

# OFFICE OF THE OMBUDSMAN ANNUAL REPORT 2001-2002

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## THE OMBUDSMAN'S REPORT

CBC's news and information programs can and should do more on-air corrections of their mistakes.

Over time I have noted that there are fewer corrections on air than there are admissions of fault in communications with complainants to this office. Example: In this past year the Office of the Ombudsman received some 120 complaints about a single CBC TV News item. The programmers admitted fault and sent out letters apologizing for the inappropriate use of file pictures – in this case pictures of Muslim worshippers wrongly employed to illustrate a story that involved terrorism. However, in spite of requests from the complainants, there was no correction or apology on air. Unfortunately, this was not an isolated incident. In my experience as CBC's Ombudsman I've seen this happen over and over again. One can speculate on why this is so, but truth be told on-air corrections tend to be rare throughout the broadcast industry. What concerns me is the unhealthy disconnect between what programmers appear prepared to tell individual complainants and what programmers appear prepared to tell their entire audience. If CBC News has erred, CBC News should say so, openly and clearly, for the benefit of everyone, including the public broadcaster's journalists and their credibility.

That's why I'm recommending that the entire range of CBC news and information programs, in radio and television, develop a distinctive format for handling corrections. One model to consider is the corrections box that appears regularly on Page 2 of *The New York Times*. I don't see why a program like *The National* couldn't develop a similar feature, where programmers could deal with corrections and clarifications promptly and pro-actively. I wouldn't have any problem with this kind of feature being run near the end of the program where we already hear from the audience with segments such as Your Turn. In fact, I think this is an appropriate place for all information programs to deal with these issues. One hopes that such a feature would only need to be broadcast occasionally, but listeners and viewers would come to expect that this is the place where programmers address these concerns. My own view is that corrections should be taken out of the hands of program hosts, who rarely have anything to do with the original mistakes anyway. On TV, e.g., I would make corrections with the use of graphics, printing out the correction or clarification and, if need be, the apology on the screen. This way corrections would bear the imprimatur of CBC News. One final point: I think all on-air corrections should be archived at the CBC website, either at the home pages of the programs involved or at CBC News Online, which has taken the commendable step of developing its own corrections page. Among other things this would help avoid the inevitable disputes about whether or not corrections were ever made.

## **COMPLAINTS**

The 120 complaints mentioned above were among 1024 complaints, communications and expressions of concern received by the Office of the Ombudsman in the year ending March 31, 2002. Of these, 582 complaints fell squarely within the Ombudsman's mandate concerning the accuracy, fairness and integrity of information programming. The other 442 communications dealt with CBC's other services, including Arts and Entertainment programming, generally outside the Ombudsman's mandate.

The overwhelming majority of the complaints concerned the fairness of CBC's news and information programming. Coverage of the conflict in the Middle East gave rise to 102 complaints. Coverage of the Sept. 11 terror attacks in the United States generated more than 80 complaints, including 25 about *The National's* live Town Hall broadcast on Sept. 19. During the year I received 54 requests to determine whether programmers had violated CBC's Journalistic Standards and Practices. I conducted 54 reviews, finding fault with CBC programming in a half dozen cases. In addition CBC's programmers admitted fault in 15 other cases.

Coverage of the Middle East conflict has proved to be one of the most contentious issues in the western world's news media. As President this past year of the international Organization of News Ombudsmen, I presided over an annual meeting where some of the world's leading news organizations reported they had been inundated with complaints that their Middle East coverage was biased. In some cases, their stories gave rise to thousands of complaints, usually involving well-organized lobbying campaigns mounted within their Jewish communities. So complaints about CBC Radio and CBC TV's coverage should be viewed in this context. I reviewed a dozen complaints about Middle East reports and, while on some occasions I felt that the language could have been more precise or that this or that report could have provided more contextual information, I did not find CBC's coverage to be in violation of the Corporation's journalism policies. However, CBC's coverage remains controversial, particularly within Canada's Jewish community. Subject of continuing complaint is the disinclination within CBC's information services (and within many of the world's leading news organizations) to label the Palestinians who have taken up arms against Israel as terrorists. Included in this report is my review of this controversy. Simply put, I believe that CBC's coverage of the conflict has been truthful.

## **OTHER RECOMMENDATIONS**

This annual report includes an extensive review of a complaint filed by the journalists' union in the CBC's French networks, le Syndicat des communications de Radio-Canada. At issue was the secret financing of one of Robert-Guy Scully's programs, *le Canada du Millénaire*, whose production was supported by an unannounced grant of

\$1.2 million from the Canada Information Office, the former federal agency established to promote Canada, especially within Québec. While I consider the failure to disclose the funding of any information program to be wrong, and even unethical, this did not constitute a clear violation of *Journalistic Standards and Practices*, which does not address the issue. As a result of this review I made several recommendations to encourage the development of journalism policy to deal with the increasingly commercial environment in which the CBC operates. Among other things, I recommended that the CBC enshrine the principle of transparency of financing of information programs in its journalism policy, requiring that all sources of funding be disclosed to the audience. The full report, and its list of recommendations, is published at the Ombudsman's home page of the CBC website ([www.cbc.ca/ombudsman](http://www.cbc.ca/ombudsman)).

In the aftermath of complaints about the Sept. 19 Town Hall, I urged CBC's programmers to develop and publish guidelines governing national Town Hall programming to ensure the expression of a wide range of views from a broadly representative group of citizens. I have noted that in subsequent Town Hall broadcasts, CBC's programmers took certain editorial steps to ensure better expression of the diversity of Canadian opinion.

#### **STANDARDS OF SERVICE**

Last year I complained that CBC programmers were taking far too much time to provide complainants with a response. They had been falling far short of the Corporation's standard of service, which calls for a response within four weeks. I am happy to report that, in the past year, CBC's programmers have been doing better. But there's still considerable room for improvement. In the case of CBC TV, the average wait for a response was about six weeks. In the case of CBC Radio the average wait was about five and a half weeks. Both CBC Radio and CBC TV have a long way to go before they can match the excellent performance of CBC News Online, where complainants only had to wait an average of five days for their response.

Finally, as part of this report, I've included a document written by my French network colleague, Renaud Gilbert, who has addressed the policy issues raised by the case of a Radio-Canada reporter who was suspended and eventually left the Corporation following publication of a controversial book, *Le Livre noir du Canada anglais*. This case gave rise to 584 of the 802 complaints filed with the Office of the Ombudsman for the French services this past year.

David Bazay  
CBC Ombudsman  
July 23, 2002

**AT A MEETING OF CBC'S BOARD OF DIRECTORS IN VANCOUVER ON SEPT. 23, 2002, ROBERT RABINOVITCH, PRESIDENT AND CEO OF THE CBC, RESPONDED TO THE OMBUDSMAN'S RECOMMENDATIONS. HERE IS A SYNOPSIS OF THE OMBUDSMAN'S RECOMMENDATIONS AND MANAGEMENT'S RESPONSE.**

**ON-AIR CORRECTIONS**

Recommendation:

The CBC should develop a distinctive format for on-air corrections across the range of its news and information programs.

Response:

Management agrees that the process for broadcasting on-air corrections should be improved, and that such corrections should appear more frequently, consistently and effectively. Also, senior information programmers agree that the same journalistic rigour used in programs should be brought to make decisions about on-air correction. A one-size approach will not fit all. Therefore templates for handling on-air corrections will be developed for each program, with a decision-making process that goes beyond individual programs to include oversight by senior news management.

**RESPONSE TIME**

Comment:

While CBC's information programmers dealt with complainants much more promptly in the past year CBC Radio and TV have yet to hit the corporate target, which is to respond to complaints within four weeks.

Response:

We agree with the Ombudsman that there is 'still considerable room for improvement.' We also remain committed to our standards of service and are confident that by continuing the pace of improvement shown over the last year, the targeted commitment will be achieved over the course of the current year. From now on an acknowledgement will be sent immediately upon receiving a complaint so that viewers and listeners will at least have the confirmation that their letters have been received and read.

## **TOWN HALLS**

### Recommendation:

Programmers should develop and publish guidelines governing national town hall programming to ensure the expression of a wide range of views from a broadly representative group of citizens.

### Response:

CBC Television has already adopted a policy of providing a full explanation to viewers at the beginning of each Town Hall, including the process for selecting audience members and soliciting input. Once the development and review process is complete these guidelines will be formally published and posted at the website. CBC Radio has also developed a set of guidelines and toolkit for programmers undertaking town halls.

## **TRANSPARENCY OF FINANCING OF INFORMATION PROGRAMS**

### Recommendation:

The CBC should enshrine the principle of the transparency of financing of information programming in its journalism policy.

### Response:

On the recommendation of management, CBC's Board of Directors approved new policies relating to program funding and transparency, which are intended to ensure that funding arrangements do not allow the sources of such funds to inappropriately influence a program or create a perception that editorial discretion is exercised by anyone other than the producers. These new policies will be added to CBC's Journalistic Standards and Practices.

## **THE EXPRESSION OF PERSONAL OPINION**

### Recommendation:

CBC's journalism policy governing the expression of personal opinion by program hosts should be reviewed.

Response:

CBC's Chair, Carole Taylor, and CBC's President, Robert Rabinovitch, announced that, "Following a request in 2001 from the Ombudsman of the English services to review the Corporation's policies relating to the expression of personal opinion by CBC/Radio-Canada's Television and Radio hosts and journalists the Media Sub-Committee recommended that the current policies and practices be maintained. Currently any expression of opinion by CBC program hosts and/or regular guest commentators is kept to a minimum and is allowed only when deemed appropriate. In those cases these views are balanced by contrary views. All media lines also forbid their news journalists to express any opinion. The Board approved senior management's recommendation."

## **COMPLAINTS REVIEWED BY THE OMBUDSMAN**



**MALCOLM AZANIA**

Program: News

Mr. Azania wrote to complain about the story of Toronto Mayor Mel Lastman's remarks about his trip to Kenya to promote his city's bid for the Olympics. Mr. Lastman said: "What the hell do I want to go to a place like Mombasa? I just see myself in a pot of boiling water with all these natives dancing around me." CBC News Online referred to the remarks as "a gaffe;" *The World at Six* called them "goofy." Mr. Azania wanted to know why the CBC "collaborated" with the mayor's remark by not using the word "racist."

Esther Enkin replied that their function is to bring to light what public figures like Mr. Lastman are saying, and to report and assess the impact those statements might be having. She did not see how this amounted to collaboration. She said she would advise *The World at Six* that the word "goofy" was not appropriate, but said that in the case of CBC News Online's use of the word "gaffe," given the uproar that followed, it was hard to argue that it wasn't.

**Review:**

I had no trouble agreeing with Mr. Azania's view that these remarks could be described as racist. Nor did I have any trouble with CBC Radio's describing these comments as goofy, or with CBC News Online's description of Mel Lastman's attempt to crack a joke as a gaffe. In my view, all of the above words accurately described these remarks. On balance, I thought the CBC gave this affair the coverage that it deserved.

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**MICHAEL BANTJES**

Program: Morning Edition (Regina Radio)

Mr. Bantjes wrote to complain about an interview in which a woman explaining terrorism to her children said that "some religions in the world such as Islam do not like the USA, and that it was for this reason that these terrorists committed these acts." Mr. Bantjes said this was untrue and was an intolerant statement likely to increase misunderstanding and conflict in the world. The broadcast took place three days after the attacks on the World Trade Center in New York and the Pentagon in Washington.

*Morning Edition* producer Paul Dornstauber replied that Mr. Bantjes did not hear a mother indicating that practitioners of Islam do not like the United States. "You heard an 11-year-old describe his understanding of the event. The 11-year-old

indicated he understood some religions to not like the United States.” Islam was not mentioned.

**Review:**

I did not find that the broadcast violated CBC’s Journalistic Standards and Practices. This was a legitimate journalistic attempt to reflect reality, notably the fact that parents felt the need to discuss these tragic events with their children. This 18-second segment was the only one referring to religion in the six-minute item, and was broadcast in the context of continuing CBC coverage in the aftermath of the September 11 attacks.

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**PHILIP BELGRAVE**

Program: The Sunday Edition

Mr. Belgrave objected to Michael Enright’s interview with David Kertzer, author of *The Popes Against the Jews: The Vatican’s Role in the Rise of Modern Anti-Semitism*. He felt it was one-sided, and that Mr. Enright failed to challenge the author, either during the program in question or in a separate program. He described Mr. Enright as having “an anti-Christian reputation,” and also felt that “the CBC, as constituted, is unjustly favourable to specifically Jewish ‘axes to grind.’”

*The Sunday Edition* senior producer Linda Groen replied to Mr. Belgrave, saying one of the reasons they decided to interview David Kertzer was that he was a respected historian who had been given access by the Vatican to all relevant documents on the issue. “We were well aware that Mr. Kertzer is Jewish, and did not make a secret of that during the interview. And while he may be Jewish, many Catholics, including some still active inside the Church...are not disputing many of his conclusions.” As for the interviewer having an anti-Christian reputation, she included Michael Enright’s own remarks: “I have no argument about Christianity. I have no complaint nor have ever said or done anything to demean the faith of ordinary Catholics. Any contention I have had has been with the Vatican and the controlling authority of the Church.”

