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**CANADIAN BROADCAST STANDARDS COUNCIL  
ONTARIO REGIONAL PANEL**

OMNI.1 re an episode of the *Jimmy Swaggart Telecast*

(CBSC Decision 04/05-0097)

Decided April 19, 2005

R. Stanbury (Chair), M. Harris (*ad hoc*), M. Hogarth (*ad hoc*), M. Oldfield

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**THE FACTS**

OMNI.1 (CFMT-TV, Toronto) was, in the fall of 2004, broadcasting the religious program the *Jimmy Swaggart Telecast* on Sunday mornings from 8:00 to 9:00 am. The challenged episode aired on September 12, 2004. On that date, televangelist Jimmy Swaggart's comments were the second part of a sermon entitled "and Preach Deliverance to the Captives". The majority of the episode was about a drug addict who had turned his life around after finding Jesus; however, approximately 36 minutes into the program, Swaggart mentioned the issue of same-sex marriage in the following terms:

I get amazed. I can't look at it but about ten seconds. At these politicians dancing around this ... dancing around this ... I'm tryin' to find a correct name for it. This utter, absolute, asinine, idiotic stupidity ... of men marrying men [sounds of agreement from audience]. I've never seen a man in my life I wanted to marry [Swaggart laughs; audience applauds]. And I'm gonna be blunt and plain; if one ever looks at me like that, I'm gonna kill him and tell God he died [audience applause]. Case anybody doesn't know, God calls it an abom'nation. It's an abom'nation! It's an abom'nation! These ridiculous, utterly absurd ... district attorneys and ... judges and ... state congress and ... "well, we don't know". They all, they all oughta have to marry a pig and live with him forever. I'm not knocking the poor homosexual, I'm not. They need salvation just like anybody else. I'm knockin' our pitiful, pathetic lawmakers. And I thank God that President Bush has stated [audience applause] we need a constitutional amendment that states that marriage is between a man and a woman! [audience applause].

He then continued his story about the drug addict.

A viewer sent a complaint directly to OMNI.1 on September 12, 2004 and also sent a copy to the CRTC, which forwarded it to the CBSC in due course (the full text of all correspondence can be found in the Appendix):

It is Sunday morning, Sept. 12, 2004, and I was just channel surfing, at about 8:30 am, when I came upon your channel showing Jimmy Swaggart. Now I'm not a follower of his or any TV ministry but what he said on the air was outrageous! He was railing against gay marriage, which I think he [is] just ignorant about, but then he said "...I've never seen a man I wanted to marry. (laughter from crowd) If one ever looked at me that way, I'd kill him and tell God he died." (more laughter from crowd).

How can you let ignorant hate propaganda to be shown [sic] on your station! I think you need to review the tape and then have his show withdrawn from your line up! I will be make [sic] this same complaint to the CRTC. I'll have to think long and hard about including your channel in TV viewing.

It is beyond belief that any one, let alone someone who calls himself a man of God, to say such things on Canadian TV.

The broadcaster responded to the complainant on October 29 with the following:

We have received your complaint to the CBSC regarding a comment made during the Jimmy Swaggart program that aired on OMNI.1 on September 12, 2004. OMNI.1 is an ethnic television station owned and operated by Rogers Broadcasting Limited, and Rogers is a member in good standing of the Canadian Broadcast Standards Council (CBSC). We have reviewed the logger tape of the day in question and thank you for the opportunity to respond directly to your complaint.

From the outset, let me be very clear. OMNI Television apologizes for the comments made by Jimmy Swaggart during the program in question. We value the rich diversity in the local communities we serve and do not in any way condone abusive or discriminatory material in the programming carried on our stations.

Before dealing further with the substance of your complaint, I thought it would be appropriate to set out some additional background information, to further examine these comments.

