

APPENDIX 6

OMBUDSMAN - FRENCH SERVICES

- A. Board of Directors' response to the ombudsmen's reports
- B. French services management's response to the Ombudsman's report
- C. Annual Report of the Office of the Ombudsman, French Services

BOARD OF DIRECTORS of the CANADIAN BROADCASTING CORPORATION
STANDING COMMITTEES ON ENGLISH AND FRENCH LANGUAGE BROADCASTING

Minutes of the Meeting held on

June 21, 2016

Ottawa, ON

 = by videoconference

 = by telephone

Members of the Committee present:

Rémi Racine, Chairperson of the Committees
Hubert T. Lacroix, President and Chief Executive Officer
Edward Boyd
Sonja Chong
Robert Jeffery
Marni Larkin
Terrence Leier
Maureen McCaw
Brian Mitchell
Marlie Oden

Members of the Committee absent:

Norman May

In attendance:

Sylvie Gadoury, Vice-President, Legal Services, General Counsel and Corporate Secretary
Ester Enkin, Ombudsman, English Services ()
Guy Gendron, Ombudsman, French Services
Pierre Tourangeau, former Ombudsman, French Services
Tranquillo Marrocco, Associate Corporate Secretary

Also participating:

Louis Lalande, Executive Vice-President, French Services () (Item 1)
Michel Cormier, Executive Director, News and Current Affairs, French Services () (Item 1)
Jennifer McGuire, General Manager and Editor in Chief, CBC News and Centres () (Item 2)

Opening of the Meeting

At 1:30 p.m., the Chairperson called the meeting to order. He also welcomed Guy Gendron to his new role as Ombudsman of French Services.

1. Adoption of Minutes

On a motion duly moved and seconded, **IT WAS RESOLVED**, — That the Minutes of the February 23, 2016, meeting of the Committees be approved.

3. 2015-16 Annual Report of the English Services' Ombudsman

Esther Enkin acknowledged Pierre Tourangeau's collaboration during the course of his mandate. She then provided an overview of her report, including the number and subject-matter of the complaints received during the fiscal year, the reports of the independent election coverage panels, the types of complaints received during the election period and the manner in which they were handled, the issue with respect to online comments, and the need to review the *Journalistic Standards and Practices* (JSP).

Jennifer McGuire provided an overview of the federal election coverage and noted that the response time with respect to election coverage complaints could be improved. She also noted that Management agreed with the Ombudsman's comments, including the need to review the JSP. She then explained the manner in which the joint English Services-French Services JSP review would be conducted. She also reported that the online commenting policy has been changed to reflect the requirement of real names.

Committee members inquired about the possibility of using a journalistic ethicist for the JSP review, the need to review the conflict of interest guidelines applicable to journalists, how our Ombudsman structure and processes compared with those of other broadcasters, her role as the President of the organization of news Ombudsmen and the ownership and use of drones. They also discussed online commenting in general.

On a motion duly moved and seconded, **IT WAS RESOLVED**, — That the Board of Directors recognize Laura Marshall for her 20-year contribution to the Office of the Ombudsman for English Services.

2. 2015-16 Annual Report of the French Services' Ombudsman

Pierre Tourangeau (who was the Ombudsman during the 2015-16 reporting period) thanked the President and Chief Executive Officer for truly respecting the Ombudsmen's independence. He then provided an overview of his report, including the number and subject-matter of the complaints received during the fiscal year, the types of complaints received during the election period and the manner in which they were handled, the need to review the JSP and the conflict of interest guidelines applicable to journalists, the use of "native" or "branded-content" advertising, the use of various technology tools (such as drones, web scrapers, and social media) for gathering and reporting information, and the changes made to the complaints review process to curb abuses.

Louis Lalande and Michel Cormier thanked Pierre Tourangeau for the quality of his reflections and reports.

Michel Cormier noted that: the JSP will be reviewed in collaboration with English Services; the need to develop a "native" advertising policy; and the need to review the conflict of interest guidelines applicable to journalists. He also provided an overview of the federal election coverage, as well as leaders' debates and the manner in which questions had been determined.

Committee members inquired about the Editor in Chief's blog, the use of "native" advertising, and the general tone of interviews with politicians and news broadcasts.

On a motion duly moved and seconded, **IT WAS RESOLVED**, — That the Board of Directors recognize Pierre Tourangeau for his exceptional contribution as Ombudsman for French Services during his five-year mandate, as well as his efforts to strengthen the collaboration between the English Services and French Services Ombudsmen.

4. Board's Response to the Annual Reports of the Ombudsmen

On a motion duly moved and seconded, **IT WAS RESOLVED**, – That the Reports of the Ombudsmen, the Management's Responses thereto, and a summary of the Committee's proceedings thereon, be included in the Board's report to the CRTC.

5. In Camera Session

The Committees met in camera to discuss various matters respecting the Offices of the Ombudsmen.

Adjournment

At 3:25 p.m., the meeting was adjourned.



**2015–2016
French Services**

**Response from French Services
to the Ombudsman’s Annual Rapport**

June 13, 2016

We wish to thank Ombudsman Mr. Pierre Tourangeau for the quality of his annual report in this last year of his term of office. The high relevance of his comments are not only a considerable asset for Radio-Canada's programming staff, and more specifically its News personnel, but also for the general public.

Mr. Tourangeau's report this year differs somewhat from his reports of previous years in that he begins to address the need to review certain journalistic standards and practices that he is called upon to interpret. The need for such a review has been discussed for some time already by the Executive Director of News and Current Affairs and his colleague at CBC, Jennifer McGuire. We will describe below the steps that we have taken so far in this regard. However, we wish to start, as we do every year, by looking at the number, nature and assessment of the complaints received, which make up the first section of the Ombudsman's report.

Mr. Tourangeau received close to 1,400 complaints, 1,038 of which were directly related to news and current affairs. He asked us to respond to the complainants in 573 cases. Forty-one of those complainants were not satisfied with our response and contacted the Ombudsman. He found in favour of eight of those respondents, in whole or in part, a number comparable to that of other years. As Mr. Tourangeau points out, the Israeli-Palestinian conflict and coverage of the federal election campaign are the two subjects that give rise to the greatest number of reviews.

These numbers are comparable to those of other years. We are pleased that our work continues to be found to adhere to our standards and practices in the vast majority of cases. It is our hope that the great care that we took throughout the election campaign to remind our newsroom staff of the importance of maintaining our journalistic integrity and impartiality contributed to this year's achievement. We work in a media environment where personal opinion is increasingly prevalent, especially in political coverage; this trend can become a slippery slope for our journalists.

REVIEW OF JOURNALISTIC STANDARDS AND PRACTICES

The Ombudsman raises several questions regarding the ability of the journalistic standards and practices to provide an effective framework for dealing with realities related to new technologies, and digital platforms in particular. They range from moderating public comments to regulating the use of drones and journalists' use of social media.

