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## APPENDIX B

### CBSC Decision 12/13-0454 CFNY-FM re the *Dean Blundell Show* (Remembrance Day Protest)

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#### The Complaint

The CBSC received a complaint on November 18, 2012 via its webform. The complainant mentioned the broadcaster, the name of the on-air hosts, a broadcast date and a timeframe. In order to explain his concerns, the complainant simply provided a link to his blog. The CBSC asked the complainant to clarify whether he had actually heard the comments when they were broadcast on air and to outline his concerns in correspondence directly to the CBSC. On November 21, the complainant sent an email noting a more precise timeframe of between 8:30-9:00 am, corrected the broadcast date to November 13 (he had indicated November 12 in his first correspondence). In an email of November 28, he confirmed that he had heard the original broadcast. On December 10, he sent a further email outlining his concerns:

Sorry for the delayed response. I have been very busy over the past week.

Dean admitted from the beginning of the segment he did understand what transpired during the Remembrance Day ceremony or who the two women involved were. That did not prevent him from referring to them as "bitches" and "skanks" several times.

A caller by the name of Logan from Paris, Ontario called into the show to brag about assaulting one of the protestors (who was not actually involved with the two ladies in question). Both Dean Blundell and Todd Shapiro took great pleasure in the attack. Dean further stated that he wished he knew who the protestor was that was assaulted. I'd like to know why? Was he implying that he would like to assault this person too? I'd like to know.

Dean went on to say that he had wished the two women had also been physically assaulted.

Dean Blundell went on to thank Logan for physically attacking the protestor, stating that it was justified. Todd and Dean also had a good laugh when Logan informed them that the police did absolutely nothing with regards to his assault.

The two women in question, [L. R.] and [S. S.] are peace activists who DID NOT interrupt the moment of silence, nor did they attend the ceremony with any intention to disrupt it. They have not only been attacked verbally by Dean Blundell, but since the media has horribly skewed the facts these women have been targeted with threats of violence and death. Dean Blundell and Todd Shapiro have been irresponsible (as they often are) and it could have potentially caused (and could still) great harm to both of these women and protestors in the future. He has a young and impressionable audience and this has gone well beyond entertainment into something else.

The people at Corus Entertainment should be absolutely ashamed of themselves. Is this a fair representation of their organization? If so I find this cause for great concern.

Here are updated links regarding this issue.

<http://www.poormansmedia.ca/articles/20121118.html>

<http://www.poormansmedia.ca/articles/20121118b.html>

## **Broadcaster Response**

CFNY-FM responded to the complainant on December 24 with a letter dated December 18:

The Canadian Broadcast Standards Council (the "CBSC") has asked us to respond to your email of December 12, 2012, in which you raised concerns regarding comments made during the *Dean Blundell Show* on CFNY-FM on November 12, 2012. For clarification, please note that the broadcast of concern took place on November 13, 2012.

Specifically, you raise concerns regarding the comments made by the program's host, Dean Blundell, during a discussion about a news story in which the Remembrance Day ceremony outside Old City Hall on November 11, 2012 was interrupted by protesters. You state that a caller named Logan called into the show to brag about assaulting one of the protestors, although the word brag was never used by the caller or Dean or Todd. The caller was on air to give his side of the story and describe what happened from his perspective. You also stated that Dean admitted from the beginning of the segment that he did not understand what transpired during the Remembrance ceremony.

We have reviewed the tape of the program, and while we agree that the host clearly expressed his opinion on the situation and his dislike for anyone protesting the Remembrance Day ceremonies our review of the program indicates that Dean said he "didn't" understand exactly what transpired and he also stated that "I don't suggest people go around beating up protestors for one second".

We do not believe, that these comments breached the Canadian Association of Broadcasters' *Code of Ethics* (the "Code") or *Equitable Portrayal Code*, which is administered by the CBSC and to which we adhere.

While the terms used by the host may not appeal to all listeners' tastes, the Code does not require broadcasters to ensure that its content pleases everyone. The CBSC recognizes that personal tastes differ, and that its mandate under the Code does not require it to judge matters of taste. The CBSC applies current social norms in its interpretation of the Code, acknowledges that a program may not be "everyone's cup of tea" and assumes that some members of society will be offended (CFJP-TV (TQS) re *Quand l'amour est gai*, CBSC Decision 94/95-0204).

In view of the foregoing, we do not believe that the program violated the Code. We do regret, however, that you were offended by some of some of our programming. We take our responsibilities as broadcasters very seriously, and work hard to make sure all of our programming complies with the *Broadcasting Act*, the *Radio Regulations* and the Code and standards required of us as a member of the CBSC.

We trust that this letter has addressed your concerns. We recognize the importance of listener feedback and appreciate all comments.

### **Additional Correspondence**

The complainant sent the following email on December 26:

I have received a response from [R. W.], Dean Blundell's Program Manager. To be quite honest it was what I had expected.

You can view a short blurb I wrote on it here:

<http://www.poormansmedia.ca/articles/20121226.html>

The only thing I will ask from you at this point is that if the CBSC sides with [the Program Director] and CFNY that you may direct me to another governing body that may be able to help me deal with this radio station. I have no direct connection to either of the women who were attacked, but I am fiercely anti-racist and strongly believe that left unchecked this type of commentary will likely provoke violence against protestors in the future.

For example, it was not two weeks ago that Dean Blundell had stated during his program that almost half of Ontario teachers were alcoholics. His comments are not just inflammatory, they are misleading and foster an atmosphere of hatred towards one another.

His superiors defend his remarks and claim no responsibility. As such, this behaviour will certainly continue if not become worse over time.

I could not feel more strongly about this.

When he did not receive a response from the CBSC, he wrote back on January 7, 2013:

Uncertain if you received the prior email or maybe it became buried over the holiday. Forwarding my response to ensure you receive it.

The CBSC responded that it had received his previous email and would be proceeding with its investigation of his complaint.

The broadcaster sent some supplementary information on April 3, once it learned that the file was being presented to a Panel for adjudication:

A key point in Dean's discussion of the Remembrance Day protest is that Dean does state that he is not against protestors in general. And while he did use the words "bitches" and "skanks", it is important to note that these are not prohibited or classified as words as off-limits and, in any event, these comments do not lead to hatred or are unduly discriminatory against any group of individuals.

Dean's comments are based on factual events of a news story, as evidenced by the use of actualities as well as an on-air interview with one of the people involved in the incident. Dean's editorial point of view was that war veterans, in particular on Remembrance Day,

deserve a level of respect and decorum. Nobody was singled out. The comments were opinion which is lawful comment.

Below is a link to the complainant's Twitter, a self-proclaimed fighter for social injustice [*sic*].

<https://twitter.com/poormansmedia>