#### Precise Comments Made by Jimmy Swaggart

Without in any way condoning the comments themselves, I believe it is appropriate to precisely set out the comments made by Jimmy Swaggart. During the sermon portion of the program, Jimmy Swaggart was discussing in great detail a story about a former drug addict who had turned his life around in a very dramatic way. However, as an aside, not relevant to the story in question, Jimmy Swaggart turned to the issue of gay marriage and made a number of comments that have ultimately formed the basis for your complaint.

He first emphasized:

"I've never seen a man in my life I wanted to marry."

He then stated:

“And I’m going to be blunt and plain. If one ever looks at me like that, I’m going to kill him and tell God he died.”

Following these comments, Jimmy Swaggart went on to state that he did not blame the homosexuals themselves. Rather, he blamed lawmakers in the United States and their indecisiveness on the issue of gay marriage. He concluded by supporting President Bush and his proposal for an amendment to the United States Constitution to uphold the concept of the “traditional” marriage between a man and a woman.

#### OMNI Television Program Review Process

OMNI Television has established systems and procedures to review this type of programming so as to avoid this kind of a situation from occurring. Tapes from the Jimmy Swaggart program are pre-screened by our programming acquisitions group. Should they contain any potential abusive or offensive material, the program is then further reviewed by management in our Programming Department to ensure that its content complies with the standards and guidelines established at OMNI Television, and in the various codes administered by the Canadian Broadcast Standards Council. At this stage, should any comments in a particular Swaggart program be deemed offensive or abusive, our Programming Department will identify it as such and take whatever measure may be appropriate to rectify the situation (e.g. amend or edit the program, or not carry it all).

In this case, our Programming Department did review the program in question, and concluded that Jimmy Swaggart was expressing a personal, political opinion on the issue of gay marriage. In hindsight, we realize that we made an error in judgement. As the broadcaster of the Jimmy Swaggart program, OMNI Television takes full responsibility for having aired the program. We apologize to you, and to all of our viewers, for any frustration or aggravation caused by the comments made by Jimmy Swaggart during his program.

We will also broadcast a formal on-air apology on this issue. The statement will be broadcast at approximately the same time of the day and week as the broadcast of the Swaggart program (i.e. Sunday morning). In a follow-up e-mail to you in the coming weeks, we will provide you with a text of the apology statement read on the air, as well as information as to when it was actually broadcast. A copy of this information will, of course, also be provided to the CBSC.

Thank you for taking the time to express your opinion about programming content on OMNI Television. We certainly value the opinions of all our viewers. Through this letter, we hope that we have adequately addressed the concerns you expressed in your complaint. You can be sure that any future broadcasts of the Swaggart program will be reviewed with much greater care and scrutiny by our Programming staff to ensure that no abusive or discriminatory commentary is included.

On November 26, the complainant sent an e-mail to the CBSC indicating that he would like to pursue his complaint:

Yes I would like the Council to proceed with the request for adjudication. I feel that the broadcaster’s response was somewhat lacking in sincerity and missed the point of my complaint.

[...]

[... T]he point of my complaint was that broadcasters should not be allowed to air programs that blatantly condone violent acts against any groups of people. Jimmy Swaggart's comments did not cause "...frustration or aggravation...". What they caused was outrage that such things could be televised in Canada by an influential person. I do not watch the Jimmy Swaggart Ministries as I don't agree with the way he ministers, I only happened to be "channel surfing" by when he spoke the comments my complaint refers to. However, he does have a large following of people that believe his interpretation of the Bible is the correct one and that what he says is "good and true". It has also come to my attention that this is not the first time that the broadcaster has had to issue an apology for Jimmy Swaggart's inappropriate comments on-air, and that they promised to screen his show closer in the future. It seems that they are still not doing a good enough job of this. I was hoping that the broadcaster would just remove the show from their line up. I don't believe this has happen [sic]. I have stopped watching all broadcasts on OMNI.1 as I can not in good conscience support a broadcaster that would continue to air what amounts to hate propaganda.

It is my sincere hope the Council will look into this issue more closely.