**Review:**

While it was evident that interviewer Enright liked this book, while it was true that he even congratulated Prof. Kertzer for writing it, and while it was clear that this interview offended Mr. Belgrave’s particular sensibilities, this program did not violate CBC journalism policy, which was catholic enough to enable people around here to tell us whether or not they liked a book or its author, and which in any case stipulated that it’s all right for CBC programs to be based on the personal view of an individual,

provided it's an individual like this historian who had demonstrable expertise in the subject matter.

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**CELENA BENNDORF**

Program: Ten Years After: The New Berlin (Radio Current Affairs)

Ms. Benndorf felt that the series, which aired in October-November, 1999, “consistently, albeit subtly, espoused bigotry towards Germans...The low point of the series came where one of the interviewees said something to the effect of ‘one can never say that they are happy/proud to be a German.’” She sent a note of her criticisms to the CBC website, but complained that it was never published, nor responded to by the CBC.

Adrian Mills, Executive Director of Programming for CBC Radio, replied that no record of her message to the CBC website could be found. As background, he explained that CBC Radio wanted to mark the tenth anniversary of the fall of the Berlin Wall and its impact on the artistic and cultural life of the city. Program host Eleanor Wachtel talked to a variety of people in Berlin, including eight writers. As for what seemed to be the main point of Ms. Benndorf’s complaint, Mr. Mills wrote: “In his interview with Eleanor Wachtel, Mr. [Peter] Schneider was giving voice to his own personal feelings as a 60-year-old German writer, trying to come to terms with events in his country before he was born, and when he was a very young child. I am sure he intended no bigotry or prejudice towards his fellow German citizens or people of German heritage.”

**Review:**

I listened to the entire series of eight interviews – some five hours of programming. In my view these programs did not display bigotry or bias towards Germany or Germans. On the contrary, they showed a sensitivity towards the German writers and their work, providing us with valuable insights into the thoughts and feelings of some of the leading intellectuals in contemporary Germany. Peter Schneider spoke of how writers of his generation still had to continue to deal with Nazi fascism in Germany’s past, with personal questions like, ‘What did my father do?’ and ‘How did my mother react?’ Summing up the programs I would say this: Anti-Nazi, yes they were. Anti-German, no they were not.

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**FRANK BISHOP**

Program: counterSpin

Mr. Bishop, a professed fan of CBC Radio with a love/hate relationship, complained that the CBC produced few programs “without an intent to propagandize the leftist agenda of ‘Mother Corp.’” He specifically complained about an item on Newsworld’s *counterSpin*, saying “the spin was sharply to the left.” On a program about Canada’s decision to send Canadian troops to Afghanistan, Mr. Bishop said the move was opposed by three of the four experts, and by all the people in the studio audience who were interviewed.

**Review:**

I did not agree. Only two of the experts expressed outright opposition. And the studio audience provided a variety of views – three of the five in fact supporting the sending of troops. There were varying shades of opinion – normal in programs of this kind – but the program wasn’t “hard to the left” as Mr. Bishop had claimed.

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**FRED BUSCH**

Program: Daybreak & Canada Now

Mr. Busch, the mayor of Sicamous B.C., was unhappy with a three-part series on CBC Radio’s *Daybreak* and a two-part series on CBC TV’s *Canada Now*, both called “A Town Divided.” The series concerned three incidents of alleged brutal treatment by the Sicamous detachment of the RCMP toward several young people in the community. Mr. Busch felt his town was unfairly portrayed, and objected to “the blatant inferences that the reporters made regarding the general attitude and conduct of the officers of our local department.”

In a joint letter, Lorna Haerber, Executive Producer, CBC Radio, and Liz Hughes, Bureau Chief, *Canada Now*, replied that there were no inferences about the general attitude and conduct of all the officers in Sicamous. On *Canada Now*, reference was made to the “rift growing between this town and its police force,” referring directly to witnesses and principals in two of the incidents involving young people.

**Review:**

I felt that the programs were balanced. The radio and TV reports gave voice to people in Sicamous who felt that, on certain occasions, some RCMP officers had used excessive force. And they gave voice to those who disagreed – including Mr. Busch himself. They also gave the RCMP’s officer in command ample opportunity to address the concerns raised by the citizens involved.

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**MICHAEL CHERRY**

Program: Radio & TV News, cbc.ca

Mr. Cherry felt CBC coverage of “unquestionably racist” remarks made by Toronto Mayor Lastman before leaving for Kenya to promote Toronto’s Olympic bid was not properly handled. The mayor said, “What the hell do I want to go to a place like Mombasa? I just see myself in a pot of boiling water with all these natives dancing around me.” Mr. Cherry said using words like “gaffe” and “goofy” to describe the comments trivialized the incident, and instead put the focus on how the remarks might affect Toronto’s Olympic bid. He felt puzzled by the CBC’s reluctance to categorize them as racist.

**Review:**

I agreed that the word “racist” was appropriate. In fact, *The National* had referred to the remarks as racist. But I also felt that describing the mayor’s remarks as “goofy” or as a “gaffe” was accurate. I felt that all three words accurately described the remark, and on balance I thought that the CBC gave this affair the coverage it deserved.

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**GEORGE CLEMENTS**

Program: Country Canada

Mr. Clements, Director of The Fur-Bearers Association for the Protection of Fur-Bearing Animals, was deeply disturbed by a *Country Canada* program on trapping, which he felt was “extremely misleading, unfair, and contained information which was untrue.” He complained that almost all the interviews were conducted with people and groups supportive of the fur industry, with only a brief statement by a member of the Animal Alliance. “You did not interview me or anyone at our trapping specialist organization.”

*Country Canada* producer Gary Hunter replied, saying the program was not intended as a debate on trapping in Canada. Instead, it was a profile of a Manitoba trapper, and an examination of the state of trapping in Canada today from the trapline itself.

**Review:**

Under CBC’s journalism policy magazine programs such as *Country Canada* are expected to present the general flow of ideas prevalent in our society, which at times entails broadcasting the views of a single author, scientist, thinker, expert, artist or citizen whose thoughts merit airing on their own account. Of course, this

programming must avoid a cumulative bias or slant over a period of time. The trapper featured in the program had a story to tell and *Country Canada* had every right to tell it. Mr. Clements complained about the accuracy of some figures in the report. Given that we appeared to be dealing with estimates, and not with easily verifiable facts, I thought the programmers should have taken care to identify the sources of their information.

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**MICHAEL CONNELL**

Program: The National

Mr. Connell is the Executive Secretary of the Catholic Civil Rights League. He complained that the CBC had not replied in a timely fashion to a complaint originally made by David Hogg concerning a report on *The National* about the Blackwater Supreme Court decision in British Columbia – a civil lawsuit launched by former students of the Port Alberni Residential School. Mr. Hogg was concerned about visuals which appeared to link the Roman Catholic Church to “a situation in which it was not involved.” The story was about a school operated by the United Church; but black and white footage included a Roman Catholic service. Mr. Hogg had demanded an on-air clarification and an apology from the CBC.

Cynthia Kinch, Executive Producer of *The National*, told Mr. Hogg that the black and white footage – from a documentary called “The Eyes of the Children” – was the only film available showing Indian children at religious residential schools, and had been used often in previous reports on such schools. She said that when the school in Port Alberni was mentioned in the *National* item, only pictures of that school were shown. She added that while the Blackwater lawsuit involved the United Church, thousands of similar lawsuits had been filed against the Roman Catholic Church. Don Knox, Senior Director, News, Current Affairs and Newsworld, wrote Mr. Connell: “While I appreciate Ms. Kinch’s view that the footage from “The Eyes of the Children” is used only when the subject is speaking in general about the residential school experience, I agree that the juxtaposition could be confusing.” He said he had removed the tape from the CBC news archives so it will not be re-broadcast in other stories. He believed there was no point in broadcasting a clarification three months later because it “would be ineffective and more likely confusing in itself.”

**Review:**

I agreed that the visual use of “The Eyes of the Children” footage was misleading when combined with the narration, violating CBC Journalistic Standards and Practices, and the principle of accuracy, which states: “The information conforms with reality and is not in any way misleading or false. This demands not only careful

and thorough research but a disciplined use of language and production techniques, including visuals.” I agreed that taking the pictures out of circulation was an appropriate move, but also thought that Mr. Hogg’s request for a timely on-air clarification was reasonable.

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## **LISA MARIE DOIG**

Program: the fifth estate

Ms. Doig said she was appalled to tune in to *the fifth estate* shortly after 8 p.m. and see a man sucking on a large female breast, while she was in the company of her two young daughters. She changed channels, assuming the item was about prostitution. She was later also unhappy about the lack of response from the CBC and had also complained to the CRTC.

*The fifth estate* executive producer, David Studer, said the story was not about prostitution but about extreme hard core pornography seen on two channels provided by Bell ExpressVu. The story was about the fact that while the satellite service had promised the CRTC to conform to the standards of Canadian review agencies, much of the content of its two channels was neither reviewed nor deemed acceptable by Canadian standards. *Fifth estate* editors and producers concluded that some of the material in question should be shown, but in a very limited degree – that verbal descriptions of the images would not tell the story. Mr. Studer emphasized that *the fifth estate* “is a serious program, not designed for children, which frequently deals with material not suitable for children.”

### **Review:**

I noted that seven cautionary announcements had been made at critical points in the program, respecting CBC journalism policy. It appeared that Ms. Doig missed these announcements. While CBC journalism policy requires that CBC programs be in good taste, the same journalism policy acknowledges that “There will be occasions when in reflecting reality it would be inappropriate to excise certain uses of language or depictions of violence or sexuality which normally would be avoided. To do so would deny CBC audiences access to certain events which may contribute materially to an understanding of the world in which they live.” In my view this was one occasion when, as host Hana Gartner stated at the conclusion of the broadcast, CBC’s programmers selected a small sample of images to document “a serious report on a reality in our society today.” While the program clearly offended Ms. Doig, it did not offend CBC journalism policy.

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**TIM FAITHFULL**

Program: Country Canada

Mr. Faithfull, President & CEO of Shell Canada, complained about an updated story – the original aired three years earlier – about a couple in Sundre, Alberta, who launched a lawsuit against Shell over sour gas “flares” and a Shell pipeline leak. They claimed the flares and the leak caused death, illness and reproductive disorders in their cattle. Mr. Faithfull noted that while the couple, their veterinarian and the head of the Canadian Association of Petroleum Producers were interviewed, there was no interview with any representative of Shell. This, he said, in spite of several telephone conversations between the CBC and Shell’s public affairs representative. He expressed disappointment that information “that might have added balance and clarification to the extremely negative portrayal of Shell was omitted.”

CBC Vice-President Harold Redekopp replied that Shell representatives were not interviewed because the story focused primarily on the experiences of the Johnston family and their problems with the entire industry. He felt it was an even-handed review of events over the last six years.

**Review:**

In telling the story of the family’s battle with the oil and gas industry, the program provided viewers with the industry’s perspective, through an interview with the president of the Canadian Association of Petroleum Producers. I nevertheless felt Mr. Faithfull’s complaint had some merit. Viewers were entitled to hear a brief explanation of Shell Canada’s rationale in its dispute with the Johnstons. I encouraged the programmers to take note of Shell’s view that “a simple clarifying sentence would have added just a few seconds to the program, yet would have made an enormous difference in the impression left with the audience about Shell and its approach.”

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**REV. MICHAEL J. A. FALLONA**

Program: Radio News

Rev. Fallona complained about the naming of a bishop by CBC Radio News in connection with allegations of sexual wrongdoing in Cornwall, Ont. He wrote: “Freedom of the press does not mean freedom to fabricate and/or report obvious lies, and then to broadcast them.” He accused CBC Radio News of being accuser, judge and executioner.

Esther Enkin, Managing Editor and Chief Journalist for CBC Radio, replied that the report concerning Bishop LaRocque did conform to CBC standards. She said the



investigation into allegations of sexual abuse involving people in positions of public accountability does have a great deal of public interest, especially in an ongoing story that has many unanswered questions and unresolved issues. The CBC stories were based on court documents “and others obtained by the CBC which showed his name would come up in the Ontario legislature.” She emphasized the CBC story reported only that the bishop was under investigation with no decision by the Crown at that point to lay charges. The story made no allegations. “We do not take lightly naming individuals, but CBC journalistic policy does allow for this practice, if there is a compelling public interest. In this case, we did believe it was justified.”

**Review:**

CBC Radio News had respected the internal editorial procedures according to the CBC’s journalism policies. This included obtaining the permission of the senior officer of information programming, in consultation with the CBC’s law department. CBC Radio News did not “fabricate and/or report obvious lies.” It was true, as the CBC reported, that Bishop LaRocque had been under police investigation. In its report CBC Radio gave the bishop the opportunity to respond to the information that he had been under police investigation, and his remarks were broadcast at the time.

