
APPENDIX B

CBSC Decision 14/15-0908 Sportsnet Ontario re *Party Poker Premier League Poker*

The Complaint

The following complaint was submitted via the CBSC webform on February 9, 2015:

Television or Radio Station: Rogers Sportsnet

Name of the program or the on-air person: *Premier League Poker*

Date of Program: Feb. 9, 2015

Time of Program: 4:00

Comments:

This is a repeat complaint about profane language on this program. Contestants on the program use the f word repeatedly.

This language is inappropriate for this time and there are no warnings of such language. I have issued this complaint before for the same program and the broadcaster assured it would rectify the problem. They have not and should be sanctioned.

Broadcaster Response

Sportsnet responded to the complainant on February 27:

We have received your complaint regarding coarse language broadcast on the program *Premier League Poker* on Sportsnet at 4:00 pm on February 9, 2015.

In your complaint, you state that you are lodging a repeat complaint about profane language on *Premier League Poker* because poker players on this show use the “f word” repeatedly. You further state that this kind of coarse language is inappropriate at this time of day and that no warning of coarse language was included at any rate.

As you may be aware, the Canadian Broadcast Standards Council (“CBSC”) is an independent organization that administers codes and standards proposed by the Canadian Association of Broadcasters (“CAB”), and approved by the Canadian Radio-television and Telecommunications Commission (“CRTC”). Sportsnet is owned and operated by Rogers Broadcasting (“Rogers”) and is a member in good standing with the CBSC.

The codes and standards administered by the CBSC include the *CAB Code of Ethics* (the “Code”). As a member of the CBSC, Sportsnet is subject to the Code. Clause 10 states

that programming which contains coarse language intended for adult audiences shall not be telecast before the late viewing period, which is defined as 9 PM to 6 AM.

We have reviewed the logger of the episode of *Premier League Poker* broadcast on Sportsnet and can confirm that the coarse language in question was used by one of the poker players. We are in complete agreement with your view that his language should not have been broadcast. After your first complaint (CBSC file no. C14/15-0140), we instituted a new policy to manually review every episode of *Premier League Poker* in its entirety to ensure that no coarse language would be broadcast on Sportsnet. Unfortunately, this particular episode that you viewed was missed under our new policy.

Sportsnet takes this breach in our quality control measures extremely seriously. We wish to offer our sincere apologies that you, and perhaps your son, were again subjected to coarse language in our programming. Since we received your second complaint, we have completely removed *Premier League Poker* from Sportsnet's programming schedule and will only begin broadcasting it again once we are able to confirm that every episode we broadcast is suitable for our viewing audience. We are completely committed to ensuring this mistake is not repeated again.

We hope that our reply to your complaint demonstrates the gravity with which we view this issue. Once again we apologize for this error.

Thank you for taking the time to provide us with this important feedback. We greatly appreciate the opportunity to respond to your complaint directly and we hope that our reply has provided assurance that we are taking all the necessary steps to correct this problem.

Additional Correspondence

The complainant submitted his Ruling Request form on March 5 and provided the CBSC with a copy of a letter he had sent to Sportsnet:

As written in response to broadcaster:

Thank you for your reply. I am disappointed with the reply.

Simply pulling the program from the air does nothing to ensure that the situation will not recur on other programming. After the first complaint you stated that you advised the distributor to notify you when such language is being used and that you were committed not to repeat the same mistake. Obviously I question that commitment.

You mention a new policy to "manually review" episodes to ensure quality control. If you review the episode in question you will see that it was not just one occurrence. I turned the TV off after the the second F Bomb was dropped. This should not be missed by anyone in the business of quality control. It makes me question whether any steps were truly taken. Both the request to the distributor and the manual review policy have failed to meet the codes and standards that Rogers is supposed to be committed to upholding.

You fail to mention what steps if any you have taken systemically to prevent this from happening again. I am not convinced that it will not happen again.

I am a Rogers customer for internet, phone and cable at work and office. This situation has had me reevaluate my commitment to the brand as a whole, not only Sportsnet programming.

I will advise the CBSC that I am not satisfied with the reply and that I believe further steps should be taken.