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**CANADIAN BROADCAST STANDARDS COUNCIL  
BRITISH COLUMBIA REGIONAL PANEL**

CHAN-TV re News Report (Child Support Defaulters)

(CBSC Decision 03/04-0860)

Decided October 14, 2004

S. Warren (Chair), H. Ainsworth, G. Leighton, M. Loh and R. Winters

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**THE FACTS**

During its morning news segment on February 7, 2004, CHAN-TV ran a report on parents who do not pay their child support. The teaser for the upcoming story was as follows: "The Ontario government is cracking down on deadbeat dads." The news anchor later introduced the report with the following:

The Ontario government is taking a hard-line against deadbeat dads and will soon be chasing after them with police and private investigators. The move is the result of mounting criticism that the province has left too many kids without the support payments they're entitled to.

In the actual news segment, reporter Graham Richardson explained the chaotic situation in Ontario, the principal element of which was that thousands of files had not been dealt with yet and that "phone calls here go unanswered, files are lost, deadbeat parents, mostly men, slip through the cracks." He elaborated on the state of affairs in Ontario by saying that \$1.3 billion in uncollected support payments for children and women were outstanding and that nothing had been done for years. The situation was described as so bad in Ontario that the province could not even track its progress for lack of the software to collect the data. An infusion of \$40 million into the Ontario system would start a first phase of change but, Richardson reported, the effect would not be seen for another two years.

A complainant who had seen the news report on Global Television's Victoria station filed a complaint with the CBSC on the date of the broadcast, in which he said in part (the full text of his complaint, as well as all other correspondence, can be found in the Appendix):

Sophie Lui was reporting a story from Ontario where the Provincial Government is looking at cracking down on parents who are not paying their child support. The story used the term "deadbeat parents, mostly men" while Sophie Lui repeatedly used the term "deadbeat dads".

I find the term "deadbeat dads" is offensive and sexist. It is equally offensive to men who struggle to pay child support as the term "money grubbing moms". Neither is appropriate. It is a generalization that, in my opinion, is as offensive as any other racial or gender slur.

The News Director at BCTV replied to the complainant on March 10, saying in part:

With respect to your specific complaint about a story carried on our February 7 Morning News regarding "deadbeat dads." The story was, in fact, reported by our Global National reporter Graham Richardson and ran on the newscast anchored by Sophie Lui.

The story noted that the Ontario government is taking a hard line against "deadbeat dads" - and said that there are thousands of stories of misery, poverty and despair because parents - the vast majority of them men - hadn't kept up support payments. Richardson said that "deadbeat parents, mostly men, slip through the cracks" in Ontario, and the Province is now going after them with a vengeance. More than \$1.3 billion in payments is outstanding.

Richardson wasn't the first, and won't be the last, person inside or outside the media to use the term "deadbeat dads." Governments, interest groups and myriad other institutions have also used the expression. The expression is used to describe those fathers who wilfully avoid paying support payments at all costs, and these are the parents the Ontario Government is targeting. The term isn't intended to include those fathers or mothers who sincerely work hard to make those payments. They are hardly deadbeats.

We are careful not to use gratuitous or offensive phrases in our newscasts. I strongly believe we were in our right to use this term in this context.

After receiving the broadcaster's message, the complainant wrote back to the CBSC on March 10, indicating his dissatisfaction with the broadcaster's response. The CBSC considered this correspondence as the equivalent to a Ruling Request. The complainant said:

Concern: I find the term "deadbeat dads" used in the Global news broadcast to be as offensive as any other slur against a group based on gender, race, religion, disability and so on that is prohibited from use on news broadcasts. It is intended to create a negative stereotype against divorced men.

The response that I received from [the News Director] shows how destructive this term is. The news story from Ontario referred to parents, "most of whom were men", who were not meeting their child support obligations. Global immediately turned that into a story about "deadbeat dads" when in fact there were a number of women included in the Ontario story. By doing so, it created a negative stereotype about men in general based on their family status and their gender. This would be unacceptable against any other group.

