
APPENDIX B

CBSC Decision 12/13-0985 Sun News Network re *The Source* (Idle No More)

The Complaint

The CBSC received the following complaint via its webform on February 12, 2013:

Television or Radio Station:	Sun News Network
Name of the program or the on-air person:	Ezra Levant
Date of Program:	January 24, 2013
Time of Program:	5-6 pm

Comments:

On Ezra Levant's show "The Faces of Idle No More" on January 24, 2013 (see: <http://www.sunnewsnetwork.ca/video/2114639455001>) Ezra Levant erroneously stated that me [sic] and my husband were at a Sun Media protest, then accusing us of being professional disrupters, law-breakers, and professional saboteurs, using Native people as a cover to create our ruckus. In this newscast, Ezra clearly intends to demean me and my husband and ridicule us on air.

Neither me [sic] nor my husband was even in the country when that protest took place, nor have we been anywhere near Toronto since Jan. 1 of this year. After writing Sun to tell them that the information that they aired was false, demanding an apology, Sun actually aired the program again!

This violates article 1 (accuracy), article 3 (authenticity), article 5 (integrity), article 7 (corrections), article 8 (decency and conduct), and article 13 (sources).

The complainant immediately resubmitted her complaint form, correcting the date to January 23.

Broadcaster Response

Sun News Network responded on March 1:

I am counsel to Sun News Network. I am writing in response to Ms. [S.]'s complaint set out below.

Upon becoming aware of Ms. [S.]'s complaint that she and her husband were incorrectly identified in a broadcast on January 23 and 24 as being present in a protest outside the offices of Sun Media, Sun News investigated and accepted Ms. [S.]'s statement that she and her husband were not in fact present at the demonstration. Sun News aired a correction to

that effect on its program *The Source* on February 8, 2013 (first aired at 5 pm ET). The correction is made at the end of the broadcast, at 5:59 pm. The host, Ezra Levant, states that Ms. [S.] says she was not at the protest, "and that's good enough for me". I note that this correction was read before Sun News received formal notification of Ms. [S.]'s complaint to the CBSC on February 12, 2013.

Sun News regrets the error and would be happy to make a tape of the correction available to the CBSC.

In view of the correction, Sun News submits that no further action is necessary with respect to this complaint.

Additional Correspondence

The complainant wrote back on March 4:

I believe the response of the Sun to be insufficient in addressing my complaint regarding the unfair and untrue ridicule that I received on Sun's program. I was labeled a "professional saboteur" and "using Indians as cover" to promote my ruckus. This information is a completely inaccurate portrayal of me, and the fact that I was not even present at that rally proves that you based these accusations on unreliable sources, some plain to the viewer.

For example, the photo that you show is not from the Aamjiwnaang Blockade's official Facebook page, it is from the Indignants, who are a media group that covered the Occupy movement and other protests. Additionally, neither me [sic] nor my husband has a criminal record.

In fact, there are several other ways in which your response falls short of the *Code of Ethics* outlined in the CBSC's mandate. These are:

Article One – Accuracy

Your description of me and my husband is without any merit. It is also slanderous and unfair. Your coverage is also not comprehensive. It labels a group of exclusively non-Native people "the faces of idle no more". Meanwhile, it intentionally excludes all of the Native people who you also interviewed that day. See this YouTube video for a complete view of all of the Native people that were interviewed, yet did not appear on Ezra's show.

Article Three – Authenticity

The news coverage was distorted in that it deliberately excluded Native voices from Idle No More coverage. You interview someone that is not my husband, and then you claim that he is [my husband] and proceed to slander him. You also did not check your sources of information for accuracy, revealed in you not properly identifying the Facebook group or my husband.