MODERATING COMMENTS

Giving our audiences the opportunity to comment on our stories has always been important for Radio-Canada. It allows us to maintain a relationship with audiences and encourages the expression of a broader range of views. The Ombudsman correctly points out that on a few occasions during live phone-in shows, our hosts did not step in quickly enough to block or cut short audience comments that were false, discriminatory, or even racist. We have already taken steps to remind our teams to be more vigilant in order to avoid such incidents. However, we welcome the Ombudsman's suggestion to elaborate on the hosts' duty to take action in the event of unacceptable comments expressed by the public. We will include this point in the review of our journalistic standards and practices.

The other point that the Ombudsman raised regarding public comments involves the use of social media. This issue is more complex because it does not come under our sole responsibility. Radio-Canada, like other media, is increasingly using social media platforms like Facebook to give its content greater exposure. Most of our services and programs have a Facebook page where Internet users can find our content. They can also post their comments and reactions. The difficulty is that we do not have control over these comment sections, and we are consequently unable to pre-moderate the comments submitted. Moreover, Facebook does not moderate them itself, either pre- or post-publication. However, we do pre-moderate comments posted on our own digital platforms. We do business with a specialized firm that ensures that comments submitted by Internet users in response to our content adhere to Radio-Canada's netiquette before they are posted.

In addition, there are ways we can limit Facebook comments on controversial subjects. The first, which we use occasionally, is simply to refrain from posting our coverage of sensitive subjects on Facebook. We follow this approach most of the time for trials. The second technique, which we used when covering the Jian Gomeishi trial, is to use a language filter that blocks comments containing a pre-programmed series of words. In this case, it was important not to presume guilt

before the verdict was rendered. Accordingly, any comment containing the word “guilty” was blocked from appearing on our Facebook page. Finally, we can also moderate posted comments after the fact, as we did in the Gomeshi trial. However, given the constant flow of information initiated by Radio-Canada and the large number of comments, it would be impossible to carry out such post-moderation for all content on a daily basis 24-hour-a-day.

We are left with a situation that goes beyond the scope of our journalistic standards and practices. At the President’s request, Radio-Canada and CBC have established a committee to look into the matter of managing comments. That work is ongoing, and it will likely influence the way in which our standards and practices are written. In the meantime, we are doing everything in our power to limit the publication of improper comments on any and all platforms.

NATIVE ADVERTISING, CONFLICTS OF INTEREST AND OPINIONS

In his report, the Ombudsman addressed these three subjects which, as a result of the development of digital technologies, are often linked. Native advertising is a way for advertisers to present an ad in a format designed to match or even resemble editorial content. Clearly, such proximity and confusion of genres can, if it doesn’t respect certain principles distinguishing editorial content from advertising content, affect Radio-Canada’s reputation and undermine the credibility of its brand as well as its editorial independence. On the other hand, in some cases native advertising may not only prove to be an attractive source of funding, but also offer some value for our audiences by providing additional related content. It’s a matter of finding the right balance. This issue has been the subject of discussions among Radio-Canada senior management. A committee representing every relevant department, from Advertising to Communications to Revenue, along with the News team, has reviewed the issue and produced guidelines for this sort of advertising on Radio-Canada’s digital properties. Since advertising content is constantly evolving, a decision-making process has also been developed to review any new advertising formats intended for Radio-Canada’s digital properties. Finally, over the summer, we plan to carry out a quantitative and qualitative analysis designed primarily to gauge the impact of these new advertising formats on the Radio-Canada brand.

External activities that fall outside the realm of journalism can put Radio-Canada’s journalists and news team in a conflict of interest. Mr. Tourangeau notes that the controversy in this regard is more directly related to the activities of certain CBC hosts. Radio-Canada, however, is not immune to similar controversies. For that reason, in cooperation with our colleagues from English

Services, we have tightened and clarified the rules governing News personnel' external activities to ensure that they do not, consciously or otherwise, put themselves in a position of real or apparent conflict of interest that might jeopardize their credibility or independence. At French Services, despite a few questions that have led to a number of clarifications, the system is well established and works smoothly. No journalist may accept outside work or appearances without the consent of his or her immediate superior. In no case, except when teaching a university course, may a journalist receive a fee or payment for his or her travel or other expenses from a third party. All such expenses are fully reimbursed by Radio-Canada. The fact that, like CBC, we publish a quarterly record of all journalists' external activities makes the process all the more transparent and accountable.

A new threat to our journalists' credibility concerns the expression of personal opinions on social media. We encourage our journalists to be active on social platforms like Facebook and Twitter. That is part of the new media environment that we must participate in if we are to maintain our leadership position and relevance as a public broadcaster. However, we have become aware that even some of our seasoned journalists occasionally do not distinguish between analysis and an opinion that jeopardizes their impartiality. We call to order anyone who slips up in this way, but we are fully aware that we must go farther still.

The journalistic standards and practices include a very brief description of journalists' obligations relative to social media and digital platforms. For that reason, in cooperation with our News colleagues at CBC, we have established three working groups tasked with making recommendations by the end of November 2016. Based on those recommendations and with the approval of the senior vice presidents of both networks, we will rewrite the Journalistic Standards and Practices sections that deal with social media and digital platforms. In this way, we hope to address the concerns and wishes expressed by both ombudsmen.

WEB SCRAPERS AND DRONES

The new research and investigation tools available to journalists include computer programs able to mine large databanks. At Radio-Canada, these programs are now part of the standard toolboxes for programs like *Enquête*. These scrapers search through data collected by government bodies, organizations and private businesses without their being aware of that fact. This new reality calls for discussion of the ethics and transparency requirements

involved in using these tools. That is part of the mandate assigned to the working groups established to review our journalistic standards and practices.

The same holds true for the use of drones. Transport Canada has issued a series of regulations that govern their use. But we must also develop a position based on considerations of ethics and transparency. This work is already under way.

The journalistic standards and practices are an indispensable tool for the responsible practice of journalism at Radio-Canada. Nevertheless, they are not fixed in stone. They must adapt to the changing conditions in which we operate.

THE OCTOBER 2015 FEDERAL ELECTION

Election campaigns often elicit strong reactions among voters and Radio-Canada/CBC audiences. However, the Ombudsman notes in his report that coverage of the federal election campaign in summer and fall 2015 sparked fewer complaints than usual. In his view, that is due to the fact that the candidates of the five main parties were invited to the leaders' debate, which avoided the avalanche of complaints that, in the past, had followed the decision to exclude one of the leaders. Nevertheless, the debate in which Radio-Canada participated generated controversy because of the evident dissatisfaction of pressure groups from Canada's French-language communities. We will come back to this point later.

The campaign, the longest in the country's history, led us to make a number of significant changes to the way we cover elections. Although we were confronted with an 11-week campaign, our budget was developed for a six-week campaign. At the very outset, we decided not to send journalists to cover the party leaders' tours until after Labour Day in early September. We came to the conclusion that voters would quickly tire of the repetitive political discourse in the middle of the summer, and it would be better to wait for the second half of the campaign to focus on coverage of the leaders. We nevertheless took part in pool coverage with the other major media, which allowed us to file daily round-ups from Montreal and our Ottawa office.