In the penultimate paragraph, he says "Richardson wasn't the first and won't be the last person inside and outside the media to use the term "deadbeat dad". That is like saying Mark Furman was not the first or the last person to use the word "nigger" so it is all right. I disagree. Both Richardson and Furman were wrong.

He then goes on to say that the term is used for fathers who don't meet their child support obligations. Here is the negative stereotype.

The term is gratuitous and offensive. I urge you to put a stop to this type of language.

## **THE DECISION**

The B.C. Regional Panel considered the complaint under the following provisions of the Canadian Association of Broadcasters (CAB) *Code of Ethics*.

### *CAB Code of Ethics, Clause 2 - Human Rights*

Recognizing that every person has the right to full and equal recognition and to enjoy certain fundamental rights and freedoms, broadcasters shall ensure that their programming contains no abusive or unduly discriminatory material or comment which is based on matters of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status or physical or mental disability.

### *CAB Code of Ethics, Clause 3 - Sex-Role Stereotyping*

Recognizing that stereotyping images can and do have a negative effect, it shall be the responsibility of broadcasters to exhibit, to the best of their ability, a conscious sensitivity to the problems related to sex-role stereotyping, by refraining from exploitation and by the reflection of the intellectual and emotional equality of both sexes in programming. Broadcasters shall refer to the *Sex-Role Portrayal Code for Television and Radio Programming* for more detailed provisions in this area.

### *CAB Code of Ethics, Clause 5 - News*

(1) It shall be the responsibility of broadcasters to ensure that news shall be represented with accuracy and without bias. Broadcasters shall satisfy themselves that the arrangements made for obtaining news ensure this result. They shall also ensure that news broadcasts are not editorial.

### *CAB Code of Ethics, Clause 6 - Full, Fair and Proper Presentation*

It is recognized that the full, fair and proper presentation of news, opinion, comment and editorial is the prime and fundamental responsibility of each broadcaster. This principle shall apply to all radio and television programming, whether it relates to news, public affairs, magazine, talk, call-in, interview or other broadcasting formats in which news, opinion, comment or editorial may be expressed by broadcaster employees, their invited guests or callers.

The Panel reviewed all of the correspondence. It is of the view that the use of the challenged expression "deadbeat dads" is, in general, inappropriate but, for the reasons explained below, is not in breach of the Code provisions cited above on this occasion.

### **The Use of the Term "Deadbeat Dads"**

The Ontario Regional Panel has previously been called upon to consider a broadcast which was, in many respects, parallel to the broadcast at hand. In *CFTO-TV re a News Promo ("Deadbeat Dads")* (CBSC Decision 97/98-0549, July 28, 1998), the Ontario Regional Panel dealt with an allegation of sexist stereotyping in a promo for an upcoming news item dealing with new enforcement measures for support awards. The promo used the phrase "Deadbeat Dads". The actual report, however, dealt with, and used the term, deadbeat parents. The Council found no breach in that case although the Panel did state that the phrase should not be used indiscriminately.

The complainant states that "deadbeat dads" is a term which is as offensive as the racial epithet which he has proffered as an example in his letter. The Council respectfully disagrees. Unlike the one-word epithet which he has suggested and numerous other equally ugly and unpalatable appellations (which he did not), the Council believes that this phrase is self-circumscribing and does not cast aspersions on fathers in general or child-support paying fathers in particular. The term clearly emphasizes the *deadbeat* characteristic of those who flout judicial orders. It applies, it is true, only to *dads* of that bent, but its emphasis is undeniably on those dads who disrespect their responsibilities. That a responsible father may feel somewhat uncomfortable when hearing the phrase is as understandable as is the analogous sentiment which a man who, having never assaulted a woman, may feel when hearing of violent crimes committed by men against women. The utterly innocent man, however, has no personal association with either group of events and ought, intellectually, to be able to easily separate himself from those whose behaviour is questionable. Accordingly, while the Council recognizes that the term is clearly *discriminating*, and there is an issue to consider for this reason alone, it does not consider that the term is necessarily *discriminatory*.