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**MITCHELL GOLD**

Program: Newsworld Today

Mr. Gold objected to Ben Chin’s interview with columnist Tom Godfrey of the *Toronto Sun*. It concerned allegations – which Mr. Gold admitted were identified in the interview as allegations – against Mr. Ahmad Shehab. He felt it was “irresponsible of the CBC to use the same tactics as the *Toronto Sun* in being irresponsible to a member of our community, Mr. Ahmad Shehab.”

Executive producer Kim Orchard replied that she could see no slander towards Mr. Shehab, “not on Ben Chin’s part, nor on Mr. Godfrey’s. Indeed...Mr. Shehab’s name was never actually mentioned in the interview.” She said the columnist presented extraordinary information about an RCMP investigation that no one else seemed to be privy to. That made him a good subject for an interview. Ben Chin pointed out during the interview that there was no documentation for Godfrey’s information, and that his theories were unconfirmed.

**Review:**

I found nothing that violated the CBC’s journalistic policy. There is nothing untoward about interviewing a newspaper reporter who claims to have exclusive information. Ben Chin referred to Godfrey’s information as “unconfirmed” and

“unproven.” But I did note that this kind of story did impose upon CBC Newsworld an obligation to follow up with an account of what actually happened to the man named in the interview, including his side of the story, if and when he was able to tell it.

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**JAMES HARDER**

Program: Radio News & Current Affairs.

Mr. Harder complained about CBC radio programming “in which an interview by one journalist is chopped and refit to suit a time slot and voice of another broadcaster/journalist.” He demanded the CBC stop allowing its people to “deceive” Canadians in this way. When asked to provide an example, Mr. Harder said Bernie McNamee conducted an interview with Donald Trump about a luxury condo venture in Toronto. “At no time did Mr. McNamee tell listeners that he was not the original interviewer.”

**Review:**

Mr. McNamee told me that the item Mr. Harder heard was in fact a humorous treatment of Donald Trump’s visit to Toronto to promote a real estate venture. There was no interview at all. Mr. Trump professed to be too busy, but he did speak at a news conference. Mr. McNamee felt the story deserved a lighter treatment, and produced an item where he asked mock questions and edited in clips from the news conference. Mr. McNamee was surprised anyone took it seriously. “It was totally done tongue in cheek.” CBC journalism policy recognizes that there is room for humour and satire in information programming, but states that it must be judicious and easily recognized by the audience.

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**HERSCHEL HARDIN**

Program: Canada Now

Mr. Hardin complained about inaccuracy and an underlying bias in a report dealing with the B.C. government’s budget. “The assumption behind the phrase ‘rebuilding the economy’ is that the B.C. economy was in disarray...and hence, rebuilding the economy was a task to be taken on. This assumption has no connection to reality and gives a wildly false and distorted impression of the B.C. economy and, with that, of the prior NDP government.”

Deputy bureau chief Wayne Williams acknowledged that the line “should have been attributed to the B.C. Liberals. It is their characterization of the budget and should

not have appeared as fact. However, the line did not provide the framework for CBC coverage of the budget. It was one line in one of many stories done that day. The Liberals' description of their budget was clearly attributed in all of the other stories we did that day." In reply, Mr. Hardin welcomed the fact that *Canada Now* admitted "it got it wrong." But he said he had asked that a correction be made. Mr. Williams replied that he disagreed with Mr. Hardin's conclusion that a bias was "embedded in CBC culture" and therefore felt that neither a correction nor an apology were warranted. Mr. Hardin still accused the CBC of "stonewalling a correction and, more telling, not posting critical feedback from the reader, the way a newspaper publishes letters to the editor."

**Review:**

I agreed with Mr. Williams that the statement should have been attributed to the Liberals, and shared his letter with Ken Wolff, Executive Producer of CBC News Online, who corrected its version of the story. I told Mr. Hardin that CBC News Online had since followed up a recommendation I made some time ago to establish a corrections page.

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**HERSCHEL HARDIN**

Program: Radio News (Vancouver)

Mr. Hardin complained of inaccuracy and bias in the framing of a radio news report on the B.C. budget. He said reporter Jeff Davies used the same language as a person being interviewed, saying, "The government in Victoria believe the turnaround has already started." Mr. Hardin felt "turnaround" was a politically loaded word, improperly supporting the Liberal view that the previous NDP government destroyed the provincial economy.

Joan Andersen, Director of Radio for B.C., replied that in this case the statement was properly attributed to the Liberal government and reflected the government's position. She did not see any error in the report and did not believe a correction was necessary.

**Review:**

I found no fault with the report. Jeff Davies' story wasn't about the state of the economy under the NDP, but a summary of the beliefs of the new Liberal government. In fact, the very next item in the newscast included the views of the NDP leader, who criticized both the budget and the tax cuts.

**HERSCHEL HARDIN**

Program: Early Edition/Almanac (Vancouver Radio)

Mr. Hardin charged that CBC accepted the new B.C. Liberal government's position that the provincial economy had been badly handled by the previous NDP government. He noted that a host on *Early Edition* asked if the new Liberal mini-budget would produce an "economic recovery." And on *Almanac*, a host asked if the budget would "kickstart" the economy. Mr. Hardin felt the questions incorporated "two hidden, complementary, and false assumptions. The first is that the NDP, not external factors like the Asian crisis, is responsible for any economic difficulties in B.C., hence the solution to such difficulties is a different political prescription." The second, he said, was that if the economy did improve, the inference would be that it would be due to the new political scene and not external factors.

Joan Andersen, Director of Radio for B.C., said she believed coverage of both programs on the impact of the Liberal government budget was fair. She felt that while "it was unfortunate that some of the questions implied an economy that was not growing, the audience was provided with information to the contrary and I do not feel this warrants an on-air apology."

**Review:**

I questioned Mr. Hardin's underlying assumption that there was a right way and a wrong way – and not merely many different ways – to frame discussion or analyze the performance of the B.C. economy. He took a word here and a phrase there, out of several hours of programming, and distorted the nature and content of the programs. His complaint inflated what might be implicit in three words, each used once, but ignored several hours of explicitly fair and well balanced programming. CBC Journalistic Standards and Practices were observed, and I agreed with Joan Andersen that no corrections were necessary.

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**HERSCHEL HARDIN**

Program: The National

Mr. Hardin felt that a report on *The National* about the so-called Bingogate scandal in British Columbia was "both inaccurate and seriously misleading, and should be corrected...The ultimate effect of your report was, beginning with your inaccuracy, to wrongly damn the NDP as government for sins which it did not commit."

Executive producer Cynthia Kinch replied: "Simply put, we made a mistake in saying that the improprieties of 'Bingogate' added up to a 'political fundraising scheme that went on under a former NDP government.'"

**Review:**

Mr. Hardin requested that a correction be broadcast on *The National*. *The National's* senior producer and executive producer both said they did broadcast an on-air correction to the story as soon as they became aware of their error. I asked them to provide me with a copy of the correction, but they said they could not find it in their computer. I told Mr. Hardin that I had to take them at their word. Mr. Hardin expressed frustration at the way the matter had been handled and skepticism about whether *The National* had run a correction. I shared Mr. Hardin's frustration, and told him that all I could do was share his message with Ms. Kinch and ask her to look through her files once more to see if she could find the correction she told me the program had made.

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**TOM HARRIS**

Program: The National

Mr. Harris wrote to complain about *The National* "for bias in their coverage of the climate change issue in general and in their coverage of the CoP6 conference in particular." He felt *The National* was engaged in propaganda, in "an effort directed systematically toward the gaining of public support for an opinion or course of action." He said that in spite of his e-mails and discussions with Robert Bishop, Senior Producer of *The National*, the "unbalanced coverage continues night after night, just as it did before."

Robert Bishop replied that one specific item cited by Mr. Harris was not about the state of the science of climate change, but had focused only on "the political manoeuvres of various governments in Canada that are facing the difficult task of meeting commitments made at Kyoto." Cynthia Kinch, Executive Producer of *The National*, echoed what Mr. Bishop had said.

**Review:**

I questioned the premise of Mr. Harris's complaint, because it seemed to me that he was overstating both the nature and the extent of the controversy in the science that's been driving the international movement to curtail the emission of greenhouse gases. He portrayed the state of climate science as a sort of evenly balanced dispute between some scientists who say we are causing climate change and some others who say we are not. I examined about a year's worth of coverage of the climate change issue on *The National* and in publications such as *The Globe and Mail*, *The New York Times* and *The Guardian* in Britain. Apart from learning that there is a nasty little war going on here, I retained for purposes of this review the informed observation that in climate science there is a majority of scientists on one side and a minority on the other. The

CBC policy book says that a particular point of view must be supplemented with an equitable treatment of other relevant points of view. “Equitable in this context means fair and reasonable, taking into consideration the weight of opinion behind a point of view, as well as its significance or potential significance.” The CBC, in its decision-making process, is entitled to make its own editorial determination about what opinions are in the mainstream, and need to be reflected, and what opinions are on the margins, and can be given the editorial hook they so often deserve. I did share Mr. Harris’s view that there is a richer, more diverse range of opinion out there than had been reflected in *The National’s* newscasts. As the CBC’s Robert Bishop pointed out in his response to Mr. Harris’s original complaint, this issue lends itself to treatment in a TV documentary. I thought it unfortunate that *The National* had, so far, been unable to get one of its leading journalists up into the proverbial helicopter to provide us with a critical overview.

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**PATRICIA KATAGIRI**

Program: The Sunday Edition

Ms. Katagiri ordered through Bowden’s Media Monitoring an audio tape of Michael Enright’s interview with External Affairs Minister John Manley. However, she said the tape did not contain the part of the interview in which she was most interested, comments made by Mr. Manley about Israel & Palestine. She felt those comments had been deliberately dropped from the tape by the CBC.

**Review:**

I contacted Bowden’s and was told the gap on the tape must be the result of some technical problem. No one at Bowden’s actually listened to the feeds of the many programs the company records. They simply recorded the radio and TV programs as broadcast, live to tape. If there were some kind of conspiracy to conceal some of Mr. Manley’s remarks, surely the edit wouldn’t chop the minister off in mid-phrase on one subject and pick him up in mid-phrase in another. CBC policy was to archive programming without any editing whatsoever.

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**WILLIAM KAY**

Programs: CBC News Online, Radio News, Television News

Mr. Kay wrote: “Over the past three years, CBC radio and television has broadcast thousands of news stories relating to climate change, more specifically to global warming. This coverage has been overwhelmingly imbalanced in favour of supporting the proposition that human activity is heating the planet to catastrophic

levels.” He claimed that the human-caused global warming catastrophe hypothesis is a “wildly controversial theory within the scientific community, yet CBC coverage frequently gave, and gives the impression that it is an established fact.”

**Review:**

I agreed that editors needed to be careful to qualify their statements about the state of climate science. But, as I had told Tom Harris, evidence suggested consensus on global warming and its causes is *not* evenly divided in the scientific community. Yes, the views of the skeptics should be reflected in the CBC’s overall coverage, and in fact they were, but, given the strong consensus, there was in my view no need to give voice to their doubts about the reliability of climate science in each and every story about the international movement to reduce the emission of greenhouse gases.

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**MAUREEN KHAN**

Program: CBC News Online

Ms. Khan complained that John Walker Lindh, the American captured among Taliban and Al-Qaeda fighters in Afghanistan, was labeled as a Catholic. She contended that Lindh “was not raised a Catholic, his family is not Catholic, and it is misleading, if not malicious to say that he was.”

Ken Wolff, Executive Producer of CBC News Online, said he thought the phrase “raised as a Catholic” was appropriate. “There seems to be no dispute that his parents were both Catholics, that he attended Catholic church and a Catholic school, that later (when he was in high school) his mother became a Buddhist and that his father remains a Catholic. The reference to Catholicism in our story is relevant in that it shows he in fact had a typical American upbringing, yet somewhere along the line he was drawn to the Taliban.”

**Review:**

While the CBC News Online reference was perhaps too brief, and did not fully reflect the young man’s spiritual voyage, I felt it was relevant background information. There is nothing anti-Catholic or biased about a story that provides some information about an individual’s background. Whether or not the way this man was raised had anything to do with his eventual behavior was surely subject to debate, but there was nothing in the item that would enable us to come to some conclusion, one way or another.

**EMILIE KITTINGHAM**

Program: The National

Ms. Kitteringham wrote: “What kind of crappy headlines are you putting out with your ‘constructed news?’ ‘Stockwell Day is trying to save his leadership with a cabinet shuffle,’ Peter Mansbridge says...That’s a load of crap and you know it!!! Will you quit slamming Day and the Alliance? I am really sick of CBC and their constructed news that skirts the truth!!!”

