

OMBUDSMAN, FRENCH SERVICES

2015–2016 MID-YEAR REPORT SUBMITTED TO BOARD OF DIRECTORS

November 25, 2015

The Office of the Ombudsman received 836 complaints between April 1 and October 31, 2015, including 622 that directly concerned News and Current Affairs. I asked the News service to respond to the complainants in 327 of the 622 cases. Twenty-eight of them were dissatisfied with the responses they received, to the point where they asked me to review the case. I sided with five of them, in whole or in part.

Five of the cases I reviewed concerned coverage of the tensions, struggles, clashes or attacks of the never-ending Israeli-Palestinian conflict. Seven others had to do with the coverage of the campaign leading up to the federal election of October 19.

Although the campaign, at 79 days, was the longest in recent Canadian history, it gave rise to fewer complaints than the 37-day 2011 campaign. I should mention that in 2011, as in several previous federal elections, over 1,600 complaints were received from Green Party supporters protesting their leader's exclusion from the party leaders' debate organized by the media consortium to which CBC/Radio-Canada belonged.

This time, since the consortium broke up and there were several debates broadcast by different media outlets, I didn't have to deal with the same type of organized protest movement. On the other hand, I did receive a number of complaints, primarily from Green Party or Bloc Québécois supporters or candidates, who, on the basis of the principle of balance, wanted their party's representatives to be included in certain debates held by media organizations like ICI Radio-Canada Première.

I had to explain, yet again, that debates of this kind are current affairs programs, which means that they can invite whomever they want, given the freedom of the press and the editorial independence they enjoy; and that the balance that news chiefs must abide by does not mean that all candidates must be given exactly the same amount of air time, nor is it measured with respect to each individual story or program, but rather in terms of all stories and programs over the full extent of the election campaign coverage.

Having said that, I should note that the debate broadcast by Radio-Canada in conjunction with the daily *La Presse* and *Télé-Québec* still prompted its fair share of protests. My office received 47 complaints concerning the debate, including 39 from eight advocacy groups representing French-speaking Canadians living outside Quebec, especially the *Fédération des communautés*

francophones et acadienne (FCFA), which had publicly announced its intention to organize a campaign to file complaints with the Canadian Radio-television and Telecommunications Commission against Radio-Canada. A large number of complaints, many of them FCFA form letters from organizations or individuals, were thus sent to the CRTC and to the Office of the Ombudsman to protest the fact that the questions put to the party leaders were too “Quebec-oriented” and that none of them concerned issues specific to French-speaking communities outside Quebec, especially with regard to official languages.

Nevertheless, although News and Current Affairs responded to the complainants, at my request, none of the eight organizations that protested asked me to review their complaints. I only decided to examine the question when I was asked to do so by an individual.

Without going into details, I can say that the complaints were, in my view, clearly unfounded and that the organizations that filed them – advocacy groups, I should point out – did so for reasons that had little to do with the quality of the questions asked during the debate.

In any event, through their campaign targeting Radio-Canada, they managed to attract a great deal of attention; and, incidentally, to draw attention to the situation of minority French-speaking communities, a question that they hadn’t succeeded in imposing, or sought to impose, as a campaign issue, even regionally.

On another topic, 33 people complained about the *24/60* two-hour special on ICI RDI on September 3, 2015, which focused on the migrant crisis in Europe. To provide some background, the crisis peaked when TV stations around the world showed pictures of a dead toddler washed up on a beach.

The 33 complaints were received following two one-hour shows on a Quebec City radio station, Radio X, known for its populist, rabble-rousing hosts and their habit of railing against Radio-Canada. Three of its hosts, using questions or comments from *24/60* host Anne-Marie Dussault taken out of their broadcasting context, accused her of spreading anti-Stephen Harper propaganda by associating him with the death of the little boy I mentioned above. The vast majority of the complaints were sent by people who had clearly not seen Ms. Dussault’s show they were complaining about, but had only heard the comments on Radio X. Most of the complainants, like the radio hosts, took the opportunity to ask that Ms. Dussault not be allowed to host the leaders’ debate in French because of her “bias.”