The fact that the term makes a distinction on the basis of sex, does not mean that it should be banned outright. Moreover, discriminatory comment, even when coined as a "catchy" phrase, may at times be acceptable. As stated in *CFUN-AM re the John and JJ Show (Immigration Policy)* (CBSC Decision 97/98-0422, May 20, 1998):

It could not be every instance of discriminatory comment which would be found to be in breach of the "human rights" provision of the CAB *Code of Ethics* for, in a technical sense, every statement regarding an identifiable group is *discriminatory*. As this Council put the point in *CFTO-TV re 'Tom Clark's Canada'* (CBSC Decision 97/98-0009, February 26, 1998):

Early on, the Council recognized that Clause 2 of the CAB *Code of Ethics* requires a weighing of competing values. In *CHTZ-FM*

*re the Morning Show* (CBSC Decision 92/93-0148, October 26, 1993) the Council noted that "it must balance the right of audiences to receive programming which is free of abusive or discriminatory material... with the fundamental right of free speech in Canadian society." The application of this balancing act in various CBSC decisions evolved into an "abusiveness criteria"; i.e. the establishment of a "test" whereby a comment must not merely be *discriminatory* to constitute a breach of Clause 2, it must be *abusively* so.

The Council does not consider the phrase "deadbeat dads" used in this context to be abusively discriminatory *per se*, so as to be contrary to Clause 2 of the CAB *Code of Ethics*.

The Council does agree that the phrase conveys a stereotypical image of defaulting *male* child support payers. Moreover, it believes that the term is probably used both for profound and shallow reasons. While the Council is not a fact-finding or research-oriented body, its representative members are entitled, indeed, *expected*, to be able to make certain judgments which appear reasonable on their face. In this case, they do believe that, on the profound level, the media (print and broadcast) use the term because they have come to expect that *most*, but surely not all, defaulters are men. On the shallow level, they believe that the term used to describe this state of anticipated reality is also attractive to broadcasters because of its alliterative nature. Even if one assumes that the statistical basis for the phrase "deadbeat dads" is *correct*, it does not mean that it should be used indiscriminately. Indeed, it is the view of the Regional Council that the term should be used with discernment and only when the term appropriately describes the group in question (see the section below on the use of the phrase in this case). The implication in this view of the Council is, of course, that there are circumstances in which the term *may* be used with impunity.

It is the view of the B.C. Regional Panel that the use of the term in the teaser and in Sophie Lui's introduction to the Richardson news item was unnecessary and unfortunate, particularly as there was no justification in the story itself for a unisexual approach to the subject. That being said, the Panel notes that the unfortunate term was, in a sense, immediately corrected in the story itself. Any reference by the reporter, Richardson, was correctly generic, namely, to "deadbeat *parents*", rather than "deadbeat dads" alone. Unfortunately, rather than emphasizing that successful management of the issue, the News Director observed in his letter, *incorrectly* at that, that "The story noted that the Ontario government is taking a hard line against 'deadbeat dads'" and that "Richardson wasn't the first, and won't be the last, person inside or outside the media to use the term 'deadbeat dads'." The Ontario Government took no such position and the reporter did not use such a term. Indeed, this statement by the broadcaster representative elicited a reaction in the complainant's second e-mail, in which he referred to the News Director's penultimate paragraph, linking the latter's justification to the Mark Furman comments of years ago. The complainant said, "I disagree. Both Richardson and Furman were wrong." The Panel considers that Richardson was not wrong. As noted above, he did not use the challenged term or anything like it. But for the News Director's suggestion that he did, that point may not have returned to the dialogue.

In any event, as was the case in the Ontario Panel decision referred to above, the unfortunate use of the term by Sophie Lui in the matter at hand was *immediately* corrected, thus nullifying the misuse on this occasion.

