

**Management's Response
to the 2006-07 Annual Reports
of the Offices of the Ombudsman
for the English and French Networks
of CBC/Radio-Canada**

September 2007

INTRODUCTION

Senior Management has received and reviewed the annual reports of the Offices of the Ombudsman for the English and the French Networks of CBC/Radio-Canada and is hereby replying to their recommendations or observations.

As well, outgoing Ombudsman Renaud Gilbert has provided a special report based on his seven-year experience and looking to the future. Management will also address his recommendations and observations in this reply.

During the 2006/07 fiscal year, the Office of the Ombudsman for English Services received 1,817 complaints, communications and expressions of concern (compared to 1,868 last year), out of which 1,326 were about information programming and fell within the Ombudsman's mandate. The Ombudsman conducted independent reviews in 37 cases, a number almost identical to last year's.

During the same period, the Office of the Ombudsman for French Services received 1,782 communications from the public, which were related to information programming (compared to 1,019 the year before). This substantial increase is largely due to complaints about the Quebec election coverage. The Ombudsman conducted 21 independent reviews.

RECOMMENDATIONS AND OBSERVATIONS MADE BY THE OMBUDSMEN

English Services

We are pleased that the number of complaints received by the Ombudsman continued to decline this year for the fourth year in a row. The number of reviews requested also continued to decline. Overall, our audiences seem satisfied with the explanations and clarifications we offer.

We are particularly gratified that English services continue to reply to audience complaints in a timely fashion, on average, consistently less than the corporate standard. The response time for CBC Radio showed a marked improvement this year. And although CBC Television's response time increased over last year (but is still within the standard), a good part of that increase may be attributed to legal advice to delay replying to a mail campaign. We will continue to monitor response times with a view to reducing them.

With respect to the Ombudsman's specific concern about the proper identification of sources, the Editor in Chief has already taken steps to ensure that proper attention is given to this issue. The Ombudsman's observation has been directly drawn to the attention of senior programmers along with a request that they review best practices with their teams. They will also emphasize among all staff the importance of providing context so that the audience can weigh and judge information given by a particular source.

In a second specific observation, the Ombudsman wrote that there are programs, notably *The Hour*, that fall outside of the news and current affairs area, but are actually information programs (or at least pursue subjects and treatments that are journalistic). CBC's policy is explicit that this material would be governed by our journalistic standards and policies:

Application 1.1:

"The policies in this book apply to all information programs and to all online journalistic material. These programs include news and all aspects of public affairs (political, economic, social) as well as journalistic activities in agriculture, arts, music, religion, science, sports and variety."

The Editor in Chief's office will work with the head of Factual Entertainment and the producers of *The Hour* to ensure they and those who work on the program are familiar with the relevant sections of the policy book.

French Services

We also carefully read the Ombudsman's comments and observations in his annual report for 2006/07 and paid very close attention to the chapter on election campaign coverage and, more specifically, election night coverage on Télévision de Radio-Canada.

On this point, it's important to emphasize that the slip involving CBC/Radio-Canada wrongly announcing Premier Jean Charest's defeat in his riding, became the subject of a thorough investigation by the Editor in Chief's office, as well as the Executive Vice-President, French Services. A set of guidelines was developed to keep such a situation from reoccurring on future election nights. These rules and standards of conduct touch on all aspects of the matter, including the electoral machine overseeing things in the field and in the studio, as well as the decision desk, a CBC/Radio-Canada shared entity whose role is to report results throughout election night. These conclusions have already been shared with our CBC News management colleagues. The rules adopted must be applied as of the next election.

As for our election coverage itself, we read the numerous complaints requesting that all party leaders be invited to take part in the leaders' debate. The Board is already aware that CBC/Radio-Canada had to comply with the media consortium's decision to invite only the leaders of Quebec's three main political parties. We were sensitive to these complaints, which is why we proposed that a complementary debate including all political parties be held on Réseau de l'information. We officially invited all the leaders, although we knew that the leaders of the three main parties would delegate representatives to the debate. The Green Party sent its leader. As for the Québec solidaire party, Françoise David declined our invitation.