On January 10, 2005, the broadcaster sent the following e-mail to the complainant:

This letter serves as a follow-up to our initial apology sent on November 4, 2004, regarding the comments made during the broadcast of a Jimmy Swaggart program on OMNI.2 [sic] on Sunday, September 12, 2004. In that apology, we noted that the station would be subsequently issuing a formal on-air apology on the matter. We have done so. On the mornings of Sunday, December 19, 2004, and Sunday, December 26, 2004, at approximately 8 am, we issued the following apology:

The Canadian Broadcast Standards Council has received a number of complaints regarding our broadcast of the Jimmy Swaggart program on Sunday, November 12. The complaints focus on offensive comments made by Jimmy Swaggart regarding homosexuals and the issue of gay marriage.

OMNI Television has already provided a written response to each one of our viewer complaints. We outlined OMNI's program review process as it related to the program and apologized for having aired the comments in question.

Although the CBSC may further review the complaints, we believe it is also important for us to issue this formal apology to all of our viewers. OMNI Television apologizes for any offence or affront the comments may have caused.

OMNI Television also provided the CBSC with a copy of the on-air apology that it had aired on December 19, 2004 immediately preceding the *Jimmy Swaggart Telecast*. In it, it was the OMNI Television Vice-President and Station Manager who appeared on screen and read the apology cited immediately above.

## THE DECISION

The Ontario Regional Panel examined 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 8 – Religious Programming

Broadcasters should endeavour to make available to the community adequate opportunity for presentation of religious messages and should also endeavour to assist in all ways open to them the furtherance of religious activities in the community. Recognizing the purpose of the religious broadcast to be that of promoting the spiritual harmony and understanding of humanity and of administering broadly to the varied religious needs of the community, it shall be the responsibility of each broadcaster to ensure that its religious broadcasts, which reach persons of all creeds and races simultaneously, shall not be used to convey attacks upon another race or religion.

The Panel concludes that the broadcast of Swaggart's remarks about homosexuals constitutes a breach of both of the foregoing Code provisions.

### **Same-Sex Marriage: Its Political Component**

It is essential to recognize that same-sex marriage is an entirely legitimate issue for discussion on the airwaves. Same-sex marriage legislation recognizing the institution fully or in significant measure has, after all, at the time of this CBSC decision, been adopted by the legislatures of at least Denmark, Norway, Sweden, Belgium and the Netherlands and been introduced by those of Canada and Spain. The institution has also been fully recognized by the courts in a number of Canada's provinces and territories, as well as in other municipal, district, provincial or state courts in other countries. At the same time, the institution was dealt with in far more conservative or restrictive fashion by a number of American states in the 2004 Presidential and Congressional elections. Some religions and religious figures are receptive to the idea and others are not. Whether in Canada or the United States, it is undeniably the case that same-sex marriage is a controversial issue, moreover one that generates *considerable* passion among both its proponents and its detractors. The point, though, is that the *debate itself* is more than legitimate, it is democratically essential, and raising the arguments that either favour or counter the notion of same-sex marriage is as

salubrious a discussion under the umbrella of freedom of expression as one could imagine.

That the Panel agrees with the importance of attacking the political issue should not, however, be interpreted as opening the door to attacking the practitioners of same-sex marriage or those who aspire to become a partner in such a form of union. It is the ideas, the ideology, the arguments, the principles, the policies with which the contrary-minded are entitled to take issue and, on *this* part of the televangelist's position, the Ontario Regional Panel considers that Swaggart stands on *terra firma*. And Swaggart's concluding statement favouring the American President's position is entirely and fairly sustainable as a pure and simple political statement: "And I thank God that President Bush has stated we need a constitutional amendment that states that marriage is between a man and a woman!"

Even when the temperature of the preacher's language rises, as it does in his words, "This utter, absolute, asinine, idiotic stupidity ... of men marrying men" and "These ridiculous, utterly absurd ... district attorneys and ... judges and ... state congress and ... 'well, we don't know'", the Panel sees no breach of the standards it administers. Nor does the Panel see a breach in his personalized statement, "I've never seen a man in my life I wanted to marry." Thereafter, the televangelist is on human rights quicksand.