The programmers declined to respond to this complaint.

**Review:**

The headline actually read, “Stockwell Day shuffles his shadow cabinet,” and the introduction to the item read, “Stockwell Day surrounded himself today with a new lineup of critics in his shadow cabinet. The old ones had been criticizing the wrong thing, the Alliance leader himself.” I rejected her complaint as unfounded. But Ms. Kitteringham wrote, “Don’t tell me what I heard didn’t happen.” It turned out that what she had heard was a promo for the upcoming news, in which Peter Mansbridge said: “Stockwell Day shuffles his shadow cabinet in an effort to shore up his leadership in the Canadian Alliance.” I felt this was a fair and accurate description of Mr. Day’s move, coming as it did after some members of his shadow cabinet either quit or were expelled from the Alliance caucus in dispute with Mr. Day’s leadership.

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**GEOFFREY KULAK**

Program: As It Happens

Mr. Kulak complained that in an interview about a federal cabinet shuffle, *Ottawa Citizen* reporter Susan Riley referred to John Manley – who had been appointed Deputy Prime Minister – as “the great white hope.” He felt this remark was thoughtless and offensive.

Audience Relations replied that the expression was not racist.

**Review:**

While the expression had its origins in a racist context, many experts said its use today as a metaphor was not necessarily racist. Prof. Jack Chambers of the Department of Linguistics at the University of Toronto said that while the expression was patently racist in its origins, its use as a metaphor nowadays could be acceptable if it were used, e.g., in a context where only whites were involved. However, he added, “The literal basis for that metaphor is, nonetheless, racist. It should probably be avoided, along with other racist expressions that have entered the language and are



now devoid (usually) of their racial origins.” I told Mr. Kulak that I would share this advice with the relevant programmers, as well as with Susan Riley of the *Ottawa Citizen*. But it was clear from the context of the broadcast that the expression was not used to denigrate anyone on the basis of race.

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**DAVID LAUGHTON**

Program: The National

Mr. Laughton disagreed with a report stating that “M. Bouchard came within ‘a percentage point of breaking up the country.’” He said that for this to be true, “it must also be that a 50.5% Yes vote in this referendum would have automatically led to the breakup of the country,” which, he said, could really only occur through a successful coup d’état or an amendment to the Canadian Constitution.

**Review:**

When Mr. Laughton received no reply from the programmers I reviewed his complaint. Mr. Laughton argued there was no way of demonstrating the statement that “the country came within a percentage point of breaking up” was true. But if that’s the case, it may also be true that there’s no way of demonstrating that the statement is false. Jacques Parizeau actually recorded a victory speech – which was to have been used if the Yes side had won – saying his government would initiate procedures to make Quebec an independent state. The independence movement in Quebec has always taken the view that 50% plus one would be enough to *start* the province on the way to independence.

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**PRISCILLE LEBLANC**

Program: CBC News Big Picture, Sky Blues; counterSpin

Ms. LeBlanc is the Senior Director of Corporate Communications with Air Canada. She wrote “to register dismay and even outrage at the strong bias and subjectivity expressed by CBC journalists throughout the Big Picture feature aired on January 30 and again this weekend.” *The Big Picture, Sky Blues*, was one of a series of day-long examinations into the aftermath of the terrorist attack on the United States, including the major impact on the airline industry. Ms. LeBlanc felt that “gratuitous references to Air Canada’s poor service and customer preference for WestJet were evident throughout the day’s commentary by journalists.”

Don Knox, Senior Director, News, Current Affairs and Newsworld, felt that the material was fairly presented and unbiased over the whole of the programming, with

the exception of one introduction to one segment on *counterSpin*, which referred to Air Canada as “a predatory, government-assisted behemoth, a hogger of profitable routes and a threat to regional carriers providing cheap fares, real smiles and personal treatment.” He noted that this introduction was in keeping with the no-holds-barred style of the program, but agreed it was inappropriate to use the remarks without attribution.

**Review:**

I watched 18 hours of CBC Newsworld programming and rejected the complaint that *Sky Blues* amounted to ‘blatant and excessive Air Canada bashing.’ While I felt there was merit to the complaint concerning the introduction to *counterSpin*, CBC Newsworld gave voice to a wide range of opinion, including the views of Air Canada’s president. The comments of CBC’s journalists were based upon unhappy experiences in their considerable travels. There was nothing wrong with CBC program hosts or reporters asking questions based upon anecdotal evidence. The issue was not whether questions were ‘subjective;’ it was whether the questions were relevant. And given the comments of Bruce Hood, the Air Travel Complaints Commissioner, and several passengers who were interviewed, the day’s programming proved to be both a relevant and timely reflection of reality.

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**RICHARD MILLHAM**

Program: The National/the fifth estate

Mr. Millham was critical of the quality of CBC reporting, specifically in two examples of “biased reporting which stems from...poor research on the part of the CBC and their reporters.” He felt the war in Bosnia had been poorly reported for a decade, and said one report on the war in Bosnia dismissed the fighting between Serbs and Croats as puzzling since they are “all slavs,” and that a report might as easily find the conflict between Protestants and Roman Catholics an enigma because they are “all Irish.” In the second example he found the story that the magazine *Alberta Report* was going to be sold in Toronto to be “Toronto-centric and patronizing.” He also felt that portraying the magazine as right-wing “obscures many of the issues which Westerners...feel are not being addressed by ‘mainstream’ media such as the CBC.”

**Review:**

I could find no such reference in any Bosnian story, but invited the complainant to share any further concerns he might have about any contemporary stories. As for the *fifth estate* item on *Alberta Report*, I felt it was fair, and pointed out that *Alberta Report’s* Link Byfield congratulated *fifth estate* producers for a fair story and ran a similar assessment of the item in an editorial.

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**HAKHEEM BAIG MIRZA**

Program: The National

Mr. Mirza was one of 120 people who complained about a report that showed pictures of Muslim worshippers in a Canadian mosque while the narration talked of terrorism.

Cynthia Kinch, Executive Producer of *The National*, agreed and apologized for the inappropriate use of the file pictures used in the report. Mr. Mirza requested an on-air apology.

**Review:**

I told Mr. Mirza that I believed Ms. Kinch's apology was sincere and should be accepted as such. In my role as Ombudsman I had no say in day-to-day programming, including on-air apologies. But I encouraged *The National* to develop program formats where programmers could address their errors.

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**DAN MURRAY**

Program: Radio and Television News

Mr. Murray had several complaints, all of them dealing with what he felt was a pro-immigration bias. "Why are you [at CBC news] so afraid of allowing opinions that oppose Canada's present immigration policy?"

**Review:**

In the absence of any reply from any of the programmers involved, I examined the many complaints made by Mr. Murray on immigration coverage. While I would like to see and hear more contrarian opinion on the CBC, failure to include contrarian opinion did not amount to violation of CBC journalistic policies. That's because CBC policies concerning balance encourage programmers to consider "the weight of opinion behind a point of view, as well as its significance or potential significance." While I saw no evidence to support Mr. Murray's allegation that the CBC's programmers were "abusing their positions and becoming the willing dupes of the immigration industry and the Department of Citizenship and Immigration," neither did I come across evidence that his opinions surfaced in the programs I reviewed. I reminded programmers that they should ensure that the widest possible range of views is expressed. I did think there was merit to his complaint about the use, on a couple of occasions, of the expression 'head tax' to describe the \$975 landing fee collected from immigrants. While this expression had been employed by politicians

from both the NDP and the Canadian Alliance, it did strike me as tendentious and should not be used without attribution by CBC News reporters.

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**GLEN PARENT**

CBC News Online

Mr. Parent took issue with a column by Larry Zolf on his characterization of then Canadian Alliance leader Stockwell Day. “Mr. Zolf’s column clearly violates any reasonable standards of accuracy, fairness and integrity. He fabricates fallacies based on his own bias and presents those fabrications as facts in his column.” He demanded the Zolf column be removed, an apology run on CBC News Online for ten weeks, and that Mr. Zolf write a letter of apology to Mr. Day and pay \$2500 to a charity of Mr. Day’s choice.

Ken Wolff, Executive Producer, CBC News Online, replied that Mr. Zolf was a guest contributor to the service, hired to pass judgment on public affairs. He wrote that the CBC did not adopt Mr. Zolf’s opinion as its own. “I feel Mr. Zolf’s extensive background as a political writer and commentator qualifies him to give his opinion on current political events, which he did in this column.”

**Review:**

I agreed that Mr. Zolf was a commentator, not a reporter, and told Mr. Parent that while facts may be true or false, opinions are neither right nor wrong. He may find Zolf’s comments ludicrous, reckless and offensive, and he may even be right – but these were opinions. Mr. Zolf had the right to express his views, just as Mr. Parent had the right to criticize him.

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**PAV PENNA**

Program: National Town Hall, Sept. 19, 2001

Mr. Penna was one of thirty viewers who wrote to complain about the Town Hall. He felt that the audience makeup for this program – concerning the terrorist attacks on New York City and Washington, and aired a week after the event – “made the opinions expressed uni-dimensional and highly predictable.” He asked if the audience had been deliberately “stacked” and whether the CBC’s own policies for public programming had been followed.

Tony Burman, Chief Journalist and Executive Director of News, Current Affairs & Newsworld, replied that the Town Hall program was not “uni-dimensional” nor was

it “promoting a particular viewpoint.” He said the Town Halls were to give a broadly representative group of citizens a chance to ask a panel of experts questions “that we expect many Canadians want to hear answered...However, let me say...that I think it is important to bear in mind that while live television is often exciting, it is also unpredictable...We have only a general idea of what questions people will ask.”

**Review:**

The CBC’s journalism policy did not specifically deal with the Town Hall concept or the composition of studio audiences for live broadcasts. A current of anti-war, and at times anti-American, sentiment seemed to prevail in the audience; 11 of the 23 audience members who spoke either attacked the notion of using force or blamed American foreign policy. When all things were considered, panelists, politicians, members of the studio audience, and e-mails displayed on the screen, this program did “give adequate recognition to the range of opinion on the subject.” While the Town Hall did not in my view violate CBC journalism policy, it clearly offended many viewers who felt that their opinions were not adequately represented in the studio audience. I recommended that senior journalists establish guidelines for Town Hall programming. The guidelines should state what national Town Halls are and what they are not, notably that they are not scientific surveys of public opinion. Canadians across the country should be given a reasonable opportunity to take part in national Town Halls. They should be produced with a fair and balanced screening process that prizes diversity in point of view, location and background. They should illustrate the range and texture of opinion in the country, and not just in one or another TV studio. For this reason, applause in the studio is not only unwelcome, it’s irrelevant, and studio audiences should be reminded of this. I recommended that any guidelines the CBC develops be published at its website and be circulated among studio audiences before national Town Hall broadcasts.

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**JOHN RYAN**

Program: Commentary (Winnipeg Radio)

Author John Ryan complained about the treatment he received in a commentary by Laurie Hoogstraten. Mr. Ryan had donated some books to libraries and found that the way they handled tax receipts for such donations was inconsistent. He discovered that the Winnipeg Public Library valued any donated book at \$10 tops, and complained that this seemed contrary to the spirit of the Income Tax Act rules on the subject, and would discourage instead of encourage similar donations. He also dealt with Revenue Canada and, in the end, the policy at the Winnipeg Public Library was changed. He said he had been thanked for bringing about a change that was in the public good. But he claims that Ms. Hoogstraten got it all wrong. She was “not only wrong in the number of books I donated (16, not 320), she was wrong about the very

basis of my involvement... She said, 'I think he offered to unload books' on the library – and get rid of them for a tax break since they were 'stacked up in the basement.' She made no effort to find out the facts of the story and presented a completely misleading and slanderous account of my activity.”

After Mr. Ryan complained to John Bertrand, Director of Radio in Manitoba, CBC Radio in Winnipeg broadcast a correction, conceding that 16, not 320 books, were involved, and concluded with an apology. Mr. Ryan accepted the correction, but still felt Ms. Hoogstraten “had no right to use me as a personal example for her commentary.”

**Review:**

I agreed that the commentary was inaccurate, and thus inherently unfair, and clearly violated the CBC’s journalistic policy. But I noted that CBC Radio had moved quickly to provide a correction and felt Mr. Ryan should accept the apology. Since Mr. Ryan had raised a matter of public interest and attracted considerable public attention with his complaint about the Winnipeg Library’s practices, he had become a legitimate subject for public comment.

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**GILBERT SAVARD**

Program: Radio News

Mr. Savard is the Regional Director, Communications and Executive Services, Manitoba Region, Indian and Northern Affairs. He complained about the conduct of CBC reporter Maureen Matthews. He said two of his colleagues attended a meeting made up of about ten people. During the meeting a woman entered the room and began to record the discussions, without introducing herself. They assumed she was recording the proceedings for purposes of preparing draft minutes of the meeting, and were surprised when, at the end, she introduced herself as a CBC reporter. “I am gravely concerned that a CBC reporter taped my colleagues’ comments without their explicit consent.”

