
APPENDIX B

CBSC Decision 12/13-0791 & -0818 CFNY-FM re the *Dean Blundell Show* (Wrestling)

The Complaints

The CBSC received two complaints about this broadcast and both complainants filed Ruling Requests.

CBSC File 12/13-0791

The CBSC received the following complaint via email on January 17, 2013:

Dear Madams/Sirs,

I am writing to complain about the homophobic content of a program broadcast this morning on CFNY radio at approximately 6:30 am. The broadcast included content that "is likely to expose a group or class of individuals [namely, lesbians, gays and bisexuals ("LGB")] to contempt on the basis of their sexual orientation", contrary to Canadian broadcasting Regulations.

I believe that the names of the radio hosts are Todd and Dean, that the show is called the *Dean Blundell Morning Show*, and that the segment in question is called "The Edgefiles". I am not certain about this information because I am not a regular listener. I was listening to the show while I was riding as a passenger in someone else's car and I was required to exit the vehicle before the segment ended. I will describe below the portions of the show that I recall and explain my concerns about them. I am operating from memory, as I do not have a transcript of the program, but I believe that the following is a fair representation of the content.

The hosts were talking about a young boy who accidentally suffocated to death inside a rolled up gym mat in a school. They explained that he apparently crawled into it to retrieve his shoe and got stuck suspended upside down. When he did not return home after school, a search was conducted and his body was discovered. The hosts then segued into a remark to the effect that the story showed why "wrestling is gay". It seems the boy had been wrestling in his gym class before the accident. The hosts joked about the homo-erotic positions used in the sport and the "gay" (in a derogatory sense) leotards worn by wrestlers. I was having trouble following what any of this had to do with the boy's accidental death. Then the hosts stated that the boy had "done it on purpose" (i.e. crawled into the rolled up mat to kill himself) because he was ashamed of the (gay) things he had done and/or had done to him (in wrestling). They laughed about that, which -- considering the well-publicized high rate of suicides among LGBT youth -- is horrifying. To make matters worse, they insinuated that it was the right thing for the boy to do -- or, at minimum, that it was understandable (suggesting: what boy wouldn't want to kill himself if he had engaged in homoerotic play?). I don't think I need to explain the contemptuousness toward LGB persons displayed by such commentary.

The hosts then went on to tell "kids" not to wrestle because of how "gay" the sport is, reinforcing the sadly prevalent and discriminatory view that adolescents should avoid anything associated with homosexuality at all costs. They further criticized the rules of the sport, commenting about how your opponent basically mounts you and rubs his genitals into you (I am paraphrasing, as I cannot recall the precise language they used), but "you can't even punch him in the face" (I believe that is a direct quote or near verbatim quote) -- the obvious inference being that a "normal" male reaction to any display of homo-sexual interest by another male is to assault/strike him. Lest I need state the obvious, the comment encouraged (or at least condoned) violence against gay men as a reasonable response.

As mentioned above, I did not hear the end of the segment. I stopped listening as the hosts were talking about how wrestling sometimes includes "rape" because "one of the moves" involves fingering the anus of your opponent. There may have been more homophobic humour during the latter part of the segment, which I missed.

I trust that the Council will take appropriate steps to address this inappropriate broadcast.

I look forward to hearing from you at your earliest convenience.

CBSC File 12/13-0818

The CBSC received the following letter dated January 21:

To whom it may concern:

Re: Complaint regarding a January 17, 2013 broadcast on CFNY-FM

I am writing today about an infringement of the standards of radio broadcasting in Canada. On Thursday, January 17, 2013, a program on Toronto's CFNY-FM, commonly known as 102.1 The Edge, included content that is "likely to expose a group or class of individuals to contempt on the basis of their sexual orientation" [8(1)(a)], which is contrary to Canadian Broadcasting Distribution Regulations under Prohibited Programming Content.

The program, entitled *The Dean Blundell Show*, included a segment at approximately 6:30 am during which the hosts were discussing the accidental death of a young boy in his school gymnasium. The majority of their discussion centred around the boy's sport of choice, wrestling, and how "gay" the sport appeared, via its uniform and technique. Furthermore, the hosts insinuated that the boy chose to put himself into a situation in which he could be harmed or die, assuming that participation in a "gay" sport like wrestling should cause him to be ashamed of his "gay" actions and the natural reaction should be to attempt suicide. The program reinforced the discriminatory view that young people should avoid anything associated with homosexuality.

