
APPENDIX B

CBSC Decision 11/12-1317 CIVT-TV (CTV British Columbia) re a report on CTV News at 11:30 ("Tandoori Fire")

The Complaint

The CBSC received the following complaint on March 1, 2012 via its webform:

station: CTV British Columbia
program: Mike Kileen [*sic*, actually Coleen Christie]
date: Feb. 23/2012 [*sic*, actually Feb. 22]
time: 11:30
concern: Dear Council Members,

This is to submit a formal complaint regarding CTV-BC's news coverage pertaining to a building fire that occurred at the Tandoori King restaurant in Vancouver. The story was aired on February 23, 2012 [*sic*] during the 11:30 news hour. This video was also posted to the CTV-BC website. Like Global BC, the CBC and other news media outlets, CTV aired a story on an accidental fire that has tragically destroyed my family owned-and-operated restaurant. A business that we have operated for the last 17 years and is of great sentimental value to us. However, unlike other media outlets, CTV's coverage of this story ended by incorporating footage from a decade old dispute with an extended family member pertaining to a copyright issue that had already been settled several years ago. This footage was of no relevance to the story on the fire. I feel that CTV is in violation of the following: Article 4-Privacy of the RTDNA [*Code of Ethics*] and Article 8-Decency and Conduct of the RTDNA [*Code of Ethics*]. Below, you will find the basis for each claim.

Article 4-Privacy of the RTDNA [*Code of Ethics*], states that "journalists will respect the dignity, privacy and well-being of everyone with whom they deal..."

In our opinion, CTV-BC brought attention to a painful, humiliating and irrelevant personal dispute from the past during what is already an extremely stressful and tragic time as our restaurant was still burning when this story was aired. In doing so they failed to respect our dignity as a family and as a business. Further, CTV-BC failed to consider the significant financial implications this type of malicious twist could have on our business and showed complete disregard for our emotional well-being. Given the circumstances, the last thing we needed to stress about was a story like this. We seek the application of the following principle arrived at in:

CBSC Decision 95/96-0134 which found that:

"broadcasters also have an obligation, when they wish to include other material than the straight facts of the story they are reporting, to restrict their presentation of such material to issues of 'relevant background information'."

Article 8-Decency and Conduct of the RTDNA [*Code of Ethics*] states that “journalists will treat people who are subjects and sources with decency...They will strive to prevent their presence from distorting the character or importance of events.”

We believe that CTV deliberately incorporated this old footage in the coverage of what is essentially an unfortunate incident, for the purposes of sensationalizing the story to make it appear as if the accidental fire was connected to some sort of malicious, more sinister dispute. In doing so they distorted the character of this event. While there were no injuries sustained in this fire, there are several victims. Staff members who have lost their livelihood, my family who witnessed years and years of their lives burn down were not extended the decency that victims of an extensive fire should and are so often offered from the media.

When we contacted the CTV-BC newsroom that night to express our concerns, we were told to “deal with it”. The immediate lack of sensitivity and respect illustrates CTV-BC’s unwillingness to address this matter. Accordingly, we are seeking that the CBSC adjudicate our claim.

Broadcaster Response

CTV responded to the complainant on March 9:

Thank you for taking the time to write with your concerns about the coverage of the restaurant fire that aired on CTV British Columbia’s 11:30 pm news on February 23 [*sic*], 2012. We take every viewer complaint seriously. Here is a transcript of the coverage in question:

Anchor says – A HUGE FIRE HAS GUTTED A POPULAR INDIAN RESTAURANT IN EAST VANCOUVER. FLAMES ENGULFED THE TANDOORI KING IN THE 8-THOUSAND BLOCK OF FRASER STREET THIS EVENING. THE FIRE STARTED JUST BEFORE SIX O’CLOCK. EVERYONE IN THE BUILDING WAS ABLE TO GET OUT – AND NO ONE WAS INJURED – BUT THE BLAZE WAS LARGE – AND HARD TO FIGHT.

Firefighter says – “The fire got into roof makes [*sic*] it difficult to fight – we had 12 firefighters on interior [*sic*] for attack but pulled them out due to heavy fire and smoke.”

Anchor says – THE TANDOORI KING RESTAURANT HAS BEEN IN THE NEWS BEFORE. FOR MORE THAN A DECADE – THE OWNER HAS BEEN IN A BITTER FEUD WITH HIS BROTHER-IN-LAW WHO RUNS A RESTAURANT CALLED THE ORIGINAL TANDOORI KING – JUST DOWN THE BLOCK.

Old sound bite of restaurant owner: “we’re not associating with them anymore. He has harassed him so much that he never thinks about the person.”

Anchor says – FIREFIGHTERS DON’T KNOW THE CAUSE OF THE BLAZE. THEY SAY THE ROOF OF THE BUILDING HAS BEEN BURNT OFF – AND THE WATER AND SMOKE DAMAGE IS EXTENSIVE.