John Bertrand, Director of Radio for Manitoba, replied that reporter Maureen Matthews had been invited to the meeting by officials of the Pauingassi First Nation and the Southwest Resources Council. It was their meeting, in their building. He noted that no comments made by Mr. Savard’s officials had been used in the item that was broadcast.

**Review:**

It appeared that Mr. Savard’s officials were not informed in advance that the meeting was to be open to the public. And it did not appear that his officials had exercised

their right to ask Ms. Matthews to identify herself. But Ms. Matthews could not be blamed for this. She had arrived while the meeting was under way and she did identify herself as soon as the opportunity arose. She had acted in good faith and had no reason to believe she was doing anything other than gathering information in the open at a public meeting. And, in spite of Mr. Savard's claim that an unmarked tape recorder was used, Ms. Matthews said the CBC logo is apparent on her small recorder.

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**MRS. J. SCOTT**

Program: Radio & TV News

Mrs. Scott wrote that, "as a frequent CBC radio and television listener and viewer and participant, I have found the CBC to be BLATANTLY biased in its reporting of many news events; choosing generally to reflect and support the federal Liberals' secular, humanistic, anti-family, pro-abortion policies." Specifically, she found fault with Mary Lou Finlay's interview with Canadian Alliance leader Stockwell Day, Wendy Mesley's interview with Mr. Day, *The National's* coverage of Mr. Day and his party during the election campaign, and the lack of coverage of an Ottawa demonstration by the pro-life movement.

**Review:**

I disagreed with Mrs. Scott on Mary Lou Finlay's interview with Stockwell Day on *As It Happens*. Five minutes of the 20-minute interview dealt with Mr. Day's private beliefs, not surprising given that Mr. Day's personal views were at issue both during his campaign for leadership of the Alliance Party and during the general election campaign. I told Mrs. Scott that the senior producer of the *National Magazine* felt overall coverage of the Canadian Alliance and its leader had been fair and even-handed but that Wendy Mesley's interview "fell short."

I told Mrs. Scott that I had conducted an independent review of several complaints about the election coverage. With the exception of one program – a citizens' panel which failed to include any representation west of Winnipeg, where the Alliance was deeply rooted – I concluded that *The National*, along with other programs on CBC Radio and TV, provided pretty well-balanced coverage of the election campaign. As for coverage of Mr. Day's leadership problems, these did exist and were worthy of reporting.

I could not find any record of CBC radio or television coverage of the Ottawa rally mentioned by Mrs. Scott. The CBC could not provide national coverage of every demonstration, but continuing news and current affairs programs must present a balanced overall view of controversial matters. There were times when CBC

journalists could do a better job reflecting the full range of opinion by giving greater voice to those in our midst who share Mrs. Scott's views.

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**ADAM SMITH**

Program: The House

Mr. Smith complained on two occasions, first that this program seemed to be “a shill for the Liberal government,” and later that, “I am continually dismayed at the apparent Liberal party/Government bias of *The House's* host, Jason Moscovitz.” He felt Mr. Moscovitz lobbed easy questions at Liberals and got tough with the opposition, when he felt it should be the other way ‘round.

Esther Enkin, Managing Editor and Chief Journalist for CBC Radio Information Programming, told Mr. Smith she disagreed, and judged Mr. Moscovitz to be one of the toughest interviewers in Ottawa. “In fact, the Prime Minister has declined interviews, despite many requests to be on the show.” She referred to one item Mr. Smith complained about, that examined the Liberals' re-election strategy and talked with two MPs on the difficulty of running an election campaign with a leader who is not universally supported by all MPs – “hardly Liberal propaganda.”

**Review:**

If Mr. Moscovitz had an identifiable bias it was a healthy bias for public policy and public life. No matter who he interviewed, no matter what his line of questioning, I discerned an interest in, an understanding of and an underlying respect for all those who devoted themselves to public service. As for “shilling” for the government in interviews with Lloyd Axworthy on his retirement and Sheila Copps about her transformation from Rat Pack member to a quiet, businesslike cabinet member, I felt Mr. Moscovitz was in pursuit of pertinent information: What did Axworthy think he had achieved – and failed to achieve – in a lengthy political career? And was Ms. Copps consciously remaking her image for entering a leadership campaign? CBC journalistic policy recognizes that continuing news and current affairs programs such as *The House* must present a balanced overall view of controversial matters over a reasonable period of time. While the ideal is to strive for balance within each and every program, the reality was that balance could only be achieved in a series of programs. And *The House* did this admirably.

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**ROBERT STEVEN & JANETTE BYUN**

Program: Cross Country Checkup

These two listeners felt that in regular and special editions of *Cross-Country Checkup* after the September 11 attacks on New York City and Washington, “Rex Murphy has completely failed to present balanced viewpoints. We feel that he has consistently shown considerable bias against those callers and guests who express reservations about unconditionally supporting the USA in its war against terrorism. He also has shown a bias against callers and guests who sympathize with the plight of oppressed and terrorized peoples outside the USA.” They felt Mr. Murphy dismissed and misrepresented the views of callers “with whom he did not agree.”

Lynn Munkley, Senior Producer of *Cross Country Checkup*, replied that without specific examples or even days or times, it was difficult to respond with the detail Mr. Steven and Ms. Byun hoped for. But “during those weeks in September, Mr. Murphy talked with hundreds of callers. For most of that time I was in the studio with him, listening very carefully. I must say that I did not hear the kind of consistent and continuous bias you describe. I can tell you that Mr. Murphy and all the producers working on the shows made every effort to be objective and even-handed in talking with callers.”

**Review:**

I reviewed five editions of *Cross Country Checkup*, which gave voice to a wide range of opinion involving callers and guests in both Canada and the United States. It was true that host Rex Murphy challenged those who were eager to assess blame for the Sept. 11 attacks. He pointed out, quite accurately, that no one had claimed responsibility for the attacks and that while there was considerable speculation there was virtually no hard information about the attackers at that time. But it was also true that Mr. Murphy and the program’s producers did not stifle, restrict, or otherwise repress the views of those who were critical of the Americans. I found that the series of programs did give generous voice to callers who expressed reservations about the wisdom of falling into line with American policy, just as these programs dealt fairly with those who felt that Canada had a responsibility to join with the Americans and others to wage war on terrorism.

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**DON TARASOFF**

Program: Radio & TV News

Mr. Tarasoff noted that the conference of the Federation of Canadian Municipalities “overwhelmingly passed a resolution calling on the federal government to examine the costs and benefits of the Firearms Act; in effect, the elected representatives of local communities find the Firearms Act a waste of time and resources that could be

better spent on community safety. To my knowledge, neither CBC nor CTV reported this resolution, nor was there any response reported from the Hon. Anne McLellan, who was present, nor the Commissioner of the RCMP. Is this not newsworthy? Or did I miss your coverage of this significant resolution?”

**Review:**

Mr. Tarasoff's view that the development warranted national TV coverage was reasonable. But the fact that on any given day the CBC does not cover some development or other in a continuing news story does not constitute a violation of CBC journalism policy. The Canadian news media, including the CBC, could hardly be accused of ignoring the controversy over gun control. Over time, there had been abundant coverage, both pro and con, of this federal program.

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**DANIEL TAYLOR**

Program: Main Street (Saint John Radio)

Mr. Taylor, president of the New Brunswick Scottish Cultural Association, complained that the program host, Gary Mittelholtz, had mispronounced the name of a town in northern New Brunswick. He felt that by pronouncing “Balmoral” with the French pronunciation “Belmorel” the CBC was trying to change the name and, therefore, the history of the community.

Mr. Taylor discussed the matter with the host and the producer of the program. Both told him that the CBC goes with how the local people pronounce the place name. And in this case, the majority of the people of Balmoral are francophone. Susan Mitton, Director of Radio for the Maritimes, supported this view, after the mayor and village administrator confirmed that the French pronunciation was used by 90% of the residents.

**Review:**

An expert on place names in Atlantic Canada pointed out during the broadcast that pronunciations of place names, like the pronunciation of other words, evolved over time throughout the world. But, as a rule of thumb, the pronunciation of place names depended upon their demographics, notably that “The widely accepted pronunciation is the one favoured by the people who live there.” So while Mr. Taylor was right about the pronunciation of Balmoral, so were the people who call their community ‘Belmorel,’ and so was CBC Radio, which had a long tradition of respecting the way people and places describe themselves.

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**JOHN UFFE**

Program: This Morning

Mr. Uffe wrote to register his “strongest possible protest” about *This Morning’s* report about the drug Ecstasy. “As far as I was concerned, this program was a half-hour advertisement FOR Ecstasy. I was thoroughly disgusted...The part that I heard did not say anything about any bad effect – the fact that it kills.”

Executive producer Judy McAlpine replied: “We chose to air the views of people who use this drug in order to discover why it has become such a prevalent illegal substance. Our intent was not to encourage usage of the drug, but to provide information about why it is used. I do not believe our host in any way defended the use of the drug during the interview. You are also concerned that the part of the item you heard did not contain any information about the bad effect of the drug. In fact, the panel of users was followed by a doctor who examined the dangers of Ecstasy, including information about deaths caused by the drug.”

**Review:**

Mr. Uffe was right when he noted that the three people interviewed described how wonderful they felt when they took the drug. But he was wrong when he said there was no mention of the risks of taking ecstasy. The first part of the program involved a panel of Ecstasy users who spoke of their experiences; the second was an interview with a leading scientific researcher who told us what he knew about the drug and its possible side effects. The program provided its listeners with an informative, well-balanced portrait of the drug. It was unfortunate that Mr. Uffe did not hear the entire program, which in my view was produced in full respect of CBC’s Journalistic Standards and Practices.

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**JILL WYKES**

Program: Metro Morning (Toronto Radio)

Ms. Wykes, Vice President of Sales at Sunquest Vacations, complained about a series of items concerning consumer complaints about the travel industry. She said that after a story about a woman who had a complaint with Canada 3000 Holidays, a CBC producer spoke about how she successfully sued Sunquest a few years ago. Ms. Wykes said that “At no time were we called for any verification of any of these facts and at no time were we asked for any comment whatsoever.”

Alex Frame, Vice-President, CBC Radio, reviewed tapes of the program. He found nothing in the story that was factually incorrect or misleading. “It was a first person account of a trip that went wrong and what one person did about it.” He said the

whole point of the piece was to review what options consumers had available to them when faced with similar problems.

**Review:**

Since Ms. Wykes did not dispute the facts and since the program dealt with an account of what had happened in the courts, I saw no valid reason why *Metro Morning* would have needed to solicit Sunquest's comments. In my view there was nothing inappropriate or unfair about the interviews. I agreed with Alex Frame that their objective was to help inform consumers about what to do when the dream holidays they've purchased prove to be nightmarish.

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**LE SYNDICAT DES COMMUNICATIONS DE RADIO-CANADA**

Program: Emissions de Robert-Guy Scully

Le Syndicat des communications de Radio-Canada, the journalists' union at the French networks, complained about the financing of Robert-Guy Scully's programs on RDI, Radio-Canada's equivalent of CBC Newsworld. (The complaint was directed to me rather than to Radio-Canada's Ombudsman, Renaud Gilbert, who was head of RDI at the time.) The main complaint was the secret financing of one of Mr. Scully's programs on RDI, *le Canada du Millénaire*. Its production was supported by an unannounced grant of \$1.2 million from the Canada Information Office, a federal agency established to promote Canada, especially within Quebec. The union complained that Radio-Canada management had violated the Corporation's Journalistic Standards and Practices.

Claude Saint-Laurent, General Manager, TV Information Programs, said he and his colleagues were unaware of the federal agency's financing of the Scully program and immediately stopped broadcasting *le Canada du Millénaire*.

**Review:**

While the failure to disclose the sources of funding of any information program was wrong and, in my view, unethical, this did not constitute a clear violation of Radio-Canada's Journalistic Standards and Practices, which does not address this issue. As a result of my extensive review, I made several recommendations, including the recommendation that the principle of the transparency of financing of information programs be enshrined in the Corporation's journalism policy. The complete list of recommendations, along with the many other issues involved in this complaint, is published at the Ombudsman's home page at the CBC website ([www.cbc.ca/ombudsman](http://www.cbc.ca/ombudsman)).

**REVIEWS OF COMPLAINTS ABOUT CBC'S  
COVERAGE OF EVENTS IN THE MIDDLE EAST**

## **REVIEWS OF COMPLAINTS ABOUT CBC'S COVERAGE OF EVENTS IN THE MIDDLE EAST**

### **GEORGE FLEISCHMANN**

Program: The National

Mr. Fleischmann wrote to the CBC President to complain about “the ongoing biased coverage of your Middle East correspondent Neil Macdonald.” In one particular story, Macdonald reported on injured Palestinians which, in Mr. Fleischmann’s view, “exploits the sensationalism in the Middle East crisis and thus plays directly into Palestinian hands and strategy.”