Because of our diminished resources, we also decided to produce fewer traditional reports like riding profiles and to focus instead on covering the election issues. We had decided to be less dependent on party agendas before the election was called, and the campaign's extended length allowed us to put that strategy into effect with greater success. We also decided not to commission

opinion polls during the campaign because the Vote Compass results provided a more accurate snapshot of voter concerns.

Here is a brief summary of the changes that we made to our coverage to provide voters with better information on election issues: five special editions of the 10 p.m. *Téléjournal* newscast on specific issues, including the state of Canadian democracy, the economy and Canada's role and image in the world; a daily fact check feature on the parties' positions and statements; more reports on issues and the way they are perceived in regions across the country; a series of portraits of the three party leaders with a reasonable chance of winning the election in special editions of the investigative program *Enquête*; more remote broadcasts of *L'heure du monde*, *Midi info*, *Desautels le dimanche* and *RDI économie* from outside Montréal to better reflect the diversity of opinion on election issues; complete summaries of party programs and numerous features on our website; the "Premier vote" [first vote] feature, an initiative that invited young people to ask the party leaders questions using the Instagram social media platform.

Overall, comments from the public, committees formed by the Ombudsman and our own independent advisory panels seem to validate the choices that we made. We are also pleased to note that we succeeded in completing our campaign coverage within budget. We also drew a number of lessons from this more strategic, more targeted coverage that we have since applied in our regular news coverage.

We have taken note of the comments and criticisms made by the committees formed by the Ombudsman, particularly regarding election night coverage. These programs are reviewed at length after every election, and this will be the case in the run-up to the next election.

However, there is one point on which we must express our disagreement. It is the following statement: "Le comité rappelle que les 'Canadiens' sont des citoyens ou des électeurs avant toute chose. L'utilisation répandue de l'expression 'les Canadiens' par les journalistes et les animateurs de Radio-Canada témoigne d'un glissement de sens important (...) Les politiciens fédéraux ont compris qu'il ne fallait pas laisser le monopole des mots aux nationalistes québécois, qui insistent beaucoup sur l'utilisation de l'expression 'les Québécois'." [The Panel also wishes to reiterate that "les Canadiens" [Canadians] are first and foremost citizens or voters. The widespread use of the expression "les Canadiens" by Radio-Canada's hosts and reporters signals a significant shift in meaning. [...] Federal politicians have figured out that a monopoly over certain words cannot be left to Quebec nationalists, who insist on using the expression "les Québécois" [Quebecers]. If this statement is meant as

a criticism for the abusive or self-interested use of the word “Canadiens” [Canadians], it misses the mark. Indeed, in our coverage of Quebec provincial elections, we use the word “Québécois” [Quebecer] as much as “voter” and “citizen,” just as we use “Ontariens”, “Français” and “Américains” [Ontarians, French and Americans] when covering elections in those jurisdictions.

The Ombudsman also notes that even though the leaders’ debate led to fewer complaints than usual, it was nevertheless the subject of an orchestrated protest by groups representing Canada’s French-language minorities. They criticized us for omitting questions relevant to French-language communities outside Quebec. We had the opportunity to debate our choice of on-air questions with the representatives of these organizations. Mr. Tourangeau drafted a comprehensive and nuanced decision on the subject that accurately sets out the principles and difficult balances involved in this type of exercise, and which is worth reading. The Ombudsman is also taking the opportunity afforded by this avalanche of complaints to warn these groups against this type of orchestrated campaign, which hijacks the process.

There are two comments that we would like to make regarding this exercise. The first is that we do not share the same definition of what debate topics are likely to interest the greatest possible number of French speakers. Francophone associations outside Quebec demand questions that deal with their traditional grievances with public authorities, whereas in our opinion, the political debate is better served by questions on subjects of interest to the entire population, whether medically assisted death or the idea of running a deficit.

Our second comment concerns the fact that Radio-Canada does not have complete control over the questions asked. For the first time, we were working in partnership with *La Presse* and *Télé-Québec*. The representatives of these two media organizations consequently had input into the choice of topics and questions. This new mechanism obviously has an impact on the scope of the complaints about Radio-Canada and on the Ombudsman’s ability to consider them, especially as it is unlikely that we will revert to the traditional formula where leaders’ debates were a television-only affair. These questions warrant further thought.

CONCLUSION

In closing, please allow us to express our sincere thanks to Mr. Tourangeau for his meticulous work as Ombudsman. Although there have been a few disagreements with Radio-Canada executive directors, they have been minor. Mr. Tourangeau has successfully used his Ombudsman’s office to write

exhaustive and nuanced opinions on the application of our journalistic standards and practices, but also to educate Radio-Canada's programming staff and the public. The end result is that we are all more aware and better informed of the ethical and accountability obligations incumbent upon us. Finally, the high quality of his writing has made reading his decisions all the more enjoyable. We wish to thank him for his remarkable service at Radio-Canada News, and we wish him a fulfilling retirement.

CBC  Radio-Canada
Office of the Ombudsman, French Services

May 16, 2016

Mr. Rémi Racine
Chairman, Board of Directors
CBC/Radio-Canada

Mr. Hubert T. Lacroix
President and CEO
CBC/Radio-Canada

Members of the Board of Directors
CBC/Radio-Canada

Dear Mr. Racine, Mr. Lacroix and Members of the Board of Directors :

I am pleased to submit the Annual Report of the Office of the Ombudsman, French Services, for the period of April 1, 2015, to March 31, 2016.

Pierre Tourangeau
Outgoing French Services Ombudsman

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The bilingual version of this annual report may be found on the Web at:
<http://www.ombudsman.cbc.radio-canada.ca/fr/ressources/rapports-annuels/>

HIGHLIGHTS

As the members of the CBC/Radio Board of Directors already know, this annual report will be my last, having resigned my office as of the end of the 2015–2016 fiscal year.

I therefore wish to take this opportunity to thank the members of the Board, its Chair, Mr. Rémi Racine, and the President and CEO of CBC/Radio-Canada, Mr. Hubert T. Lacroix, for listening to what I had to say and for the attention they paid to my comments, observations and recommendations throughout my mandate.

They have always scrupulously respected my independence as Ombudsman and have never attempted in any way to interfere in my work or influence my decisions.

The Office of the Ombudsman received 1,387 complaints during the year ended March 31, 2016; 1,038 of them were directly related to news content. From that total number, I set aside 573 for which I asked the News department to respond to the complainants. Forty-one of those complainants were dissatisfied with the explanations they received and moved on to the next step in the process, asking me to review their complaints. In eight cases, I found in favour of the complainant, fully or partly.

Six of the cases I reviewed concerned coverage of the tensions, struggles, clashes and attacks of the never-ending Israeli-Palestinian conflict. Nine others had to do with the coverage of the campaign leading up to the federal election of October 19, 2015.

All in all, my office received 187 complaints about the election coverage. That is a relatively small number, considering that this was the longest campaign in recent Canadian history. This is largely explained by the fact that the leaders' debate organized by Radio-Canada included Ms. May of the Green Party this time, and the fact that there were several debates on various media.