This conclusion has been facilitated by the broadcaster's early recognition that "the use of the deadbeat dads in the context of both men and women represents an "error of omission with respect to women." The Council notes that these were not just words used by the broadcaster in its correspondence. The principle was put into action right away; CFTO-TV corrected its mistake by using the phrase "deadbeat parents" *in the actual news report*, as acknowledged by the complainant himself. [Emphasis added.]

In the circumstances, while the Council agrees with the broadcaster that an "error of omission" has occurred, it does not consider that a finding of a breach of Clause 6 of the *Code of Ethics* is warranted in the circumstances. Where an honest error occurs which is not of major proportion and is corrected quickly, the CBSC will not, in the absence of other material considerations, find a Code breach. Examples can be found in the following cases. In *CFRA-AM re the Mark Sutcliffe and Lowell Green Shows* (CBSC Decisions 9697-0083, 0084 and 0085, May 7, 1997), the Ontario Regional Council said:

Of the principal issues raised by the complaint, the first relates to the identification of Mr. Nicholls as "Jamaican". This occurred to a much less significant extent than has been suggested in the letter of complaint. The characterization of Mr. Nicholls as "Jamaican" did not last for more than 30 minutes of the first of the three programs being reviewed here. It appears to have been an honest error and one which, in any event, was corrected by Mr. Sutcliffe himself as quickly as the information [that Mr. Nicholls was St. Lucian] became available to him. It does not constitute a breach of either the CAB or the RTNDA *Codes of Ethics*.

Similarly, in *CITY-TV re CityPulse (Neighbourhood Drug Bust)* (CBSC Decision 96/97-0216, February 20, 1998, the error made was corrected in subsequent news reports *on the same day* and the Ontario Panel found that the correction was suitably made and in as timely a way as any might have sought. That Panel also dealt with the timeliness of the correction at some length. Since *this* Panel considers the issue of speedily putting the matter right of paramount importance, despite the fact that some of the comments of the Ontario Panel relate to a misidentification rather than a mischaracterization, as is the case here, the B.C. Panel considers that they appertain here.

[T]he Council notes that the broadcaster corrected its report in order to present the facts accurately in the very next newscast. While the Council recognizes that this mis-identification was the crucial issue to the complainant, it is of the view that the steps taken by the broadcaster to virtually *instantly* put the matter right were sufficient to avoid a conclusion of broadcaster Code breach.

... the broadcaster's job is just to present the information *correctly*. Moreover, the textual revision was done "quickly", as envisaged by the other adverb in the sentence. Accordingly, the Council is of the view that CITY-TV's actions *vis-à-vis* the inaccuracy noted by the complainant were entirely appropriate and sufficient.

In the matter at hand, the correction was made more quickly still, in the sense that the reporter never used the challenged expression. It is as though an incorrect description of contents was put on the front of the package but, as soon as it was opened, it revealed for any to see that the contents were what this Panel would expect. Any error relating to the news report itself was instantly *corrected* by the substantive portion of the broadcast. In the circumstances of the instant correction, the Panel does not need to consider the applicability of any of the *CAB Code of Ethics* clauses cited above. It finds no breach.

### **Broadcaster Responsiveness**

The CBSC considers, as a part of every decision, whether the broadcaster has complied with its obligation to respond appropriately to the complainant's concerns. That dialogue is not only a part of every broadcaster's CBSC membership obligations, it also represents the public's sense of security in the process of self-regulation. While broadcasters are always involved with the reaction of their audiences to what they put on air, this dialogue with a viewer (or listener in radio matters) is the manifestation to the complainant of that involvement. The Panel finds that the News Director's letter constituted a full reply to the complainant. That he did not agree with the broadcaster's representative is not critical for that it the case with every matter that reaches this stage in the CBSC process. What matters is that the dialogue was engaged. Disagreement is permitted. The Panel only finds it unfortunate that the reporter did not get the credit that he seems to have earned in his presentation of the report on the Ontario study. This is, however, not the stuff of which a breach of the Codes or the broadcaster's obligations of membership in the CBSC is made.