Executive Vice-President Harold Redekopp, replying on behalf of the president, strongly disagreed. He said those shown in the report of April 10 were indeed Palestinians wounded by Israeli bullets, but to infer this supported the Palestinian cause was to miss the story’s broader and overwhelming sense of sorrow. Over time, he said, Macdonald and other CBC correspondents had covered many other aspects of the Middle East story.

### **Review:**

I conducted an extensive review of Mr. Macdonald’s work, examining more than 40 news items. The number of stories initiated by Palestinian attacks was roughly the same as those initiated by Israeli attacks. I thought it entirely unfair to call Mr. Macdonald’s reporting on the conflict “blatantly one-sided.” Mr. Macdonald told me that, “I report what I see on a daily basis, and I work deep in the field of the conflict zones, places most people other than the Palestinians, Israeli troops or settlers just don’t go. I am sorry Mr. Fleischmann doesn’t like what I find there.” I did agree with Mr. Fleischmann’s suggestion that CBC TV News should do a documentary on what is being taught to youngsters in Israeli and Palestinian schools about each other.

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### **DAVID GEORGE**

Program: CBC News Online

Mr. George accused the CBC of legitimizing and implicitly excusing the Palestinian mass-murder of more than ten Israeli men, women, children and babies riding on a public bus, by calling the perpetrators “militants” rather than “terrorists.” This, he said, encouraged further carnage.

Ken Wolff, Executive Producer of CBC News Online replied that the Western news media try to avoid labels in these controversial stories, and instead try to report what

happened. On this particular story, he noted, *The New York Times* referred to “the Islamic group Hamas,” Associated Press referred to “the Islamic militant Hamas group,” and the *Washington Post* referred to “the radical group Hamas.”

**Review:**

There is nothing in the CBC’s journalism policy that prevents the public broadcaster’s journalists from calling a spade a spade or a terror attack a terror attack. But I share the view that the CBC’s information programmers should be careful with the use of language, especially in the Middle East where, as *The New York Times* has reported, “even words shoot to kill.” Terrorism is commonly defined as the deliberate targeting of civilians, but neither side in this conflict fully respects the definition. One side’s war on terrorism is the other side’s struggle for independence. Each side uses and abuses the word ‘terrorist’ to frame the issues in an effort to advance its political agenda. The request that the CBC stop using expressions like ‘militant,’ ‘gunman’ or even ‘suicide bomber’ and routinely describe Palestinians involved in this conflict as ‘terrorists’ would in effect amount to asking the CBC to take sides and to embrace the Israeli government’s position and its definition of terrorism, which denies the legitimacy of Palestinian resistance. Like other leading news organizations, CBC Radio and TV News have employed the practice of providing a factual account of developments in this conflict. There is nothing inherently wrong with using words like ‘militant,’ ‘gunman’ or ‘suicide bomber’ to describe events. Such events may or may not amount to terror attacks, i.e., the deliberate targeting of civilians, depending upon the circumstances. The primary responsibility of the public broadcaster’s journalists is to gather the facts and tell us, as best they can in the circumstances, exactly what happened. If they do this well, we the listeners and viewers will be able to make our own judgments and conclusions.

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**JIM GLASSFORD**

Program: As It Happens

Mr. Glassford complained about Mary Lou Finlay’s interview with a spokesman for Israeli Prime Minister Ariel Sharon. He felt Finlay was unfair and “seemed to support the death of innocent children and women, as long as they are Palestinian.” He said a Palestinian point of view should have been included.

**Review:**

I disagreed with Mr. Glassford’s depiction of Ms. Finlay’s interview, and felt it did not violate CBC journalism policy. At no time did Ms. Finlay ‘seem to support the death of innocent women and children.’ The subject of the interview was the strained relationship between Israel and the United States over the building of the coalition against terrorism, and not the dispute between the Israelis and the

Palestinians. So there was no need to seek comment from Palestinians, whose views had been well reflected in this program on many other occasions.

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**WARREN GROSSMAN**

Program: Radio News

Mr. Grossman wrote to complain about a news report that “Israel was again attacking Palestinians.” He said, “This is inaccurate in so far as though Israel is attacking Palestinians the Palestinians they are attacking are terrorists who have carried out or are planning further acts of terror against Israeli civilians. This is a crucial distinction and should be understood by CBC’s listeners. By not adding the word ‘terrorists’ after Palestinian, listeners are left to think that Israel is wantonly attacking any and all Palestinian civilians.”

**Review:**

Mr. Grossman called to say he had not received a response from the programmers. Since his complaint dealt with the use of the word ‘terrorist’ I sent him my comments on the matter. (See the David George review.)

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**CARMEN JARRAH**

Program: The National

Ms. Jarrah felt a report by correspondent Neil Macdonald was “yet another example of the media’s long-continued bias and misrepresentation of the Palestinian people, other Arabs and Muslims...CBC described the Palestinians who were killed, and those injured by Israel and deprived of medical care [in the village of Beit Rima] as ‘militant.’ The words ‘terrorists’ and ‘nests of terrorists’ were also used to describe the Palestinians.” She asked why the media continued to “placate Israeli acts of aggression while vilifying Palestinian acts.”

Tony Burman, Chief Journalist and Executive Director of News, Current Affairs and Newsworld, pointed out that Mr. Macdonald did not use the word “terrorist” himself, but attributed it to the Israelis, saying: “This afternoon, the crowd outside Ramallah Hospital went wild with grief. Israel said all the dead were terrorists, that the village was a nest of terrorism.” He then explained how Israelis used the word: “But then, practically anyone in the occupied territories who resists Israeli military force is routinely labeled a terrorist here.”



**Review:**

I felt that this was an even-handed account of the incident. Mr. Macdonald attributed the word “terrorist” to the Israelis. He did not describe those Palestinians killed or injured in the village as “militants.” He did use the word later in the report, but those two references were to the broader conflict, and not specifically to the incident at Beit Rima. The language here reflected reality, notably the fact that in the Palestinian community there are militants; i.e., those engaged in warfare against Israel.

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**PROF. ERIC LAWEE**

Program: Radio News

Prof. Lawee of York University objected to two radio news reports. One concerned a pre-dawn raid into the West Bank city of Hebron by Israeli tanks that resulted in 17 Palestinians being wounded. He said that, listening to other outlets, he learned it was not a spontaneous outburst, but a response to an attack on Jews in the region. The other report, concerning attacks by Israeli helicopter gunships on Palestinian bases, mentioned that two Palestinians were dead and dozens wounded, and reported Yasser Arafat’s response. He felt that the report should have stated that the attacks were in response to “a recent wave of terror attacks that killed two Israeli teenagers in a suicide bombing, that of a ten-month-old baby by a Palestinian sniper the day before, and which have caused the death or wounding of scores of other Israeli civilians.” He felt that, in both stories, “crucial ‘context’ was omitted in a way that must surely violate every norm of journalistic integrity.”

Esther Enkin, Chief Journalist, CBC Radio, replied that she strongly disagreed with Prof. Lawee’s assessment. She said the story on the tank attack on Hebron *was* followed by the information that it came after Palestinian attacks. As for the second, brief story, she pointed out there were full reports on the bus stop suicide bombing that killed two teenagers the day before, when it happened.

**Review:**

What Prof. Lawee had heard were two brief copy stories from the “hourlies,” the brief newscasts that amount to a headline service provided between major news bulletins. Such headlines do not provide context, in any medium. Obviously we expect headlines to be accurate, but we should also recognize that by their very nature, as a source of information, they are incomplete.

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**PROF. ERIC LAWEE**

Program: Radio News

Prof. Lawee was concerned about the use of the word ‘militant’ rather than ‘terrorist’ in a radio report about attacks made by Palestinians on Israelis.

**Review:**

I shared with Prof. Lawee my view of CBC policy and practice in describing events in the Middle East, adding that I view the term ‘militant’ as a generic expression referring to all the Palestinians who are actively resisting Israeli occupation. Once there is an attack I think it’s more appropriate to employ language that informs us about the attack itself. If it’s a gunman, describe the attacker as a gunman; if it’s a suicide bomber, describe the attacker as a bomber, and so on. (See the David George review.)

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**DR. ERIC RUMACK**

Program: TV News

Dr. Rumack requested that “from this time forward you properly and accurately describe the almost daily Palestinian attacks against Israel as terrorist attacks, and not merely as incidents perpetrated by ‘gunmen’ or ‘militants.’

**Review:**

I shared my comments about the use of the word ‘terrorist’ with Dr. Rumack. (See the David George review.)

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**JONATHAN USHER**

Program: The National

Mr. Usher complained that “Neil Macdonald is still following CBC wording – saying ‘terrorists’ are militants and gently whitewashing the horrible deeds of the Palestinians. It is time that the CBC departed from the even-handed stand of the Canadian government and recognized that evil and reaction to evil should not be reported as equals...”

**Review:**

I shared my comments about the use of the word ‘terrorist’ with Mr. Usher. (See the David George review.)

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**HOWARD WARREN**

Program: Sunday Report

Mr. Warren wrote “to express my strong disapproval of Neil Macdonald’s constant, unchecked editorializing against Israel. The latest example occurred last Sunday, December 16. In concluding his broadcast, Mr. Macdonald said: ‘Israel continues to insist on a week of total quiet, but reserves the right to continue what it calls self-defence measures, and those measures generally involve killing Palestinians.’ Mr. Macdonald has referred to Israel’s self-defence measures in a similar sarcastic manner in many other reports.”

Tony Burman, Executive Director of CBC News, Current Affairs and Newsworld, disagreed with Mr. Warren’s assessment of this story and of Mr. Macdonald’s reporting in general. He said “in the euphemistic vocabulary of the Middle East conflict, ‘self-defense measures’ generally means attacks by Israel Defense Forces on those Palestinians it considers to pose a threat. In this context, Mr. Macdonald’s statement that you felt was sarcasm (‘...and those measures generally involve killing Palestinians’) more correctly should be viewed as a statement of fact.”

**Review:**

I spoke with Mr. Macdonald, asking him about his concluding observation that Israeli self-defence measures “generally involve killing Palestinians.” Mr. Macdonald said he was specifically referring to Israel’s policy of hunting down and killing Palestinians suspected to have been involved in past attacks, or thought to be planning future attacks. I reviewed his reportage and noted that the reporter had covered Israeli attacks just as he had reported extensively about Palestinian suicide bombings and other terror attacks on Israelis. I thought it unfair to dismiss all the killing the reporter has witnessed as sarcasm or personal opinion. Reporter Macdonald’s concluding comments accurately reflected a reality, albeit a reality that in my view would have been better described with specific reference to Israel’s policy of so-called targeted killings.

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**GORDON WISEMAN**

Program: The National

Mr. Wiseman complained about Neil Macdonald’s coverage of events in the Middle East, in particular a report on August 17, 2001. “It is perplexing to attempt to understand the reasons why Mr. Macdonald goes out of his way time and again to

favour, justify and rationalize acts of Arab terror...Surely the intended killing of innocent civilians in public places by powerful bombs constitutes terrorism by anyone's definition. Yet Mr. Macdonald has no interest in reporting on this side of the equation."

Tony Burman, Executive Director of CBC News, Current Affairs and Newsworld, replied that Neil Macdonald had reported on the Israeli assassination of a senior Palestinian political leader. The assassination led to Palestinian retaliation and later to what Israel called reprisal raids. His report then went on to make a broad point about the use of language in the Middle East conflict, where both sides "use language to frame the issues to their advantage." Mr. Burman said that "'terrorist' is one of those words that journalists use very carefully, particularly in the Middle East...Some news organizations, like Reuters, have decided not to use the word at all in their reports."

### **Review:**

While I agreed with Mr. Wiseman that the report could have provided more relevant information about the background of the Palestinian assassinated by the Israelis, I believed this was due to the brevity of television reporting and not, as he maintained, the result of "a demonstrable bias against Israel and his identification with the Arab cause." I sent Mr. Wiseman a transcript of an earlier report filed by Mr. Macdonald which helped explain the rationale behind the caution displayed by CBC in the use of the word 'terrorist' in the context of the Middle East. I agreed with the expert in the report who stated that the use of violence against civilians amounts to terrorism. But I also agreed with Tony Burman, who noted that violence and terror have befallen civilians on both sides in this dispute. I later shared with Mr. Wiseman my comments on the language used to describe the conflict in the Middle East. (See the David George review.)

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### **GORDON WISEMAN**

Program: The National

Mr. Wiseman wrote to complain about "the continuing anti-Israeli bias in your news coverage" and in particular, a National documentary, "Yasser Arafat, the Prisoner," by Paul Workman. "While the rest of the world has come around to regarding Yasser Arafat as a duplicitous advocate of terrorism...your correspondent portrays him with heartfelt sympathy."