In Canada, LGBT youth are 4-7 times more likely to attempt suicide than their non-LGBT peers, in large part due to the high levels of discrimination and harassment that they face on a daily basis. In unsupportive environments, suicide attempts among LGBT youth increase by 20%. Further research has demonstrated that if at-risk people see their own experiences of bullying, isolation or exclusion emphasized by the media in stories of

those who have died, they may be more likely to think of suicide as a “solution” to problems they are experiencing. “Jokes” such as those presented on this radio show are not funny; they are dangerous and irresponsible.

In addition to the above, the program’s hosts indicated that, in wrestling, the opponent mounts you and rubs his genitals into you, yet you cannot “punch him in the face”, implying that violence is the “normal” male reaction to any display of homosexual interest by another male. In Canada, hate crimes motivated by sexual orientation have consistently increased over the past five years while other forms of hate crime have decreased. Further, hate crimes motivated by sexual orientation are far more likely to be violent than any other hate-motivated crime.

Egale Canada does not condone homophobic language and the perpetuation of homophobic stereotypes. We do not condone violence against members of the LGBT community. We recognize and actively work to end the growing epidemic of LGBT teen suicides in Canada, which is exacerbated by homophobic victimization. Egale Canada urges the Canadian Broadcast Standards Council to send a message to Canada’s public radio agencies: homophobic language and the perpetuation of homophobic stereotypes do not belong on the radio. They do not belong anywhere. Canada’s media should be a safe environment for youth to listen, learn and enjoy.

Broadcaster Response

The station replied to both complainants on February 5 with the following letter:

The Canadian Broadcast Standards Council (the “CBSC”) has asked us to respond to your email of January [##], 2013 in which you raised concerns regarding comments made during the *Dean Blundell Show* that was aired on CFNY on January 17, 2013.

Specifically, you raise concerns regarding the comments made by the program hosts, Dean Blundell and Todd Shapiro, over a news story during the “edge-files” regarding the death of a boy from a wrestling accident. The hosts described how the death occurred according to the news story, and then went on to offer up their own point of view on the sport of wrestling and how they thought it was “gay”, pertaining to their own experiences with their own fitness regimen.

This program is intended to be a satirical, sarcastic and hopefully comedic perspective on ordinary and significant aspects of daily life. It is not a news or public affairs program.

We have reviewed the tape of the program, and while we agree that the hosts expressed their opinion on the subject and used the term “gay”, we do not believe, however, 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.

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

CBSC File 12/13-0791

The complainant filed her Ruling Request via the CBSC's webform on February 10 with the following comments:

I am writing to request a ruling by a CBSC Panel with respect to a complaint that I made on January 17, 2013 regarding a segment of the *Dean Blundell Show* that was broadcast that morning at approximately 6:30 am on CFNY radio. It is my contention that the program in question violated Canadian broadcasting standards by exposing gay and/or bisexual men to contempt on the basis of their sexual orientation and by promoting or condoning anti-gay violence.

I received a written response to my complaint from the Program Director [...] dated February 4, 2013. I am not satisfied with the response, for the reasons outlined below. Contrary to [the Program Director's] letter, I believe that the comments made by the two radio hosts breached the Canadian Association of Broadcasters' *Code of Ethics* (clause 2) and *Equitable Portrayal Code* (clauses 2, 3, 4, 5 and 7) and cannot be justified by the Contextual Considerations set out in clause 10 of the *Equitable Portrayal Code*.

I should note that I do not have an audio recording or written transcript of the program, so I am unfortunately operating from memory. I therefore cannot quote the radio hosts verbatim. This places me at a disadvantage in making my submissions to you and I suggest that you amend your procedures in future to require the responding broadcaster to provide complainants with a copy of the broadcast at issue.