That said, the debate presented by Radio-Canada in conjunction with *La Presse* and Télé-Québec still gave rise to 47 complaints, 39 of which were filed by the eight pressure groups representing French speakers outside Quebec, who claimed that the questions posed to the leaders were too Quebec-focused and that none of them dealt with problems specific to Francophone communities outside Quebec.

An entire chapter of this report is devoted to Radio-Canada's election coverage. It includes the summary of the reports from the three independent advisory panels that I created, as I do for every election, to review the journalists' work and the news content on the Corporation's three platforms, radio, television and web.

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.

In my opinion, this is a major issue that is very detrimental to Radio-Canada's image. I will therefore take the liberty of expanding on this point later on in this report.

This issue is not unrelated to another one that does concern the Journalistic Standards and Practices (JSPs)¹ 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 email 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.

This point is also discussed in greater detail in a different section of the report, which deals with the need to update, in my opinion, CBC/Radio-Canada's JSPs.

Having consulted the JSPs regularly over the last five years, I am convinced of their efficacy. But I have also come across certain weaknesses and shortcomings, due in part to the presence and growing use of social media. If only for that reason, my colleague at CBC, Esther Enkin, believes as I do that it is time to carry out a review of the JSPs.

Indeed, we both believe that it would be in the best interests of CBC/Radio-Canada and its personnel to review and update the JSPs periodically.

The chapter in question also includes some thoughts about the scope of the JSPs and the latitude that journalists covering sports and culture should have when it comes to expressing their own opinions.

In addition, it discusses the arrival of "native" or "branded content" marketing as part of our news offerings, which received relatively little attention. This new situation poses a significant threat for the credibility of CBC/Radio-Canada's news and its image.

I also look at the tightening of standards regarding conflicts of interest, the development of standards on funding single point-of-view documentaries, and the use of various new technologies, such as web searches conducted by robots (web scraping) or drones.

Finally, in another section of the report, I explain why and how my CBC colleague and I modified the Office of the Ombudsman's complaint procedure to prevent it from being manipulated or exploited and to get certain complainants to adopt a more civil tone.

¹ <http://www.cbc.radio-canada.ca/en/reporting-to-canadians/acts-and-policies/programming/journalism/>

In closing, I should mention that the News department has created a blog on ICI Radio-Canada.ca that explains why and how editorial decisions are made. That is something I have been suggesting for many years, and CBC has had a similar blog for some time.

This is a major step toward introducing the openness and transparency that is being increasingly demanded by the general public as well as by the JSPs and Radio-Canada's news and current affairs mission. I sincerely hope that this initiative will allow for real dialogue with the public about the News team's decisions and editorial choices.

However, as I write these lines, I note that just one day after it was posted on ICI Radio-Canada.ca, the news and information director's blog is no longer available on the News section homepage or retraceable by key word using the search engine. This is far from ideal, and not very encouraging.

Pierre Tourangeau
French Services Ombudsman
March 9, 2016

COMMUNICATIONS RECEIVED BY THE OFFICE OF THE OMBUDSMAN

	NEWS/INFORMATION PROGRAMMING	ALL OTHER PROGRAMMING	TOTAL
2015–16	1,038 (including 39: questions from Francophones outside Quebec during the leaders' debate ²)	349	1,387
2014–15	1,373 (including 73: Adil Charkaoui interview, 24/60; 71: Moncton manhunt coverage; 83: Muslim community reaction to Quebec election, <i>TJ</i> ; 43 : Cacouna protest, <i>TJ</i> <i>Rimouski</i>)	473	1,846
2013–14	912	354	1,266
2012–13	1,365 (including 236: Jean-Martin Aussant's exclusion from leaders' debate)	253	1,618
2011–12	1,242 (including 502: Elizabeth May's exclusion from leaders' debate)	738 (including 318: Question about Palestine on Connivence)	1,980
2010–11	1,890 (including 1,131: Elizabeth May's exclusion from leaders' debate)	517	2,407
2009–10	652 (including 43: <i>Six dans la cité</i>)	456 (including 150: closing of the Windsor station)	1,108
2008–09	999 (including 54: investigative reports on Total Biology and Falun Gong + 155: Paix et propaganda + 22: map of Kurdistan)	681	1,680

² In parentheses, recurrent complaints on the same subject, requiring a single response.

JOURNALISTIC STANDARDS AND PRACTICES: ADDITIONS AND ADJUSTMENTS ARE REQUIRED

Radio-Canada's Journalistic Standards and Practices (JSP) underwent a complete revision in 2010.

The exercise was an opportunity to carry out a comprehensive review of the JSPs.

That review had become sorely needed. Over the years, the changes that have shaken the media universe and the resulting evolution of journalism practices had led to so many additions and amendments to the JSP and so many cross-references to other corporate policies that the compendium had become a tangle of texts that was more cumbersome than useful, and very inconvenient to say the least.

When I leave my duties, I will have worked for almost five years with the "new" JSP, which have been my guide in reviewing several thousand complaints and writing some 170 decisions. Accordingly, I have had ample time and opportunity to assess their scope and efficacy.

I will not go into too much detail here on the qualities that make the JSP one of the most complete and effective compendiums of its kind: guiding principles and values that serve as a foundation for rigorous standards of practice, a degree of flexibility that does not hinder its precision, wording that leaves room for the user's judgment, and a digital design that makes it fast and easy to use.

Over the years, reading and using the JSP regularly have enabled me to identify several shortcomings, inadequacies and imprecisions stemming in particular from the rapid pace of technological change which, in many ways, has transformed and continues to transform the practice of journalism. My colleague at CBC, Esther Enkin, with whom I spoke a great deal during my mandate, believes as I do that it is time for a revision of the JSP.

As she points out in her own annual report, it is not the Ombudsmen's responsibility to define or dictate the JSP. On the other hand, because they have to constantly refer to and interpret them when analyzing and assessing complaints submitted for their review, it is perfectly normal for the Ombudsmen to make a number of recommendations.

Like Esther, I believe that the periodic review and updating of the JSP are in the best interest of the general public as well as CBC/Radio-Canada and its personnel.

Scope of JSPs

When the compendium was revised and consolidated in 2010, a special effort was made to indicate its scope of application since the previous standards had been unclear in that regard for a long time: they were supposed to apply to news programs and not to others.

In 2012, CBC/Radio-Canada's Board of Directors amended the Ombudsman's mandate to bring it into line with the JSPs and match their scope.

It is abundantly clear that the jurisdiction of both the Ombudsman and the JSPs now includes all news, current affairs and public affairs *content* aired on the radio, television and web—in short, to all “information” content.

In previous annual reports, I have had the opportunity to voice my opinion on this matter. I will not reiterate the points that I made there on the stumbling blocks encountered when applying the JSPs to programs that some considered not to be subject, or subject only to a limited extent, to them.

Although the “spirit” of the JSPs is now very clear in regard to their scope, I have observed that the “letter” of certain sections can still be confusing, especially in always referring to programs or services in this connection rather than to content.