Tony Burman, Chief Journalist and Executive Director of News, Current Affairs and Newsworld, replied that he thought Paul Workman's report was fair and even-handed "in its treatment of a very complex and, for many, emotionally fraught subject." Mr. Burman strongly disagreed that Yasser Arafat was portrayed with "heartfelt

sympathy.” He said Mr. Arafat was more than a “duplicitous advocate of terrorism.” He might, said Mr. Burman, be a bad administrator and a worse negotiator, “but he is after all the man Palestinians have duly elected as their leader.” He said there were two sides to every story, and the Middle East was certainly no exception. “Our reporting will not necessarily please all our viewers, but they have a right to expect that we will be straightforward and honest.”

**Review:**

The documentary did not portray Yasser Arafat with “heartfelt sympathy.” In fact it featured harsh criticism of both Mr. Arafat and Prime Minister Ariel Sharon. True, no Israeli government spokesperson was heard here. However, I checked daily news reports for the two months preceding Mr. Workman’s report, and found that the Israeli government position was regularly reflected there. But we had heard little from those in Israel opposed to Mr. Sharon’s policies. Overall, the Workman report did not create an imbalance in *The National’s* coverage; it helped create a better balance by reflecting a wider range of Israeli opinion.

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**SAM WOLF**

Program: Radio News

Mr. Wolf objected to the CBC carrying an interview with a member of Women in Black, which he described as a “fanatical fringe group with no relevance to the Jewish people. They have no support in the mainstream of Jewish life whatsoever...It is not the first time that the CBC trots out a deranged Jew to criticize their own people, to bash Israel.”

**Review:**

The CBC policy handbook states that the CBC would fail to live up to its mandate if, in the attempt to upset no one, to disturb no institution, it limited its reporting to what the largest audience wants to know. “A journalistic organization, to achieve balance and fairness, should ensure that the widest possible range of views is expressed.” The truth was CBC Radio reported the prevailing opinions in Israel very often, as it should, and only very rarely did we hear the view of people like Ms. Segal of Women in Black.

## **APPENDICES**

## Appendix I

### **THE OMBUDSMAN'S COMMENTS ABOUT THE USE OF THE WORD 'TERRORIST'**

There is nothing in the CBC's journalism policy that prevents the public broadcaster's journalists from calling a spade a spade or a terror attack a terror attack.

But I share the view that the CBC's information programmers should be careful with the use of language, especially in the Middle East where, as *The New York Times* has reported, "even words shoot to kill."

In an article last August the newspaper cited the example of an Israeli missile attack which killed eight Palestinians, including two small boys who happened to be near the Hamas offices in the West Bank. Israeli officials regretted the death of the children, but said their target was a terrorist leader. The article continues:

"While the United States and other countries condemned this calculated killing, the latest in a series of such attacks, Israel insisted on its right and obligation to protect its own people by disposing of suspected terror masterminds before it's too late.

"The merits of that argument aside, how might one describe that anti-Hamas strike in Nablus?

"Easy, Palestinian officials said. It was a cold-blooded assassination. But just as one person's terrorist has long been another person's freedom fighter, one person's 'assassination' is the other's 'active self-defence,' a term favored by some Israeli officials."

Yaron Ezrahi, Senior Fellow with the Israel Democracy Institute in Jerusalem, told *The Times*, "We see in the language the huge discrepancy in psychology and emotions that each side brings to the conflict. Every act, gesture or word used by one side is destined to be mistranslated in the other system. So we have endless systemic misunderstandings."

One of the victims of this shoot-to-kill language is the word 'terrorist.' Terrorism is commonly defined as the deliberate targeting of civilians, but neither side in this conflict fully respects this definition. On this battlefield there are either no terrorists (Hamas describes its attacks on Israeli civilians as resistance or self-defence) or there's nothing but terrorists (The Israeli government classifies all Palestinian violence, including attacks on its soldiers, as terrorism). True, the Palestinian leader, Yasser Arafat, issued a statement in February, declaring "I condemn the attacks carried out

by terrorist groups against Israeli citizens.” However, this statement was quickly denounced by Hamas. And, in fact, Palestinian fighters, including members of Mr. Arafat’s Fatah, generally consider Israeli settlers in their fortified communities in the Occupied Territories to be legitimate targets. So, in the Israeli government’s vocabulary, there’s no place for a Palestinian ‘militant.’ Its enemies are all defined as terrorists and therefore subject to targeted killings, ‘active self defence’ according to the Israelis or ‘state terrorism,’ according to the Palestinians. One side’s war on terrorism is the other side’s struggle for independence. Each side uses and abuses the word ‘terrorist’ to frame the issues in an effort to advance its political agenda. Little wonder then that leading news organizations, the CBC included, tend to employ such shoot-to-kill words only with attribution to either side.

One Israeli expert who has addressed the self-interested, partisan definition of terrorism is Boaz Ganor, Executive Director of the International Policy Institute for Counter-Terrorism at Herzliya ([www.ict.org](http://www.ict.org)). He believes a distinction should be made between terrorism and guerilla warfare. He would define terrorism as ‘the deliberate use of violence against civilians in order to attain political, ideological and religious aims.’ And he would define guerilla warfare as ‘the deliberate use of violence against military and security personnel.’ Mr. Ganor says his distinction parallels the conventions of war, which permit the targeting of combatants but forbid the targeting of civilians. So under this definition the militant, the gunman and presumably the suicide bomber who attacks military targets would not be called a terrorist. In an interview with CBC TV News, Mr. Ganor said he would even be prepared to describe Palestinians as freedom fighters if they would agree to limit their attacks to military targets. In an essay entitled “Terrorism: No Prohibition without Definition,” Mr. Ganor concedes that his definition makes a moral distinction between guerilla warfare and terrorism. One would be considered legitimate; the other morally reprehensible. In his interview with the CBC, he said “We have one message for you, Palestinians. Maybe you should use violence in order to achieve your political aims. But one certain kind of violence you should never use because if you use it you would lose your legitimacy and our support: And this is the use of violence directed against civilians, meaning terrorism.”

While it appears that no one is prepared to accept Mr. Ganor’s proposal, I believe that his distinction between guerilla warfare and terrorism at least has the merit of capturing the complex realities of this conflict. While his definition recognizes that there is real terrorism, and real terrorists, in this neighbourhood, it also acknowledges the underlying legitimacy of the struggle between two peoples who lay claim to the same piece of land.

This brings me to the request that the CBC stop using expressions like ‘militant,’ ‘gunman’ or even ‘suicide bomber’ and routinely describe Palestinians involved in this conflict as ‘terrorists.’ In effect this amounts to asking the CBC to take sides and to embrace the Israeli government’s position and its definition of terrorism, which



denies the legitimacy of Palestinian resistance. As my colleague Jeffrey Dvorkin, Ombudsman for National Public Radio in the United States, has written:

“While the use of the ‘t’ word may be accurate it also has a political and extra-journalistic role of de-legitimizing one side and enthroning the views of the other. This is not the role of responsible journalism, which is and should be to describe with accuracy and fairness events that listeners may choose to endorse or deplore.”

Like other leading news organizations, CBC Radio and TV News have employed the practice of providing a factual account of developments in this conflict. If a gunman attacked a military check-point and killed either soldiers or civilians, the CBC News report would say so. If a suicide bomber attacked cafes or pizza parlors or buses and killed or injured the people there, the CBC would strive provide us with as much information and context as possible. Similarly if, in retaliation or during raids on Palestinian areas, the Israeli Defence Forces killed or injured civilians as well as Palestinian fighters, the CBC would say so.

There is nothing inherently wrong with using words like ‘militant,’ ‘gunman’ or ‘suicide bomber’ to describe events. Such events may or may not amount to terror attacks, i.e., the deliberate targeting of civilians, depending upon the circumstances. The public broadcaster’s journalists are entitled to make conclusions of their own based on the facts. And on occasion they do, employing the ‘t’ word. But this can only happen after the fact, as it were, once all the relevant information is available. Let’s keep in mind that daily news reporters and their editors do not always enjoy this luxury. Their primary responsibility is to gather the facts and tell us, as best they can in the circumstances, exactly what happened. If they do this well, we the listeners and viewers will be able to make our own judgments and conclusions. This approach is entirely consistent with CBC policy to reflect and reveal reality so as to permit an adequate comprehension of the issues.

Finally, let’s acknowledge, as one Canadian columnist has written, that “terrorism is rarely the all-black, easy-to-pigeonhole thing that we all like to denounce.” The description of this or that event as an act of terrorism can be both difficult and controversial, even in Israel where the news media generally describe Palestinian militants as terrorists. One recent example came to light in the coverage of the Israeli army’s bull-doing of several Palestinian houses in a community on the Gaza Strip. The Israeli authorities claimed the houses were a staging area for terrorism, but at least one Israeli journalist did not buy into the official version of events. Writing in the newspaper Ha’aretz, Levy Gideon called the bull-doing a war crime, saying: “A country that opposes terrorism against civilians cannot demolish homes of innocent civilians and then claim what it did is not an act of terrorism.”

Whatever the facts — and the facts are often in dispute in the Middle East — this case drew attention to another reality: Counter-terrorism, like terrorism itself, can spread terror among the civilian population, especially when a modern army unleashes its arsenal of warplanes, attack helicopters and tanks in raids on populated areas in search of combatants. This is not to make some moral equation between terrorism and counter-terrorism. The issue here is one of reflecting reality. I personally witnessed terror flare among the citizenry of Beirut as a reporter during the Israeli invasion of Lebanon, when among other things I covered the massacre at Sabra and Shatila. At the time Beirutis would stampede through the streets in their thousands, screaming and running for their lives, on the mere rumour of another imminent attack. So, in the interests of fairness, news reporting should document both terrorism and counter-terrorism, providing us with as accurate an account of events as possible. The purpose of CBC journalism, after all, is not to take sides or to pander to the passions of this or that group; the purpose of journalism is to reflect reality, to inform us, to provide us with enough information so that we can make our own decisions about the conduct of our democracies.

## Appendix II

### **THE OMBUDSMAN'S COMMENTS ABOUT THE USE OF THE WORD 'MILITANT'**

Some people have complained about the CBC's use of language in covering the conflict in the Middle East, notably the use of the word 'militant' to describe the Palestinians who have taken up arms against Israelis. They generally argue that this word is employed to whitewash acts of terrorism. In my review of several months' worth of CBC's coverage I have noted that several words have been used to describe members of the various Palestinian militias involved in this conflict. 'Militant' is one of them. But so, depending on the circumstances, were 'suicide bombers,' 'gunmen,' 'militiamen,' 'extremists,' 'killers,' or 'terrorists.' True, the word 'militant' can be used in many different contexts. As any good dictionary tells us, the word can be accurately employed in the context of warfare or armed combat for a political cause. So, in fairness, let's examine the context in which this word appears in CBC's coverage.

On Dec. 2 the word was used in the context of describing 'the worst wave of bloody terror in Israel's modern history.' Reporter Neil Macdonald spoke of 'the latest outrage,' which involved the killing of teenagers in a pedestrian mall, slain by bombs 'packed with shrapnel to ensure maximum death and injury.' On Jan. 18 reporter Macdonald began his description of another terror attack by saying, "It takes a certain amount of cheek to demand international protection when your own militia has just slaughtered six Israeli citizens, but that was the Palestinian message today. That, along with videotape of the killer to grind Israel's face in the tragedy. He posed for these pictures before heading off to the city of Hadera with murder in his heart. He chose a Bat Mitzvah, a coming of age party for a young Jewish girl. By the time he was finished he'd killed six people." On March 27 reporter Terry Milewski began his description of the Passover attack this way: "This was a devastating bomb designed to kill as many Jews as possible. Men, women and children. It happened as dozens of families gathered at a hotel to celebrate the Seder, the Passover holiday meal. A suicide bomber somehow eluded security guards and walked undetected through the lobby with a bag in his hand. He went to the dining area and detonated his bomb where it would do the most damage. It was carnage... The militant group Hamas immediately took responsibility for the bombing."

These examples, drawn from actual CBC coverage, clearly indicate that there's no room for confusing 'the militant group Hamas' with the high-minded activism or militancy of students or the labour movement. These accounts were truthful; there was no attempt 'to whitewash' these atrocities. I have noted that correspondent Macdonald consistently characterizes both Hamas and Islamic Jihad as extremist organizations within the Palestinian resistance movement. He says their attacks are

generally directed against Israeli citizens. “They do operate social service networks, but I regard them as extremist both in practice and in philosophy. They want all of ‘Historic Palestine,’ meaning the West Bank, Gaza and Israel. So I refer to them as extremists.” So while the word ‘militant’ can be used accurately in the coverage of this conflict, so can other words be used, just as accurately, to describe the combatants and their organizations.

## **IMPARTIALITY OF JOURNALISTS IN THE PUBLIC AND/OR NORTH-AMERICAN ELECTRONIC MEDIA**

(From the 2001-2002 Annual Report of Renaud Gilbert, Ombudsman, Radio-Canada)

The publication of *Le Livre noir du Canada anglais* by Normand Lester gave rise to a whole debate on journalists' freedom of expression.