All in all, my office received 186 complaints about the election campaign coverage, compared with 57 in the 2011 federal election, but 1,690 if the 1,633 complaints about the refusal to allow the head of the Green Party to take part in the leaders’ debate are included.

I should note, in passing, that the General Manager, News and Current Affairs, had to make public statements on Radio-Canada’s various platforms to respond to the complaints of French-speaking Canadians living outside Quebec. I can only point out, yet again, that the “transparency” of News and Current Affairs is still only reactive and defensive, despite my recommendations in this regard over the last three years. I reiterate that this wait-and-see attitude does not, in my

view, respect the spirit of CBC/Radio-Canada's Journalistic Standards and Practices, especially our duty to be "honest with our audiences" and to share with them "research" we may use to measure the quality and standards of our journalism.

On another topic, and although this problem is not strictly speaking the responsibility of the ombudsman, I received a few complaints about racist, sexist or violent comments made in reference to posts on Radio-Canada's Facebook pages.

A viewer sent me the following examples of comments posted beneath a story about more than 700 people being crushed to death in a stampede at the annual pilgrimage to Mecca:

- Eric Dilallo: "Just 717?? I hope there are going to be lots more!!"
- Francois-régis Harvey: "1500 fewer mental cases!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!"
- Tim Goulet: "All together in the same place and boooooom!"
- Alain Lupien: "A life for a life."
- Stéphan Savard: "700 fewer to wage war."
- Rejean Gilbert: "They can do it again as much as they want ..."
- Paul Daigle: "good riddance, it's not enough."
- Claude Raymond: "A tragedy? More like a blessing!"

The news chief at ICI Radio-Canada.ca acknowledges that these comments should never have been posted. But he points out that, unlike comments posted below ICI Radio-Canada.ca stories, those posted on the Facebook pages of the different platforms or shows are not moderated before they are put online. Here is what he wrote to me:

We can delete them after the fact, but it's very time-consuming and goes against the nature of social media. It's doable for the odd case, here or there, but not a huge volume of posts. We don't have the resources, and the structure of Facebook doesn't let us "monitor" every comment posted with reference to our stories. Let me explain: If a user shares one of our stories and spices it up with a few inappropriate comments, we can't do anything about it because the commented story doesn't appear on our Facebook page, but rather on the user's page. We can only moderate (delete) comments that users post beneath our stories, on our own Facebook page.

In my opinion, this is a major issue that is very detrimental to Radio-Canada's image. I don't have a solution to propose and, while I raised the issue in a more general way in my last annual report, it doesn't really come under my remit. It seems clear to me, however, that News and Current Affairs needs to examine this problem urgently and come up with some solutions.

This issue is not unrelated to another one that does concern the JSP and so comes under the ombudsman's mandate: comments made on air by listeners on telephone call-in shows, either on the phone or via e-mail messages read out on air by radio hosts. In the past year, I have had to review two cases following complaints filed about racist remarks made on air by listeners who were not interrupted by the host, who also failed to interject that the remarks were unacceptable.

In the coming months I intend to assess whether we might need to make some minor changes to the JSP in order to clarify them regarding the conduct to be followed in this respect.

I will also be examining the possibility of making minor changes to clarify the scope of the JSP, for instance, or to provide guidelines for journalists assigned to the arts scene when they report on a show or a book. The same applies to political, scientific, business or other analysts when they discuss current affairs in blogs or comment on them on air.

Last, I would like to note that CBC President Hubert T. Lacroix has publicly announced that I will be retiring on March 31, 2016. Let me add that I will continue to perform my duties until that date, which coincides with the end of the current fiscal year, so that I can produce what will be my last annual report.

Pierre Tourangeau