### **Swaggart's Language**

Despite his statement, "I'm not knocking the poor homosexual, I'm not," he had only set up a straw man, which he quickly demolished with verbal thrusts and parries. He began with the harshest cut of all, by saying "And I'm gonna be blunt and plain; if one [man] ever looks at me like that [i.e. like he wanted to marry me], I'm gonna kill him and tell God he died." That indicates the extent of the hostility Swaggart reserved for any gay man who would regard him with the positive feelings that one naturally associates with marriage. The negativity was so visceral that Swaggart asserted that, despite his own religiosity, he would feel justified in *killing* the man and in *lying* to his God that the victim had simply *died*. He followed this sentence with repeated emphatic references to "an abom'nation" and concluded in this regard that, for a supporter of such marriage to understand its equivalent in Swaggart's terms, "They all, they all oughta have to marry a pig and live with him forever."

The Panel considers it important to emphasize the fact that, while the word "abomination" may have a particular connotation or meaning to members of the Christian sect to which Swaggart belongs, once his preaching is televised, it must be appreciated that the meaning at issue is far more pervasive than that understood by the limited audience in the building in which the sermon is given. The religious meaning of the word that might be acceptable in *that* context must

be considered in its lay meaning with respect to the digestion of the term by the larger television audience. The *Shorter Oxford English Dictionary* defines it as follows:

1. An abominable act; a degrading vice.
2. A feeling of disgust and hatred; loathing.
3. A state exciting disgust; pollution.
4. An object that excited disgust and hatred.

The Panel understands the use of the word in the preacher's diatribe against gays to be particularly offensive in the circumstances. It is, if anything, harsher than the language considered a breach of the Code by this Panel in its decision in *CFYI-AM and CJCH-AM re the Dr. Laura Schlessinger Show* (CBSC Decisions 99/00-0005 and 98/99-0808, 1003 and 1137, February 9 and 15, 2000); namely, "abnormal", "aberrant", "deviant", "disordered", "dysfunctional", "an error" or the like.

The problem of Swaggart's language is, in a sense, exacerbated by the fact that he, as a religious figure, can be presumed to set an example for his community. It would, therefore, be easy for someone to infer that this might be the proper way for a Christian of this sect (or possibly of any sect) to respond to homosexuality. Repeating such terminology also contributes to the desensitization of the public with respect to gays and lesbians and even provides the audience with regrettable and negative terms with which to deal with this identifiable part of the community. The language cited in the previous paragraph is, in the view of the Panel, sufficiently abusive and unduly discriminatory to constitute a breach of both of the Code provisions cited above and it is, of course, the broadcaster which assumes responsibility for the conformity to the Canadian codified standards.

### **The Broadcaster's Apology**

On December 19 and again on December 26, during the time period of the Swaggart broadcast, the OMNI.1 Vice-President and Station Manager made an on-air appearance and apology, the terms of which are quoted earlier in this decision. The statement referred specifically to the CBSC and the complaints the Council had received and to the "offensive comments made by Jimmy Swaggart regarding homosexuals and the issue of gay marriage," outlined the steps the station had taken vis-à-vis the complainants and stated candidly that it was "very important for us to issue this formal apology to all of our viewers." The wording of the final sentence of the apology was as follows: "OMNI Television apologizes for any offence or affront the comments may have caused."

The Panel noted the length and substance of the statement, the timeliness and frequency with which it was made, and the fact that it was the Vice-President and General Manager of the station who made the on-air apology. Although the

complainant has challenged the sincerity of the station's motives, the Panel sees no justification for that assessment. Indeed, all of the steps taken by the broadcaster in this file appear to reflect the opposite attitude on the part of OMNI.1. The foregoing being said, the Panel finds the reference to "offensive" comments to be a step farther away from the language of the Human Rights clause than it would have wished the broadcaster to acknowledge. Ideally, the recognition that the broadcast comments had been "abusive" or "discriminatory" (if not "unduly discriminatory") would have been more in keeping with the terms of the codified standard that the station appears to have acknowledged was at issue. While it is the CBSC and not the broadcaster that bears the ultimate responsibility for concluding whether a broadcast incident does or does not breach a code, it would have carried more weight for the broadcaster to have tied its apology to the precise issue that it, OMNI.1, clearly understood was at play.

