuous that the Regional Council has no difficulty in concluding that no breach of Clause 6 of the Code is disclosed.

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, although brief, addressed fully and fairly the issue raised by the complainant, indicated its own agreement with the complainant’s issue and stated a course of action taken in this case. 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.