By way of example, I would like to quote an excerpt from the JSPs that defines their scope (my underline):

Scope

JSP apply to news, current affairs and public affairs personnel and to information content produced, broadcast and posted online by these teams. This includes user-generated content when incorporated in news, current affairs and public affairs stories. JSP also apply to personnel and news content in specialized areas such as sports and culture.

As stipulated in CBC Program Policies, general-interest programs and content and the staff producing them on all platforms must comply with the values of balance and fairness as set out in JSP when dealing with current issues, especially if controversial. [...]

In this case, a person reading that the JSPs “apply to news, current affairs and public affairs personnel” may understand that to mean that they apply to personnel working in the news, etc. services, and not, more generally, to staff who produce news content.

In regard to the second item I underlined, I would suggest that it is too restrictive, inconsistent, contradictory and unnecessary.

Too restrictive, first, because the requirement to adhere to the CBC/Radio-Canada values is limited to the values of balance and fairness, whereas it is not even possible to apply the value of fairness, which requires one to avoid bias, without taking the value of impartiality into account at the same time.

Inconsistent, because it is not clear why the content in question and the people who produce it should not be required to adhere to the other values set out in the JSP, accuracy and integrity, and thereby to “seek out the truth” and not to “put ourselves in [...] conflict of interest.”

Contradictory, too, because “general-interest content” that deals with a “current issue” is in fact nothing more than “information content” as defined in the preceding paragraph.

And unnecessary, finally, because if it is determined that the JSP apply to information content regardless of its nature, that automatically includes the “current issues” addressed in “general-interest programs and content.”

I would add that these suggestions are entirely in keeping with the general spirit of the JSP, which is aptly summarized in the following sections:

Editorial Responsibility and Upward Referral

Personnel assigned to research, gather, produce, edit, present or manage information content comply with CBC’s JSP.

We apply these guidelines to each situation in good faith and according to our best judgement. [...]

Handling of complaints

When a formal complaint is made against information published or broadcast by CBC (whether an in-house production or a report or documentary produced by a third party), the executive producer responsible for the content in question undertakes to reply promptly. [...]

For the sake of consistency, I would also suggest eliminating elsewhere in the JSP references to programs, even when they do not really pose a problem.

Finally, for obvious reasons of consistency, the chapter of the Ombudsman’s mandate dealing with compliance with journalistic policy (point 2) should be amended accordingly.

Expressing opinions: culture and sports

In my opinion, another aspect of the JSP deserves to be expressed in a more nuanced fashion. I am referring to the rules on journalists or other personnel involved in producing information content expressing their opinions.

I have often looked into complaints from citizens who believed that a journalist had expressed a personal opinion on a current issue, thereby exceeding his or her mandate. Most often, those complaints dealt with analyses, assessments or reflections, expressed in a blog or forum, concerning content that listeners or readers do not always easily distinguish from editorial content or personal opinion.

The JSP are clear and formal on this point:

Expression of opinion: CBC/Radio-Canada News and Current Affairs staff

We are guided by the principle of impartiality.

We provide our audience with the perspectives, facts and analysis they need to understand an issue or matter of public interest.

CBC journalists do not express their own personal opinion because it affects the perception of impartiality and could affect an open and honest exploration of an issue.

We maintain the same standards, no matter where we publish—on CBC platforms or in other media outside the CBC.

In my opinion, this rule clearly defines the framework in which journalists and other information content producers work. They must provide audiences with the facts, perspectives and analysis they need to understand public issues, but impartially and without expressing their personal opinions.

This rule is based on the value of impartiality:

Impartiality

We provide professional judgment based on facts and expertise. We do not promote any particular point of view on matters of public debate.

Consequently, analysis and other techniques for putting information into perspective must be based on facts as well as expertise.

I have always thought that this reference to expertise also included that of journalists, particularly when they have a specialization such as politics, economics, science, etc. Indeed, their competence and experience generally provide the skills and knowledge they need to assess the facts and situations that they are asked to observe, analyze, understand, put into perspective and explain.

But journalists' expertise does not give them free rein. The value of impartiality, once again, sets limits that journalists, as expert as they may be, must not exceed: for instance, they must not defend a "specific point of view in the issues that are topics of public debate," whether it is their own point of view or that of someone else.

In my opinion, these rules clearly define the boundaries within which journalists and other content producers—no matter how they describe themselves, as hosts, interviewers, bloggers, commentators, analysts, etc.—perform their duties.

However, there are two areas where I believe that these bounds are regularly overstepped: culture and sports.

I do not recall hearing a single cultural report on radio or television where the journalist didn't provide his personal assessment of the performance in question. It is indeed difficult to talk about an art exhibition, a dance show or a music concert without expressing the feelings or emotions felt by the viewer or listener.

The same holds true, although no doubt to a lesser degree, for sports events.

There is of course nothing more subjective—more personal, therefore—than emotion.

It takes all kinds of people to make a world, as the saying goes. And not everyone marches to the same drum. Of course, culture and sports journalists, who are also experts in their fields, have the necessary expertise to assess the content they cover better than most, just like their colleagues who cover politics or consumer trends, for example. However, they cannot avoid expressing some degree of subjectivity.

And yet, in their current form, the JSP do not reflect this exception. I believe they should.

To be completely forthcoming, I must admit that I have received very few complaints about the expression of personal opinions regarding sports and culture content. This does not mean that this “shortcoming” of the JSP that I am raising is merely theoretical: rather, it means that the users of Radio-Canada's various platforms, in their collective wisdom, understand and accept the point I have just made.

Some might argue that I am seeing problems where there aren't any. But in fact, I am suggesting amending the JSP to ensure they reflect the situations that I have just described precisely because it is their job to provide guidelines for everyone who produces information content and avoid situations where some people are left to contend with arbitrary situations and therefore feel free to disregard any such rules.

Public comments

The JPS make a formal distinction between information content and opinions expressed by the general public. They make it clear that “no matter what platform or in what form” they may be, public comments such as “online comments, talkback, phone-ins, or digital contributions [...] [are] separate from our journalism” and must be “clearly distinguished from journalistic content.”

That said, the JSP also stipulate the following:

Verification of User Generated Content in news stories

CBC is responsible for all content on its news sites. This policy covers text, image, video or audio contributions from the public which are incorporated into news coverage on any platform.

Material that originates from a non-CBC source is clearly identified as such. Before text, image, video or audio is published, its provenance and accuracy is verified. [...]

In my opinion, it goes without saying that public comments broadcast as part of a report “are incorporated” into the coverage. The same is true for phone-in shows and news segments where members of the general public are asked to voice their opinions so that they may be commented on on-air or used to launch a discussion with experts or newsmakers. Radio-Canada therefore becomes responsible for those comments, just as it is for any other information content.

This self-evident fact means that members of the public cannot be allowed to say “just anything” on the air.

The guideline entitled “Respect and absence of prejudice” requires personnel involved in producing information content to avoid generalizations, stereotypes and any degrading or offensive words or images that could feed prejudice or expose people to hatred or contempt.