I described the offending segment of the program in my original complaint dated January 17, 2013. I presume that you have a copy of my complaint, so I will not repeat my description here. There were three aspects of the program that I believe violated broadcasting standards and codes: 1) The recommendation to youth not to participate in wrestling because it is a gay sport. (2) The implication that it is a natural and appropriate response for a male to punch another male in the face if the other male displays any (homo)sexual interest. (3) The suggestion that suicide is a normal, understandable and/or reasonable inclination for adolescent boys who engage in any type of homo-erotic play or activity. I want to be clear that I am not asserting that the radio hosts used derogatory homophobic language or terminology during the program, contrary to clause 9 of the *Equitable Portrayal Code*. As [the Program Director] acknowledged in his response to my complaint, the radio hosts used the word "gay" repeatedly, but I do not take issue with that. The word "gay" is neither discriminatory nor derogatory. My concern is with the anti-gay messaging that was conveyed by the content of their broadcast.

I understand that the *Dean Blundell Show* is not a news program and is intended to be satirical and/or humorous. I recognize and accept the statement, in clause 10 of the *Equitable Portrayal Code*, that "some comedic ... content, although discriminatory and stereotypical, may be light and relatively inoffensive, rather than abusive and unduly

discriminatory." That is not the case with this particular broadcast, which was abusive and unduly discriminatory toward gay and bisexual men.

With respect to paragraph 1 above, the radio hosts explicitly recommended to young listeners that they not participate in wrestling because it involves homo-erotic interactions and clothing. I understand the satire and humour involved in describing wrestling as a homo-erotic sport; that is not my concern. My concern is with the underlying message to adolescent youth that they should avoid any association with homosexuals or homosexuality. That message promotes the ostracization and marginalization of gay and bisexual youth among their peers, reinforces the internalized self-hatred that many closeted gay and bisexual youth unfortunately experience, and encourages gay and bisexual youth to suppress and conceal their sexuality by "acting straight" to avoid detection of their true sexual orientation. (Although the program content was about young males, I note that these messages would also have an adverse impact on lesbians and bisexual female youth.) Encouraging adolescents to avoid any association with homosexuality is not a "relatively inoffensive" use of comedy permitted by clause 10 of the CAB's *Equitable Portrayal Code*.

With respect to paragraph 2 above, the radio hosts used the rules of wrestling -- specifically, that punching in the face is not permitted in the sport -- to criticize the sport, on the basis that it would be a natural response of any self-respecting male to punch another male in the face if the other male grabbed, embraced, or rubbed up against him in the sexual positions that are used in the sport. I am not suggesting that these precise words were used by the broadcasters, but it was their clear implication, and implied meanings are precisely how satire works as a literary (or, in this case, broadcasting) device. It was, indeed, a satirical discussion about wrestling, but the ultimate point being made through the radio hosts' use of ostensible wit and double entendre was that violence against gay men should be permitted (at least in wrestling) and, moreover, that violence is a natural and acceptable reaction to any homo-erotic interaction or display of homo-erotic interest. Condoning anti-gay violence is not a "relatively inoffensive" use of satire permitted by clause 10 of the CAB's *Equitable Portrayal Code*.

With respect to paragraph 3 above, having described how the boy's accidental death had occurred according to news programming, the broadcasters then stated their belief that he must have killed himself because of shame at having participated in homo-erotic play/activity (i.e., wrestling). They conveyed their view that the boy's death was likely intentional because suicide would be the expected or reasonable reaction of any young male who allowed himself to be touched in the homo-erotic manner in which wrestlers engage. (Once again, I am not suggesting that this precise language was used by the radio hosts, but it was their clear implication and meaning.) This particular aspect of the program was not only abusive and unduly discriminatory on the basis of sexual orientation, it was frankly irresponsible and dangerous, given the well-publicized high rate of suicides among lesbian and gay youth in Canada.