### **Broadcaster Responsiveness**

In all CBSC decisions, the Council's Panels assess the broadcaster's responsiveness to the complainant. Although the broadcaster need not agree with the complainant, it is expected that its representatives charged with replying to complaints will address the complainant's concerns in a thorough and respectful manner. In this case, the broadcaster *did* agree with the complainant's position and took extraordinary steps to acknowledge that agreement, both in terms of the candour of its correspondence and in terms of its voluntary on-air apology, broadcast *twice* during the time frame of the Swaggart program on successive Sunday mornings. The Panel does not know what more OMNI.1 could have done to put matters right. The Panel considers that OMNI.1 has, in exemplary fashion, fully met its responsiveness responsibilities of CBSC membership.

### **ANNOUNCEMENT OF THE DECISION**

There is almost no exception to the principle that a broadcaster found to have breached a code or a condition of membership in the CBSC must announce the decision in the terms specified by the Council. That being said, in the rare circumstances in which a broadcaster had already taken concrete steps to acknowledge its error and rectify the situation, the CBSC has not necessarily required an announcement of the Panel decision.

In the first such instance, namely, *CJMR-AM re the Voice of Croatia* (CBSC Decision 92/93-0205, February 15, 1994), the broadcaster had made the following announcement on air on the Sunday following the original weekly broadcast: "This gentleman has rightly brought this indiscretion to the attention of CJMR Radio and the 'Voice of Croatia' program and we, therefore, apologize for



any inconvenience or embarrassment it may have caused him.' In taking account of that announcement, this Panel stated:

The broadcaster is generally required to announce an unfavourable decision of the Regional Panel during peak listening hours within thirty days of the publication of the decision. While the Panel considers that the broadcaster's act constituted a breach of the industry's *Code of Ethics*, it has determined that the text of the announcement read the following week on the show was easily the equivalent of what it would normally have required. In the particular circumstances of this case, the Panel considers that the broadcaster has by anticipation fulfilled its obligations regarding an unfavourable decision.

In *CHUM-AM re Brian Henderson Commentary* (CBSC Decision 95/96-0008, 0060 and 0061, March 26, 1996), the Panel considered the on-air apology of the commentator sufficient:

The broadcaster is generally required to announce an unfavourable decision of the Regional Panel during peak listening hours within thirty days of the publication of the decision. While the Panel considers that the broadcaster's act constituted a breach of the industry's *Code of Ethics*, it has determined that the text of the announcement read the following week by the on-air host was the equivalent of what it would normally have required.

In very similar circumstances, in its related decision in *CFTR-AM re Dick Smyth Commentary* (CBSC Decision 95/96-0062, March 26, 1996), this Panel used almost the same language in concluding that CFTR-AM had, on the basis of its voluntary on-air apologies, no further obligation to make the customarily mandated CBSC announcement.

In the matter at hand, while the Panel recognizes that OMNI.1 might have chosen slightly different language in which to express its regret for the broadcast, it recognizes the exemplary, timely and sincere step the station has taken to announce to its audience its regret for the broadcast of the Swaggart comments. It does not consider that anything more is required of OMNI.1 with respect to the resolution of this file.

*This decision is a public document upon its release by the Canadian Broadcast Standards Council.*

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## APPENDIX

### CBSC Decision 04/05-0097 OMNI.1 re an episode of the *Jimmy Swaggart Telecast*

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#### The Complaint

The following complaint of September 12, 2004 was sent to the CRTC and forwarded to the CBSC in due course:

This is an e-mail I just sent to CFMT OMNI.1 TV about one of their shows:

It is Sunday morning, Sept. 12, 2004, and I was just channel surfing, at about 8:30 am, when I came upon your channel showing Jimmy Swaggart. Now I'm not a follower of his or any TV ministry but what he said on the air was outrageous! He was railing against gay marriage, which I think he [is] just ignorant about, but then he said "...I've never seen a man I wanted to marry. (laughter from crowd) If one ever looked at me that way, I'd kill him and tell God he died." (more laughter from crowd).