A comment from a member of the public that is “incorporated” into a news segment or phone-in show, as is often the case on radio and RDI, for instance, must therefore meet this requirement.

Another standard sheds further light on this obligation:

Live reporting: Use of material from racist, violent or illegal organizations

Our work sometimes brings us in contact with groups or organizations that are racist or promote violence. In deciding to air offensive material of this kind, we weigh the value of this information to our audience against the offence it might give and the fact that it might provide a platform for its proponents. A decision to air the material should be referred to the Managing Editor.

Although this rule concerns groups and organizations, its spirit is clear. It is all the more relevant here as it applies particularly to information content that airs live, such as phone-in shows and current affairs programs.

My reason for raising this issue is that I have often had to render decisions on incidents that occurred in live shows, during which a caller uttered racist absurdities without the host intervening to interrupt them or otherwise call attention to the inappropriateness of their remarks.

The JSP, as they now stand, certainly allowed me to rule that that lack of reaction constituted a breach of the rules.

However, as with the situation that I just presented, I was forced to refer to a number of different rules to do so.

I therefore suggest, and strongly urge, that the duty of a host or journalist to intervene in order to reject or moderate unacceptable remarks be spelled out explicitly in the JSP.

Marketing of content and other “native” advertising

Dany Dubé is a sports commentator and acknowledged hockey expert under contract with Radio-Canada. He can be seen, read and heard on all Radio-Canada platforms, on news and current affairs programs, on newscasts, and in online content.

I must admit that I was astonished to see him advertising a Montreal-region car dealership on RDI, and especially inviting the general public to read his column on ICI.Radio-Canada.ca, offered without charge by the sponsor.

Here is what Mr. Dubé says in the commercial:

Je vous invite à regarder mes analyses tous les jours de match, présentées par Boisvert Chevrolet Buick GMC. Rendez-vous sur Radio-Canada.ca/Sports.[Translation: “I invite you to watch my analyses every game day, presented by Boisvert Chevrolet Buick GMC. Go to Radio-Canada.ca/Sports.”]

While Mr. Dubé speaks, a super reads: “Sur la route avec Dany Dubé” [“On the road with Dany Dubé”] and the sponsor’s logo. The commercial ends with the logos of ICI Radio-Canada Sports and Boisvert Chevrolet Buick GMC, appearing above the message “Les sports dans un instant. Bonne émission.” [“Sports in a minute. Enjoy the program!”]

Upon verification, this commercial turned out to be part of a concept developed by CBC and Radio-Canada Media Solutions, a division of the CBC/Radio-Canada Revenue team, which describes it as follows on a website dedicated to the marketing industry:

[Translation] Boisvert Chevrolet Buick GMC presents *On the Road with Dany Dubé* on ICI Radio-Canada.ca.

Since January 6, visitors to ICI Radio-Canada.ca have been able to see and hear Dany Dubé’s sports analyses delivered live from the Bell Centre and arenas across North America.

Quebec hockey fans’ favourite analyst shares his impressions before and after the game, live from the press gallery. In-depth analyses right from the scene of the action tell viewers everything they need to know on game days.

Diving into the adventure of journalism 2.0 without a safety net, Dany shoots 90-second videos with his iPhone and broadcasts them instantaneously on ICI Radio-Canada's Sports section and social media, through Radio-Canada Sports' Twitter and Facebook accounts.

Boisvert Chevrolet Buick GMC, a dealership on Montreal's north shore for which Dany is the official spokesperson, is joining the analyst for this adventure. The sponsor promotes the videos on ICI RDI and ICI Radio-Canada.ca.

The innovative digital project *On the Road with Dany Dubé* effectively combines Radio-Canada's traditional media platforms and its social media extensions to air original, high-quality content simultaneously on several platforms.

Join the 15,700 subscribers to the Radio-Canada Sports Twitter account (@RC_Sports) and follow Dany Dubé from press galleries across North America!

Like our videos? Tell us on Radio-Canada Sports' Facebook page!

There's nothing particularly surprising about CBC/Radio-Canada's foray into content marketing itself: this is a marked trend in all media that has been picking up steam for several years and that, in my opinion, is as inevitable as the return of winter after the fall.

On the other hand, what is astonishing and out of place is its appearance in information content.

I would like to reiterate that JSP also apply to personnel and news content in specialized areas such as sports and culture.

For me, there is no doubt that Dany Dubé's "sports analyses" are "information content" as defined by the JSP. Mr. Dubé delivers his analyses on all Radio-Canada platforms in a news and current affairs context. There doesn't seem to be any doubt for CBC and Radio-Canada Media Solutions either, which describes the experience with Dany Dubé as an "adventure in journalism 2.0."

Radio-Canada's News and Current Affairs team was not consulted before this commercial aired. If it had been, as should have been the case under JSP requirements, it would certainly have pointed out to the Revenue team that this incursion of content marketing into the news realm was a blatant violation of the rules on use of the CBC/Radio-Canada brand. Here is the standard in question (my underline):

Brand protection; fiction

CBC's credibility and brand as an information provider must never be compromised. Information content may be accompanied by advertising or promotion. However, we do not commercially exploit the brand of our information programs and content in any way detrimental to our independence, credibility or integrity as a public service.

Any proposal to have journalists simulate their work in fiction, parody or advertising must be referred to the General Manager and Editor in Chief.

As you have no doubt noticed, I have underlined almost the entire excerpt, including the last section stipulating that journalists must not simulate their work for advertising purposes. Dany Dubé does not “play the part” of a sports analyst in the commercials he does for the Boisvert car dealership; the situation is worse, from my point of view, because he in fact embodies that role, since his character is inseparable from his role as a journalist.

In any event, it is quite clear to any honest observer that the brand of the “information content” delivered by Dany Dubé as well as that of the ICI.Radio-Canada.ca web platform mentioned in the commercial are being used for commercial purposes and that that use sullies the public broadcaster’s “credibility” and “integrity.”

I note in passing that Mr. Dubé also serves as the official spokesperson for Boisvert Chevrolet Buick GMC, for which he has made several commercials that have aired on YouTube. This seems to me to be problematic in regard to the conflict-of-interest rules found in the JSP as well as CBC/Radio-Canada’s corporate policies.

Let me be clear: I have no objection in principle to content marketing or other forms of so-called “native” advertising. And one can make as much as one likes of the facts that Mr. Dubé is an independent commentator under contract with Radio-Canada, that he therefore has a degree of latitude that the Corporation’s “regular” personnel do not enjoy, and that he doesn’t deliver any “news” in his analysis. However, the fact remains that his analyses are being used in a news context on every platform and that they are “information content” within the meaning of the JSP. Moreover, his commercials make obvious use of the Radio-Canada brand.

In my view, this situation sets a dangerous precedent that we should take care to avoid repeating at any cost.

When I discussed this commercial with Michel Cormier, Executive Director, News and Current Affairs, French Services, he told me that in recent months he has had to deal with many attempts by Revenue to “sell” the Radio-Canada news brand and that the problem had become an ongoing one.