In closing, I want to say that I am a strong advocate of freedom of expression and of restraint with respect to censorship. I recognize the diversity of tastes and sensibilities that exists in Canadian society. I am not trying to impose my own personal standards on CFNY radio, the *Dean Blundell Show*, or its regular listeners. It's not a question of whether the Edge Files program on January 17, 2013 offended my personal sensibilities as a listener -- I appreciate that not all people have the same sense of humour -- it's a question of whether the program breached the Codes applicable to licensed broadcasters in Canada, which require respect for the human rights of lesbians, gays and bisexuals. The messaging of the program -- albeit delivered through comedy and satire -- was that young men/boys should avoid association with anything related to homosexuality, should

be allowed to punch other men/boys in the face if those other men/boys display any sexual interest in them, and should kill themselves if they enjoy and participate in homoerotic activities/play. That messaging was stigmatizing, degrading, unduly discriminatory and abusive based on sexual orientation and the program content therefore contravened the standards established by CAB's Codes. Thank you for your consideration. I look forward to receiving your Ruling.

CBSC File 12/13-0818

The complainant filed her Ruling Request on February 19 via the webform and reiterated her concerns in the following terms:

I am writing with respect to a complaint that I made on January 21, 2013 regarding a segment of the *Dean Blundell Show* that was aired on CFNY-FM (102.1 The Edge) on January 17, 2013 around 6:30 am. I have received an unsatisfactory response to my complaint from the broadcaster, and therefore wish to request a ruling by a CBSC Panel. It is my view that comments broadcast during the segment violate the Canadian broadcasting standards by exposing gay and/or bisexual men to contempt on the basis of their sexual orientation and by promoting or condoning anti-gay violence.

The segment at issue included a discussion regarding the accidental death of a young boy in his school gymnasium. The majority of their discussion centred around the boy's sport of choice, wrestling, and how "gay" the sport appeared, via its uniform and technique. Furthermore, the hosts insinuated that the boy chose to put himself into a situation in which he could be harmed or die, assuming that his participation in a "gay" sport like wrestling should cause him to be ashamed of his "gay" actions and the natural reaction should be to attempt suicide. The program reinforced the discriminatory view that young people should avoid anything associated with homosexuality.

In Canada, gay and bisexual boys are 13 to 15 times more likely to attempt suicide than their heterosexual peers, in large part due to the high levels of discrimination and harassment that they face on a daily basis. In unsupportive environments, suicide attempts among LGBT youth increase by 20%. Further research has demonstrated that if at-risk people see their own experiences of bullying, isolation or exclusion emphasized by the media in stories of those who have died, they may be more likely to think of suicide as a "solution" to problems they are experiencing. "Jokes" such as those presented on this radio show are not funny; they are dangerous and irresponsible.

In addition to the above, the program's hosts indicated that, in wrestling, the opponent mounts you and rubs his genitals into you, yet you cannot "punch him in the face," implying that violence is the "normal" male reaction to any display of homosexual interest by another male. In Canada, hate crimes motivated by sexual orientation have consistently increased over the past five years while other forms of hate crime have decreased. Further, hate crimes motivated by sexual orientation are far more likely to be violent than any other hate-motivated crime.

Egale Canada does not condone homophobic language and the perpetuation of homophobic stereotypes. We do not condone violence or the incitement to violence against members of the lesbian, gay, bisexual and trans (LGBT) community. In our opinion, the comments made during the segment described above breached the Canadian Association of Broadcasters' *Code of Ethics* (clause 2) and *Equitable Portrayal Code* (clauses 2, 3, 4, 5 and 7) and cannot be justified by the Contextual Considerations

set out in clause 10 of the *Equitable Portrayal Code*. Condoning anti-gay violence is not, in our view, a "relatively inoffensive" use of satire permitted by clause 10 of the CAB's *Equitable Portrayal Code*. As such, we request that a ruling be made by a CBSC Panel.

The broadcaster sent some supplementary information on April 3:

The discussion about wrestling that occurred during the morning show was based on an actual news story; the link to that story is below.

The show is meant to be light-hearted and comedic, and the comments made should be taken in that context. Dean stated that it was a sad story, and then segued into a discussion about the sport of wrestling and his personal experience with it and how he feels about it. Dean's comments that the sport is gay was more akin to saying that the sport is "silly" or "not serious" rather than homophobic. While some may have been uncomfortable with the comments, there was no promotion of harm or violence towards gays. There may be an argument that the comments were of negative portrayal but they weren't unduly.

<http://www.foxnews.com/us/2013/01/16/georgia-high-school-student-dies-after-getting-trapped-in-wrestling-mats-in-gym/>