You take issue with our reference to an old dispute involving the restaurant and a competitor and you suggest that our use of that background information was not only irrelevant, but deliberately sensationalistic. We respectfully disagree. This information was included

because we believed it to be newsworthy and relevant to our viewers as The Tandoori King Restaurant was well-known in the community and had been in the news before.

Here is a transcript of our coverage from the next day, once firefighters declared the fire was accidental:

Feb 24th

Anchor says – A HUGE FIRE THAT GUTTED A POPULAR INDIAN RESTAURANT IN EAST VANCOUVER WAS AN ACCIDENT. FLAMES ENGULFED THE TANDOORI KING IN THE EIGHT THOUSAND BLOCK OF FRASER STREET LAST NIGHT. THE FIRE STARTED JUST BEFORE SIX. EVERYONE IN THE BUILDING WAS ABLE TO GET OUT – AND NO ONE WAS INJURED – BUT THE BLAZE WAS A BIG ONE – AND DIFFICULT TO FIGHT. THE FIRE INSPECTOR SAYS IT STARTED IN THE KITCHEN.

We believe our reporting was in full compliance with applicable codes, guidelines and legislation, including the *CAB Code of Ethics*. CTV News is a member in good standing of the CBSC and adheres to its guidelines.

As for your experience when you first called our newsroom to complain, I would like to personally apologize if that was the response you received. Our staff members are trained to treat every caller with respect and I would like to assure you that we are following up to determine exactly what happened and will order more training if we determine that is necessary.

Again, while we do not agree with your suggestion that we should have withheld what we believe was relevant background information from our viewers, we regret that this story was disturbing to you and can assure you that we had no intention to cause you or your family any more pain or hardship. We are sincerely sorry for the loss of your business establishment.

Thank you again for taking the time to write with your concerns.

Additional Correspondence

On March 26, a letter of dissatisfaction with CTV's response was submitted on behalf of the complainant. It was sent to both the CBSC and the broadcaster directly:

While your apology and rationale for airing the news clip in question is noted and appreciated, I am not satisfied that CTV has adequately addressed the claim. Accordingly, I am requesting that the CBSC arrive at a decision. Furthermore, after a review of the transcript I am also requesting that CBSC also consider the claim on the basis of what is viewed as a violation of Clause 5 of the CAB.

Clause 5 of the CAB [*Code of Ethics*] states that "It shall be the responsibility of broadcasters to ensure that news shall be represented with accuracy and without bias."

CTV's news anchor states that "The Tandoori King restaurant has been in the news before. For more than a decade – the owner has been in a bitter feud with his brother-in-law who runs a restaurant called the Original Tandoori King – just down the block."

The above statements are not factual as the dispute has been settled long ago. However, your anchor's use of the present tense makes it appear as if the dispute is still ongoing. In

fact, you seem to acknowledge that this is an old, rather than current, dispute in your letter of apology. Moreover, the anchor states that the Original Tandoori King is located “just down the block”; this is not true as the Original Tandoori King has not operated on the same block as the Tandoori King for at least 1 year. Where and when or how did CTV verify the accuracy of any of the said information? If this was in fact relevant news as you claim, would CTV not have done a little more research to ensure that their information was correct or up to date? This is not just an issue of semantics; I feel that the clip is not only irrelevant, it is inaccurate and there is no doubt in my mind that it draws negative assumptions about the restaurant’s business practices in the minds of viewers (who are also potential customers). Although it is my understanding that the CBSC does not rule on libel cases, I believe that as a result of the inaccurate information CTV has presented, the Tandoori King Restaurant’s business reputation has suffered damage. The link below points to reader comments from the *Province* newspaper and I believe that the comments illustrate just a small glimpse of how the misinformation presented by CTV has done damage to the Tandoori King Restaurant’s reputation. Note that, while the comments are made on the *Province* newspaper’s website, CTV was the only media outlet to broadcast a clip of the dispute. The comments illustrate how inaccurate information can lead to negative assumptions as well as embarrassment. We, unfortunately, cannot and do not consider it beneficial to the restaurant’s image as a business to survey each and every person exposed to the story to gain insight into the impression left in their minds. However, CTV not only neglected their responsibility to convey factual information, they also made no efforts to avoid misleading or misinforming viewers.

<http://www.theprovince.com/news/Three+alarm+fire+guts+Tandoori+King+restaurant+Fraser+Street/6195530/story.html>

While it is your view that the background information is newsworthy and relevant as the Tandoori King “was well known in the community and had been in the news before” we find this rationale to be flawed, inconsistent and unacceptable. There are several well-known people, organizations, business and so forth that have been in the news multiple times, yet it is not a consistent practice of broadcasters (including CTV) to make reference to background clips that are unrelated to the current event. Being well known and subject to previous news coverage does not justify the broadcasting of information that has nothing to do with nature of the current story.

In closing, I am asking that the CBSC process the original claim along with the addendum in this letter. Meanwhile, I hope that CTV is able to take it upon them to provide some sort of solution to address what I believe is a libelous news clip.