*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.*

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**APPENDIX TO**  
**CHAN-TV re a News Report (Child Support Defaulters) (CBSC Decision 03/04-0860, October 14, 2004)**

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**I. The Complaint**

The following complaint was sent to the CBSC on February 7, 2004:

Concern: Sophie Lui was reporting a story from Ontario where the Provincial Government is looking at cracking down on parents who are not paying their child support. The story used the term "deadbeat parents, mostly men" while Sophie Lui repeatedly used the term "deadbeat dads".

I find the term "deadbeat dads" is offensive and sexist. It is equally offensive to men who struggle to pay child support as the term "money grubbing moms". Neither is appropriate. It is a generalization that, in my opinion, is as offensive as any other racial or gender slur. This is no different than Don Cherry's controversial comment about visors.

In my opinion, Sophie Lui owes her audience an apology and she should be reprimanded for her story.

**II. The Broadcaster's Response**

The broadcaster responded to the complainant on March 10:

Dear Mr. N.,

Your letter to the Canadian Broadcast Standards Council - regarding Global TV news coverage, has been passed to me for response.

First, let me inform you that as responsible broadcasters, our entire news team strives to uphold the highest level of journalistic integrity and ethics at all times. Our staff members are educated to make programming decisions thoughtfully and with sensitivity and to produce, purchase and schedule material in accordance with community standards and with the Canadian Association of Broadcasters' (CAB) Code of Ethics, Sex-Role Portrayal Code for Television and Radio Programming, and the Voluntary Code Regarding Violence in Television Programming. BCTV News also adheres to the Radio Television News Directors Association of Canada (RTNDA) Code of Ethics.

Broadcasters are given the task of providing a broad spectrum of entertainment and information for a wide variety of audiences. What one viewer may consider to be an interesting and exciting program may lead another to change the channel. Each viewer will have their own interpretation based on their personal background, experience and values.

With respect to your specific complaint about a story carried on our February 7 Morning News regarding "deadbeat dads." The story was, in fact, reported by our Global National reporter Graham Richardson and ran on the newscast anchored by Sophie Lui.

The story noted that the Ontario government is taking a hard line against "deadbeat dads" - and said that there are thousands of stories of misery, poverty and despair because parents- the vast majority of them men - hadn't kept up support payments. Richardson said that "deadbeat parents, mostly men, slip

through the cracks" in Ontario, and the Province is now going after them with a vengeance. More than \$1.3 billion dollars in payments is outstanding.

Richardson wasn't the first, and won't be the last, person inside or outside the media to use the term "deadbeat dads." Governments, interest groups and myriad other institutions have also used the expression. The expression is used to describe those fathers who wilfully avoid paying support payments at all costs, and these are the parents the Ontario Government is targeting. The term isn't intended to include those fathers or mothers who sincerely work hard to make those payments. They are hardly deadbeats.

We are careful not to use gratuitous or offensive phrases in our newscasts. I strongly believe we were in our right to use this term in this context.

Thank you.

## **II. Additional Correspondence**

On March 10, the complainant sent the following message to the CBSC, indicating his dissatisfaction with the response:

Concern: I find the term "deadbeat dads" used in the Global news broadcast to be as offensive as any other slur against a group based on gender, race, religion, disability and so on that is prohibited from use on news broadcasts. It is intended to create a negative stereotype against divorced men.

The response that I received from [the News Director] shows how destructive this term is. The news story from Ontario referred to parents, "most of whom were men", who were not meeting their child support obligations. Global immediately turned that into a story about "deadbeat dads" when in fact there were a number of women included in the Ontario story. By doing so, it created a negative stereotype about men in general based on their family status and their gender. This would be unacceptable against any other group.

In the penultimate paragraph, he says "Richardson wasn't the first and won't be the last person inside and outside the media to use the term "deadbeat dad". That is like saying Mark Furman was not the first or the last person to use the word "nigger" so it is all right. I disagree. Both Richardson and Furman were wrong.

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The term is gratuitous and offensive. I urge you to put a stop to this type of language.

Thank you.