Clearly, CBC/Radio-Canada has suffered from draconian budget cuts for years and, like all traditional media, has to contend with the fragmentation of the advertising market, leading to a decline in own-source revenue.

But in the news world, Radio-Canada’s brand is built on its journalistic independence, its credibility and the integrity of its content. These are values and assets that must be safeguarded at any price.

We have no wish to go back to those far-off days when Radio-Canada let its star hosts and journalists read advertisements on the radio, right in the middle of the program, or lend their voices or images to tobacco producers for commercials on television.

A question: What would happen if a sponsor endorsed by Radio-Canada and Dany Dubé, or another of its stars, found itself for any reason in circumstances that were the subject of a news report?

I imagine that someone has thought about that.

I would like to add, and this is of paramount importance, that Radio-Canada's news mission, as defined in its JSP, is to "serve the public interest" independently "of lobbies and of all political and economic influence." The JSP explicitly state the following: "Public interest guides all our decisions."

In the case discussed above, it seems obvious that the decision to present the *Sur la route avec Dany Dubé* videos was guided by the interest of the sponsor, Boisvert Chevrolet Buick GMC, and Radio-Canada's Revenue team, and not by "public interest."

I would therefore strongly suggest that the JSP should be strengthened to clearly prohibit any content marketing or other forms of "native" advertising from news content and segments.

Conflicts of interest

Radio-Canada has not been shaken in the same way as CBC has recently by certain cases of conflict of interest, real and alleged, involving its information content personnel.

But as the saying attributed to American aerospace engineer Edward A. Murphy goes, "Anything that can go wrong will go wrong."

I would add, as I indicated in my previous comments, that the endorsement of products or trademarks by public figures associated with Radio-Canada seems to contravene our corporate rules and JSP on conflicts of interest.

I therefore believe, like my CBC colleague Esther Enkin, that the JSP guidelines on conflicts of interest should be re-examined. Like her, I believe that clearer guidelines that are more consistent with our policies must be put in place.

Point-of-view documentaries

The JSPs set out rules governing the broadcasting of "documentaries created from a single perspective."

One of those rules requires those productions not be "... financed by an advocacy group, lobby group or government agency."

This requirement is increasingly problematic because the way in which these productions are financed has changed considerably in recent years. Quite often, point-of-view documentaries are now financed by pressure groups and governments, most frequently on a minority basis.

Like my CBC colleague, I believe that greater leeway should be given to those responsible for selecting documentaries so that they may judge, on a case-by-case basis, whether the involvement of a specific sponsor really poses a problem.

That greater leeway could be conditional upon ensuring full transparency on how point-of-view documentaries are financed.

Social media

On a few occasions, I have had to respond to complaints arising from conflicts between journalists and audiences. In every case, these were clashes by correspondence, sometimes in the form of email exchanges, but mostly through the social media, Facebook and Twitter.

The ease of communication brought about over the years, first by email and then by social media, has enabled media content producers to interact with each and every reader, viewer or listener.

Inversely, the general public can also enter into contact with journalists, hosts and content producers, and possibly enter a dialogue with them.

For better or worse, the media universe is no longer a one-way channel of communication.

I will not dwell here on the numerous benefits of this change for the media and those who work in the industry, as well as for the public. That question has already been sufficiently addressed, and by observers who tackled it much more seriously than I would be able to.

Instead, I will simply mention a few secondary effects that are as harmful as they are undesirable and that, in my view, it would be best to minimize.

In the past, journalists, hosts, commentators, researchers, etc. had only to concern themselves with delivering their content to a more-or-less passive public that had to keep its reactions to itself. There is no need to explain why that is no longer the case today: Canadians now have many ways to react immediately to the information they receive. They have developed an appetite for that capacity and no longer hold back from doing so.

And not always in the most civil way. Since audiences' reactions can be expressed instantaneously, they are often worded while viewers, readers or listeners are in the grips of emotion, without taking the time to calm down.

And since they are expressed in writing to an unseen recipient, rather than verbally in a person-to-person setting, those comments often show no restraint.

Anyone who reads the comments posted by the general public in response to articles on the web is well aware that they are often argumentative or even incendiary in tone, despite netiquette and moderation by the media in question.

But there is no netiquette or moderation for individual exchanges conducted by email or on social media. The best option available to the recipient of an extreme message is to refrain from answering or to delete it.

The number of outrageous and abusive messages received by newspaper reporters is so large that many of them have simply chosen no longer to read messages sent to them.

However, at Radio-Canada as in other media, personnel like hosts and reporters who produce information content are invited to keep the “conversation” going with members of the public on social media.

Some members of the public develop a taste for those conversations and correspond regularly with on-air personnel, offering advice and opinions, pleas and accusations, and sometimes becoming familiar or too familiar, insistent and intimidating with their interlocutors.

At times those exchanges, which can last months, turn sour; a Facebook “friend” may no longer be friendly at all, or a journalist or host may answer too brusquely to his or her interlocutor’s liking because he or she felt a comment was inappropriate or did not appreciate racist or hateful remarks.

Sometimes the situation degenerates into insults, threats and harassment, pure and simple.

Personnel who have found themselves in similar situations have told me that they weren’t sure how to react, especially since they have to invest a great deal of time and emotional energy to ensure that they and their programs have a presence in the social media.

Encouraged by management, many of them use their own Facebook, Twitter or other accounts for professional purposes because their program may not have its own social media presence. This certainly helps create a level of “familiarity” or even unhealthy promiscuity and sows confusion, misunderstanding and ambiguity for some members of the general public.

How should personnel respond to harassment from a listener or viewer? To recurring abuse from a “troll”? What should they do with a “friend” who becomes too insistent or familiar? Can they be unfriended, or rejected? Should they file a complaint? With whom? How can they moderate people’s comments? Should they moderate them? Based on what rules?

In short, our personnel are at a complete loss.

I therefore invite News and Current Affairs to look into this matter promptly and put in place a clearer framework, including through the JSP, governing the relationships that our personnel are being asked to establish with the general public on social media.

I will also make a very specific recommendation: the use of personal social media accounts for professional purposes should be prohibited, including in our corporate policies.

Web scrapers and drones

In recent years, there has been a great deal of talk about “data journalism” as if it were a brand new genre. However, in journalism, searching through data bases and official statistics is nothing new.

In fact, this discipline, which has always existed, owes its current popularity to the development of the Internet along with the fact that governments concerned with transparency, accountability and openness are making public data more available.

So what is new is really the use of modern tools, computers and simpler data management techniques and means of communication to search, find, recover, organize and analyze those data, which are usually taken from official sources.

One of these tools, the web scraper, is a computer program that screens the information found on websites using their HTML code to collect and analyze the desired data. (In French, the journalists who use these data extraction programs call them “robots.”)

In just a few hours, these scrapers can enter thousands of databases accessible online and retrieve information that would have taken months to collect manually.