The comments and suggestions of the advice panels the Ombudsman created are also very interesting. We are pleased that panelists felt that "generally speaking, Radio-Canada had adhered to the major principles that guide its journalistic approach: accuracy, integrity, and fairness."

We also carefully noted the Ombudsman's comments in the Recurring Subjects section. As soon as we receive a complaint about a news item, we send it to the journalist(s) concerned. And when the Ombudsman officially responds to the complaint or a request for review, we immediately contact the journalist(s) concerned.

Of the other topics covered by the Ombudsman, we will pay close attention to the weight given to events affecting French-speaking life outside Quebec in network news programming. We are very concerned about this perception, and we believe that we meet our public broadcaster's mandate well in a fiercely competitive environment. In addition, it goes without saying that we face the challenges that come with the unique demographic distribution of French speakers across the country. We had the opportunity to discuss this subject with a number of representatives of French-speaking communities, and more recently with the Société nationale de l'Acadie. The Editor in Chief's office has asked all Radio-Canada news units, particularly Réseau de l'information, to take into account the comments sent in throughout the year.

As regards complaints reviewed by the Ombudsman, we have noted his conclusions and discussed them with the teams involved. We did the same with complaints about programs that do not fall under the Editor in Chief's responsibility.

Special Report – Mandate of the Office of the Ombudsman: Looking to the Future

The Editor in Chief has praised the quality of this special report by the French Services Ombudsman as consistent with Renaud Gilbert's accomplishments during his term. This special report will no doubt help the new Ombudsman as she carries out her mandate.

In his special report, Renaud issued a certain number of recommendations. We can only agree that it is important to maintain the Ombudsman's independence and impartiality, as the Ombudsman writes - this is also crucial if we want to protect the institution that is CBC/Radio-Canada. Its role must also remain in line with the one we have given the Ombudsman. Renaud recommends that the *Broadcasting Act* stipulate that the Office of the Ombudsman enjoy immunity in carrying out its duties, and that its investigations be exempt from the *Access to Information Act*.

Before they are acted upon, these will need to be discussed by CBC/Radio-Canada's Senior Management before making a recommendation to the Board.

Where the jurisdiction of the Office is concerned, the Ombudsman calls into question his competence in dealing with programs outside Information's responsibility. "What poses a problem is the mix of genres - information and entertainment," writes Renaud Gilbert. Given that the same issue was raised by the Ombudsman for English Services, this is an area of some concern. The Ombudsman puts forward the right potential solution: "Hosts of programs that mix information and entertainment must be given a certain leeway. They must also be able to take risks. A certain tolerance is needed. But when they host a news segment, our journalistic policies leave them no choice: they must behave like newscasters and avoid showing a bias."

CONCLUSION

This is Renaud's final report and we take this opportunity to thank him for his outstanding contribution to CBC/Radio-Canada over the last seven years. He has performed his role with integrity, sensitivity, understanding and sense of fairness. We wish him well in the years to come. This is also the first Board meeting for the new Ombudsman for French Services, Julie Miville-Dechene. Julie has already conducted a few reviews and has plans to improve the visibility of the Office of the Ombudsman. We welcome her enthusiasm and dedication to her new role.

Claude Saint-Laurent will also be retiring from the Corporation this year as Special Advisor to the President & CEO and Chair of the Committee on Journalistic Standards and Practices. In this capacity, Claude has been of great help to Senior Management over the last few years. We also take this opportunity to salute his contribution. Over the years, news managers and programmers in the French and English services have benefited greatly from his recommendations, advice and leadership.

Senior Management once again reiterates its full support to the institution of the Ombudsman. As a public broadcaster, we believe CBC/Radio-Canada is, and should be, held to higher standards with respect to accountability to the public and to the cause of public interest. The Ombudsman plays an essential role in ensuring that our listeners, viewers and Web users can and will be heard if they do not agree with our programs. We thank Vince and Renaud for their work, integrity and dedication. We also thank our dedicated journalists and programmers for their co-operation in this very important process.