The Fédération Professionnelle des Journalistes du Québec (FPJQ), like many citizens who wrote to me, invoked the freedoms guaranteed in the new charters to publish a book even though controversial. In spite of the Charters, CBC journalistic policy, which has just been revised, continues to state that "Employees may not take a stand on public controversies if, by doing so, the Corporation's integrity would be compromised." (JSP, p.145). Is this requirement still justified?

I will not comment on the content of Normand Lester's book, nor on the handling of his case. Normand Lester's departure from Radio-Canada, however, did not make academic the questions concerning the Corporation's journalistic policy, which requires impartiality of its journalists in both the activities performed on behalf of their employer and their activities outside the Corporation. I thought it appropriate to examine the journalistic policies of public broadcasters that may have inspired CBC/Radio-Canada and those of the major American networks so as to see whether the Corporation's position was an exception to the rule in the television world.

### **THE PUBLIC BROADCASTER**

Before seeking elsewhere, I feel it is important to examine Radio-Canada's position. The basic argument on which the public broadcaster relies to justify this requirement is that its airwaves belong to the public and not to its journalists nor its managers. Thus neither the CBC undertaking nor the CBC journalist can take an editorial stand. CBC journalists must therefore make an effort to ensure that in all circumstances they stay in the background in order to report the news. Their contribution to the public debate is to focus on public opinion. Hence the requirement of impartiality.

The opposite would end up transforming public television into state television. Public television belongs to the public, uses public airwaves and public funding, and serves the public (not the government). A series of measures establish a distance between the government and the Corporation in its daily operations: a board of directors, a president appointed for a definite term and accountability to Parliament. State

television does not enjoy these measures and it serves the government; its editorial policy takes precedence over its journalistic policy, if one exists.

I think there is a consensus on the need for impartiality on the part of CBC/Radio-Canada, that is, both the undertaking itself and its journalistic staff performing their duties. No one wants Radio-Canada information programming to become a propaganda tool in the hands of the federal government; this would mean speaking out in favour of its policies, and more particularly, in favour of its vision of Canadian unity.

In November 1979, in a brief submitted to the (federal) Parliamentary Committee on Broadcasting, President Al Johnson pointed out that:

[Trans.] Canadians expect CBC, more than any other of the media, to present fairly and impartially the information and arguments needed to solve the issue of the country's future. It is CBC's responsibility to identify and explore in depth, with a concern for fairness, integrity and accuracy, the issues confronting Canadians, and to make them aware in honest and fair terms of the current trends in opinion on these issues (...) we must use our airwaves not to influence the direction of public debates, but to increase the people's power with respect to its destiny.

## THE PUBLIC BROADCASTERS: THE BBC AND FRANCE TÉLÉVISION

The BBC, Great Britain's public broadcaster, has always been a source of inspiration for Canada's public broadcaster. The BBC has just revised its journalistic policy. The Producers' Guidelines includes a ten-page chapter on the question of conflicts of interest. The first paragraph sets the tone:

The BBC's audience must be able to trust the integrity of BBC programmes and services. There must be public confidence that editorial decisions are made only for robust editorial reasons. The outside activities of programme makers must not improperly influence BBC programmes or services. Audiences must not have reasonable cause to doubt the impartiality, integrity or high standards of the BBC. **Individuals should seek approval in advance from Heads of Department for any proposed commitment that might conflict with programme responsibilities.**<sup>1</sup>

These principles apply not only to presenters and reporters, but also to long-term freelancers and contract staff closely associated with the BBC.

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<sup>1</sup> Producers' Guidelines, available on the website BBC.co.uk. See p. 114.

This policy then goes into detail about a lot of activities, to indicate that while some activities may be acceptable, they must always be approved ahead of time by management, including oral presentations. The policy constantly recalls the need to refer to management, whether in doubt or not. The BBC acknowledges that in certain circumstances it is not easy to reconcile individuals' (employees') interests with those of the BBC. The key word is judgement: the decisions made thus reflect the particular circumstances of each case. Hence prior discussions with management are of vital importance.

### France Télévision

The status and outside activities of journalists with France Télévision are governed by a set of rules of professional conduct which are scattered throughout the law, implementing orders, decisions of the CSA (the equivalent of the CRTC), journalists' collective agreements and legal decisions. Journalists permanently attached to France Télévision must obtain authorization to work for another media undertaking or even to host a debate on another network. At the request of its new president, France Télévision is currently developing a *Charte de l'Antenne* (a charter of the airwaves), which would include a journalistic policy. This charter should appear sometime in the coming year.

Once a year, France Télévision organizes a signing session for books published by its in-house personnel. In fact, several employees of France Télévision have published. An example is one of the best-selling books in the past several weeks, *Conversation* (Plon, 2001), a collection of conversations with the wife of President Chirac, which was published by a member of France 3 management, Patrick de Carolis. Those who are familiar with French corporate culture know that if your book does not please, you will not lose your job, but you will be tacitly sidelined (called "the closet"). This seems to be what happened to the journalist Jacques Merlino, who published a pro-Serb book, *Les vérités yougoslaves ne sont pas toutes bonnes à dire* (Albin Michel, 1993), for a few pages in which he painted a flattering picture of Radovan Karadic, President of the "Serb Republic" of Bosnia-Herzegovina. In actual fact, few books are published by the staff of France Télévision that give rise to controversy. It would seem staff are aware of the need to preserve the credibility of the public broadcaster.

To conclude, an excerpt from the journalistic policy of the newspaper *Le Monde*: [Trans.] Outside collaborations: "Journalists must make a written request to the editor for authorization to respond in the affirmative to freelance offers from outside publications. They must inform management of their professional activities (conferences, seminars, books, films, etc.). Any regular, paid additional activity must be approved by the newspaper" (*Le style du Monde*, p.9).

## THE MAJOR AMERICAN NETWORKS

If there is one country that boasts about its freedom of expression, it has to be the United States. Let us see how the major American networks deal with the issue.

National Public Radio (NPR) has made available to its journalistic staff a guide titled *Independence and Integrity* (1995). This guide devotes a ten-page chapter to the issue of conflict of interest. It begins with a quotation from Thomas Jefferson: “When a man assumes a public trust, he should consider himself as a public property.”<sup>2</sup>

The guide continues by stating that conflicts of interest may be real or perceived; either way, they damage the journalist’s credibility and they contribute to the growing climate of distrust among the public and cynicism affecting the media. The guide thus draws the line on a whole series of outside activities: writing speeches for candidates for elected positions, publicly endorsing candidacies, wearing pins that associate one with a cause, etc. Even the collective agreement is transparent: “No employee shall do anything that will bring discredit to NPR.”

If the public broadcaster takes a restrictive path, based on impartiality, are the private broadcasters more permissive? This is not what we discover in their journalistic policies, which have just been revised.

“ABC News is particularly concerned that none of its employees engage in any outside work or business activities which could cast doubt on its fairness and objectivity, or which might reflect unfavourably on the individual involved.”<sup>3</sup>

CBS: “Employees should generally avoid identifying themselves with any side of a controversial issue...all outside appearances be cleared with senior management.”<sup>4</sup>

“NBC news employees must not ...participate in outside activities that could interfere or even appear to interfere with their news assignments or compromise them as employees.”<sup>5</sup>

As we can see, it seems that fear of alienating some of the public forces private television broadcasters to follow the same path as public broadcasters.

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<sup>2</sup> *Independence and Integrity*, A guidebook for public radio journalism, 1995, p.43.

<sup>3</sup> ABC News Policy, 2000, see 1.3.

<sup>4</sup> CBS News Standards, 1999, see 1.6.

<sup>5</sup> NBC News Policies 1998, see p. 58.



CNN does not make its journalistic policies public; the network thus wishes to avoid providing tools to anyone tempted to take it to court.

Appendix IV

2001-2002

**NUMBER OF COMMUNICATIONS RECEIVED**

	<b>INFORMATION PROGRAMMING</b>	<b>GENERAL PROGRAMMING</b>	<b>TOTAL</b>
2001-2002	582	442	1024
2000-2001	597	537	1134
1999-2000	702	362	1064
1998-1999	462	422	884
1997-1998	348	356	704
1996-1997	216	227	443
1995-1996	221	65	286

**COMPLAINTS ABOUT INFORMATION PROGRAMMING  
by MEDIA**

<b>MEDIA</b>	
TV	320
Radio	131
Radio & TV	36
Newsworld	38
cbc.ca	34
Various (various other combinations or information not provided by complainant)	23
<b>TOTAL</b>	582

## **MANDATE OF THE OFFICE OF THE OMBUDSMAN**

### **I. PRINCIPLES**

The CBC is fully committed to maintaining accuracy, integrity and fairness in its journalism.

As a Canadian institution and a press undertaking, the CBC is committed to compliance with a number of principles. Foremost among those is our commitment to scrupulously abide by the journalistic code of ethics formulated in our own handbook of journalistic standards and practices which stresses lack of bias in reporting. We are committed to providing information that is factual, accurate and comprehensive. Balanced viewpoints must be presented through on-the-air discussions. As it is for other public and private journalistic undertakings, credibility in the eyes of the general population is our most valuable asset and must be protected.

The Ombudsman is completely independent of CBC program staff and management, reporting directly to the President of CBC and, through the President, to the Corporation's Board of Directors.

### **II. MANDATE**

#### **1. Audience complaints and comments**

- a) The Ombudsman acts as an appeal authority for complainants who are dissatisfied with responses from CBC program staff or management.
- b) The Ombudsman generally intervenes only when a correspondent deems a response from a representative of the Corporation unsatisfactory and so informs the Office of the Ombudsman. However, the Ombudsman may also intervene when the Corporation fails to respond to a complaint within a reasonable time.
- c) The Ombudsman determines whether the journalistic process or the broadcast involved in the complaint did, in fact, violate the Corporation's journalistic policies and standards. The gathering of facts is a non judicial process and the Ombudsman does not examine the civil liability of the Corporation or its journalists. The Ombudsman informs the complainant, and the staff and management concerned, of his/her finding.

- d) As necessary, the Ombudsman identifies major public concerns as gleaned from complaints received by his/her Office and advises CBC management and journalists accordingly. The Ombudsman may undertake periodic studies on overall coverage of specific issues when he/she feels that the number of public complaints indicates that there may be a problem.
- e) On occasion, the Ombudsman may convey to a wider audience, either within the CBC or among the general public, particular cases of concern or consequence to others than the complainant alone.
- f) The Ombudsman establishes a central registry of complaints and comments regarding information programs, and alerts journalists and managers, on a regular basis, to issues that are causing public concern.
- g) The Ombudsman prepares and presents an annual report to the President and the Board of Directors of the Corporation summarising how unsatisfied complaints were dealt with and reviewing the main issues handled by the Office of the Ombudsman in the previous year. The report includes mention of the actions, if any, taken by management as a result of the Ombudsman's findings, provided such disclosure does not contravene applicable laws, regulations or collective agreements. The annual report, or a summary thereof, is made public.
- h) The Office of the Ombudsman reports annually on how each media component has met the CBC standard of service for the expeditious handling of complaints.

## **2. Compliance with journalistic policy**

- a) The Office of the Ombudsman is responsible for evaluating compliance with journalistic policies in all programs under its jurisdiction. It is assisted in this role by independent advice panels. Panel members are chosen by the Ombudsman; their mandate is to assess individual or groups of programs over a period of time, or the overall coverage of a particular issue by many programs, and report their findings to the Ombudsman.
- b) The evaluation measures the programs' performance in respecting the three fundamental principles of CBC journalism, Accuracy, Integrity and Fairness.
- c) The Ombudsman aims to have all information programming reviewed over a five-year period. The Office reports annually.

### **III. JURISDICTION**

The jurisdiction of the Office of the Ombudsman covers all information programs on Radio, Television and the Internet. These programs include News and all aspects of Public Affairs (political, economic and social) as well as journalistic activities in agriculture, arts, music, religion, science, sports and variety. Complaints involving entertainment programming are generally beyond the Ombudsman's mandate and should be addressed directly to the programs concerned.

### **IV. APPOINTMENT**

- a) When filling the Ombudsman's position, the CBC openly seeks candidates from outside as well as inside the Corporation.
- b) After appropriate consultation, the President and CEO establishes a selection committee of four. Two members, including the committee chair, must be from the public. The other committee members are chosen, one among CBC management, the other among its working journalists. Members representing the Corporation and journalists jointly select the committee chair among the two representatives of the public.
- c) The selection committee examines applications and selects a candidate to be recommended for appointment by the President and CEO.
- d) The Ombudsman's appointment is for a term of five years. This term may be extended for no more than five additional years. The Ombudsman's contract cannot be terminated except for dereliction of duty or gross misconduct.
- e) The outgoing Ombudsman may not occupy any other position at the CBC for a period of two years following the end of his/her term but can, at the discretion of the incoming Ombudsman, be contracted to work for the Office of the Ombudsman.