How can you let ignorant hate propaganda to be shown [*sic*] on your station! I think you need to review the tape and then have his show withdrawn from your line up! I will be make [*sic*] this same complaint to the CRTC. I'll have to think long and hard about including your channel in TV viewing.

It is beyond belief that any one, let alone someone who calls himself a man of God, to say such things on Canadian TV.

I've tried to send a complaint to the CRTC but the complaint section of their web site is down.

P.S. I have sent this to the local news programs, CJOH and CBC Ottawa, as well as the local paper.

#### Broadcaster's Response

The broadcaster responded to the complainant on October 29 with the following:

We have received your complaint to the CBSC regarding a comment made during the Jimmy Swaggart program that aired on OMNI.1 on September 12, 2004. OMNI.1 is an ethnic television station owned and operated by Rogers Broadcasting Limited, and Rogers is a member in good standing of the Canadian Broadcast Standards Council (CBSC). We have reviewed the logger tape of the day in question and thank you for the opportunity to respond directly to your complaint.

From the outset, let me be very clear. OMNI Television apologizes for the comments made by Jimmy Swaggart during the program in question. We value the rich diversity in the local

communities we serve and do not in any way condone abusive or discriminatory material in the programming carried on our stations.

Before dealing further with the substance of your complaint, I thought it would be appropriate to set out some additional background information, to further examine these comments.

#### Precise Comments Made by Jimmy Swaggart

Without in any way condoning the comments themselves, I believe it is appropriate to precisely set out the comments made by Jimmy Swaggart. During the sermon portion of the program, Jimmy Swaggart was discussing in great detail a story about a former drug addict who had turned his life around in a very dramatic way. However, as an aside, not relevant to the story in question, Jimmy Swaggart turned to the issue of gay marriage and made a number of comments that have ultimately formed the basis for your complaint.

He first emphasized:

"I've never seen a man in my life I wanted to marry."

He then stated:

"And I'm going to be blunt and plain. If one ever looks at me like that, I'm going to kill him and tell God he died."

Following these comments, Jimmy Swaggart went on to state that he did not blame the homosexuals themselves. Rather, he blamed lawmakers in the United States and their indecisiveness on the issue of gay marriage. He concluded by supporting President Bush and his proposal for an amendment to the United States Constitution to uphold the concept of the "traditional" marriage between a man and a woman.

#### OMNI Television Program Review Process

OMNI Television has established systems and procedures to review this type of programming so as to avoid this kind of a situation from occurring. Tapes from the Jimmy Swaggart program are pre-screened by our programming acquisitions group. Should they contain any potential abusive or offensive material, the program is then further reviewed by management in our Programming Department to ensure that its content complies with the standards and guidelines established at OMNI Television, and in the various codes administered by the Canadian Broadcast Standards Council. At this stage, should any comments in a particular Swaggart program be deemed offensive or abusive, our Programming Department will identify it as such and take whatever measure may be appropriate to rectify the situation (e.g. amend or edit the program, or not carry it all).

In this case, our Programming Department did review the program in question, and concluded that Jimmy Swaggart was expressing a personal, political opinion on the issue of gay marriage. In hindsight, we realize that we made an error in judgement. As the broadcaster of the Jimmy Swaggart program, OMNI Television takes full responsibility for having aired the program. We apologize to you, and to all of our viewers, for any frustration or aggravation caused by the comments made by Jimmy Swaggart during his program.