Article Seven – Corrections

While you claim that you aired a correction, that correction was incomplete and only available in the last minutes of the on-air broadcasts. I reviewed all four videos you had filed under "The Source" online on Feb. 8, 2013. None of them contained any correction about the libellous and inaccurate information you aired about me and my husband. The CBSC's code

clearly states that "Errors will be quickly acknowledged and publicly corrected on all platforms." The Sun's action to date clearly violates this principle. Also, the original false broadcast is still available for viewing online on The Sun's affiliate pages. (see: <http://video.intelligencer.ca/video/featured/latest/1569514787001/the-faces-of-idle-no-more/2114725633001>) I request that all online sources of this misinformation be taken down, or else an online record of slander from a mainstream news source will exist maiming my character.

Article Eight – Decency and Conduct

You distorted the character and importance of the Idle No More protests by suggesting that it was made up of largely non-Native, "rent-a-mobs". You distorted my character by stating that I am a professional saboteur and that I was using "Indians" as a front. This undermines my sincere motivations in my support for Native causes and suggests that I take an inappropriate lead in these relationships, again belittling Native participation in Native-led movements such as Idle No More.

Also, article 8 outlines how a journalist must "strive to conduct themselves in a courteous and considerate manner, newsgathering as unobtrusively as possible." Ezra clearly violates this principle as evidenced in the fact that a police officer asks him to leave the protestors.

Article Eleven – Intellectual Property

You used copyrighted material from the Indignants' Facebook page without their permission. Their copyright symbol is clear in the broadcast of the photo.

Article Thirteen – Sources

The Sun makes no effort to attribute the source of information for any of the libellous information it spread about me and my husband. Given the content, I suspect that the source of the information was [G. R.], a man [complainant did not finish this sentence].

As you can see, the response of the Sun clearly has not acknowledged the extent to which journalistic ethics have been violated by Ezra Levant and *The Source*. This broadcast clearly maimed my reputation and this has not yet been corrected on all media platforms, which the CBSC's standards clearly demand. Ezra must admit to getting inaccurate information, spreading false and character-damaging information without proof, and apologize on air and online. Additionally, I believe that the CBSC should reprimand The Sun for covering the Idle No More Protests in such a biased and unfair way, by distorting the character of this important social movement. After all, that is what brought that crowd out to protest the Sun in the first place.

Sun News wrote back on March 4:

Sun News will not comment on the balance of Ms. [S.]'s email below, since we believe our original response to the complaint speaks for itself. However, we wish to thank Ms. [S.] for bringing to our attention the fact that a clip of the original episode remains online on the site of the *Belleville Intelligencer*, a Sun Media newspaper. We had thought that all online copies of the clip for which Sun News may be responsible had been taken down, but this one appears to have been missed. We have now taken steps to take it down. It should be offline shortly.

While I am aware that online content does not come within the scope of the CBSC's jurisdiction, I wanted to bring the removal of this clip to your attention.

The complainant wrote again on March 4:

[Sun News Network],

Your original response confines itself to one complaint: that neither me [*sic*] nor my husband was present at the protest that prompted Ezra's rant against us. The most damaging aspects of that newscast were completely ignored, and continue to be ignored with your response.

[CBSC],

I would like to bring to your attention an important piece of evidence that I reference in my complaint. Here is a link to a video of the interviews that did not make the Sun news cut. <https://www.youtube.com/watch?v=cXIYT8by0uM>

Notice that Ezra interviews many First Nations people, though he fails to broadcast any of these interviews, instead portraying the Idle No More movement as a "rent-a-mob" of non-Native people who are just using it as an excuse to yell at people. If that is not a distortion of the character of this movement, I don't know what is. (Note: the audio in this video is poor quality, but the interviewees speak directly into the mic so one can assume that Ezra captured their voices and just chose to not broadcast it).

Thank you for your attention to the characterization of this critical movement. I hope that this discussion is illuminating as to the deliberate slant of the Sun's reporting.

Sun responded again on March 4:

While I do not wish to get into an extended debate with Ms. [S.] over her complaint, I should point out that Sun News has no responsibility for items that others have posted to YouTube or elsewhere online. In addition, of course, the CBSC has no jurisdiction over content posted online.

With respect to the question of evidence, the logger tapes of both the original clip and the correction are available for review by the CBSC.