We will also broadcast a formal on-air apology on this issue. The statement will be broadcast at approximately the same time of the day and week as the broadcast of the Swaggart program (i.e. Sunday morning). In a follow-up e-mail to you in the coming weeks, we will provide you with a text of the apology statement read on the air, as well as information as to when it was actually broadcast. A copy of this information will, of course, also be provided to the CBSC.

Thank you for taking the time to express your opinion about programming content on OMNI Television. We certainly value the opinions of all our viewers. Through this letter, we hope that we have adequately addressed the concerns you expressed in your complaint. You can be sure that any future broadcasts of the Swaggart program will be reviewed with much greater care and scrutiny by our Programming staff to ensure that no abusive or discriminatory commentary is included.

Please do not hesitate to contact us if you wish to discuss this issue further or any other concerns you may have about OMNI Television.

### **Additional Correspondence**

On October 21 the complainant filed his Ruling Request before receiving the broadcaster's response. He wrote:

I would like to further the process started on Sept. 12, 2004 by my complaint that he was uttering hate messages on Canadian TV. Your offices sent me a e-mail stating that I would receive a response to my complaint from the broadcaster within 21 days. This has not happened. I have received no response whatsoever. I'm very disappointed by this. I still believe the [sic] Mr. Swaggart's brand of "preaching" has no place on Canadian airwaves. I have heard that this is not the first time he has uttered hate messages on his show. Why is his show still allowed in Canada?

On November 26, once he had received the broadcaster's response, the complainant sent further correspondence to the CBSC indicating that he would like to pursue his complaint:

Sorry for the late response to your e-mail as I was out of the country for work.

Yes I would like the Council to proceed with the request for adjudication. I feel that the broadcaster's response was somewhat lacking in sincerity and missed the point of my complaint.

First, I received their response to my original complaint only after I complained to the Council that they had not responded in 21 days as the Council had indicated to me. I have not yet received notification or wording of the televised apology as promised by the broadcaster.

Second, the point of my complaint was that broadcasters should not be allowed to air programs that blatantly condone violent acts against any groups of people. Jimmy Swaggart's comments did not cause "...frustration or aggravation...". What they caused was outrage that such things could be televised in Canada by an influential person. I do not watch the Jimmy Swaggart Ministries as I don't agree with the way he ministers, I only happened to be "channel surfing" by when he spoke the comments my complaint refers to. However, he does have a large following of people that believe his interpretation of the Bible is the correct one and that what he says is "good and true". It has also come to my attention that this is not the first time that the broadcaster has had to issue an apology for Jimmy Swaggart's inappropriate comments on-air, and that they promised to screen his show closer in the future. It seems that they are still not doing a good enough job of this. I was hoping that the broadcaster would just remove the show from their line up. I don't believe this has happen [sic]. I have stopped watching all broadcasts on OMNI.1 as I can not in good conscience support a broadcaster that would continue to air what amounts to hate propaganda.

It is my sincere hope the Council will look into this issue more closely.

On January 10, 2005, the broadcaster sent the following e-mail to the complainant:

This letter serves as a follow-up to our initial apology sent on November 4, 2004, regarding the comments made during the broadcast of a Jimmy Swaggart program on OMNI.2 [sic] on Sunday, September 12, 2004. In that apology, we noted that the station would be subsequently issuing a formal on-air apology on the matter. We have done so. On the mornings of Sunday, December 19, 2004, and Sunday, December 26, 2004, at approximately 8 am, we issued the following apology:

The Canadian Broadcast Standards Council has received a number of complaints regarding our broadcast of the Jimmy Swaggart program on Sunday, November 12. The complaints focus on offensive comments made by Jimmy Swaggart regarding homosexuals and the issue of gay marriage.

OMNI Television has already provided a written response to each one of our viewer complaints. We outlined OMNI's program review process as it related to the program and apologized for having aired the comments in question.

Although the CBSC may further review the complaints, we believe it is also important for us to issue this formal apology to all of our viewers. OMNI Television apologizes for any offence or affront the comments may have caused.

Should you have any other questions or concerns regarding this matter, please do not hesitate to contact me directly.