I won't go into long explanations about the nature and usefulness of these tools and their availability to any journalist who is the slightest bit of computer knowledge. It is enough to know that they are being used more and more, that their use will continue to grow, and that their use poses a certain number of ethical problems.

First and foremost, because although it is available on the web, the information gathered by scrapers is not necessarily of public interest: personal information, for example. The scraper, and especially its creator, have to know the legal limits that they cannot and must not overstep, at the risk of becoming hackers. This also applies to sites that contain only data that is “officially” public.

There is also the matter of anonymity. Generally, journalists do their work openly; scrapers should do the same.

Except when certain conditions justify not doing so. In such cases, the rules and requirements should be the same as for the use of any clandestine means, including hidden cameras and false identities.

At a more basic level, to ensure full transparency the program itself should be published as part of the report for which the scraper was used. Why? Because a programming error can skew the findings presented to the public, and so the public should have the means to check it.

This is a new area that is completely overlooked by the current JSP. However, it is urgent to do so.

But it's not the only one: As could be expected, drones have made their entry into the world of journalism. An effective drone provided with a high-performance camera now costs around \$500: enough to make any press baron who dreams of having a helicopter drool!

The use of drones, as efficient as they are, is not without its share of risks and will doubtless never be so. Neither is it always justified: it's not just because something can fly that it should.

In New York City, one of these very identifiable flying objects crashed at the US Open stadium, and another at the University of Kentucky stadium during a football game.

Yet another fell on the crowd during a popular festival in Catalonia.

In Germany, a drone was forced to land two metres from Chancellor Angela Merkel during a press conference.

In Belgium, Radio-Télévision belge de la Communauté française (RTBF) was disciplined for having filmed a pedestrian zone in downtown Brussels using a drone.

Another Belgian drone, this one owned by the Sudpresse group, was intercepted by security services when flying over a castle owned by the Royal Family.

For the most part, these events occurred two or three years ago.

Since then, the incidents have become increasingly numerous and spectacular. In December 2015, a drone owned by the company Infront Sports & Media nearly cost the life of ski champion Marcel Hirscher in the middle of the Madonna di Campiglio World Cup races, crashing just a metre behind him.

Once again, the rules are having trouble keeping up with reality. Between the rules of civil aviation, municipal by-laws and journalistic standards, there is a grey zone where drones do not fear to fly.

Where should they be allowed to fly? Over what? Up to what height? What can they film, and whom?

In the U.S., journalism schools are already teaching their students how to pilot drones. There as in Europe, pilot projects (the term couldn't be any more fitting) are springing up in newsrooms.

Civilian authorities are starting to set rules for recreational drones. These are basic rules, which seem self-evident: do not fly over people; fly at an altitude of less than 150 metres; do not lose sight of your drone; do not fly over public spaces or near airports; do not fly at night; respect people's privacy, etc.

But for professional use, the rules are both more lenient (drones can sometimes be flown outside the pilot's field of view, in urban areas and over crowds) and more demanding (a test of theoretical abilities and a permit may be required, etc.).

For journalists, the ethical questions remain, having received little attention or debate. There are no guidelines. And yet, establishing guidelines should be a top priority, given the extent to which drones pose problems in terms of security and the public interest, the protection of privacy and the transparency of journalism as a profession.

Here too, it is urgent to act.

SOCIAL MEDIA USED BY RADIO-CANADA: COMMENTS FROM THE GENERAL PUBLIC

In September 2015, a citizen complained to my Office about the comments posted on Radio-Canada's Facebook pages. Her message troubled me—so much so that I feel compelled to address the issue that she raised, even though comments made by the general public are not by definition news content and are therefore not subject to the Journalistic Standards and Practices (JSPs) or Ombudsman's review.

I am taking the liberty of reproducing below the main points of her complaint and the comments that she flagged, since they are so edifying:

[*Translation*] I wish to file a complaint concerning the lack of moderation on Radio-Canada's Facebook pages, especially Radio-Canada Information and ICI Radio-Canada Première. Day after day, dozens of insults between users and racist, violent, hateful and sexist comments are posted without any intervention whatsoever from Radio-Canada. I have copied a few examples below, but all you have to do is read the comments on any story about the Middle East or niqabs, among other things, to see for yourself. The one and only time I saw Radio-Canada take any action in over two years was in response to threats to Luka Magnotta's mother. I have complained several times to Audience Relations, but have never received the slightest response. Do these pages even have a moderator? Who is responsible for them? Normal social media practice is to moderate pages and step in if there are any inappropriate comments or behaviours. Radio-Canada should be ashamed to let things go on in this way. If your answer is that it doesn't concern the Ombudsman, please tell me who I should talk to.

Comments on the article 'Ce que les 700 morts à La Mecque mettent en lumière'
(Note: The texts are reproduced as posted):

- Eric Dilallo: 'Just 717?? I hope there are going to be lots more!!'
- François-Régis Harvey: '1500 fewer mental cases!!!!!!!!!!!!!!!!!!!!!!!!!!!!'
- Tim Goulet: 'All together in the same place and boooooom!'

Comments on the article 'Plus de 700 morts dans une bousculade à La Mecque':

- Alain Lupien: 'A life for a life. 700 pilgrims dead and probably the same number of sheep spared.'
- Stéphan Savard: '700 fewer to wage war.'
- Réjean Gilbert: 'They can do it again as much as they want And it's not a race: it's a religion just like the ones they want to exterminate. Not a race, but a damn religion!'
- Paul Daigle: 'Good riddance, it's not enough.'
- Claude Raymond: 'A tragedy? More like a blessing!'

I forwarded this complaint to the director of digital news, Mr. Pierre Champoux, who admitted right off the bat that the articles should never have been posted on social media, since it was clear that the situation was going to get out of control.

Mr. Champoux explained that a considerable number of comments submitted by the public in response to the articles in question on ICI Radio-Canada.ca had to be rejected, since many were racist, xenophobic or intolerant. Since ICI Radio-Canada.ca reviews content before it is posted, the unacceptable comments that were rejected were never posted.

Faced with the same problem, CBC had to delete hundreds of inappropriate comments after they were published, because it currently uses reactive moderation.

However, Mr. Champoux explained that pre-moderation is impossible for Facebook:

If we provide readers with a forum, we have to live with the risk of seeing racists express themselves with impunity. 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.

I do not have any solution to offer, but that doesn't mean that we don't have to find one.

The social media are useful for traditional media; among other things, they are great marketing and content distribution tools. In many ways, they are indispensable.

However, we have to do everything we can to avoid their undermining Radio-Canada's credibility and tarnishing its image. Things are moving very fast in this area, and I have to insist that we take action.

COMPLAINTS: MINIMIZING ABUSES

Last year (2014–2015), in a chapter of my annual report called *Social Media: Somewhere Between Self-Expression and Propaganda*³, I addressed the use of the CBC/Radio-Canada complaint process for self-serving or other partisan purposes by propagandists and demagogues of all stripes.

I also discussed the tone of the complaints submitted to my office.

In both cases, I went to some length to explain that while the complaint process was a remarkable vehicle for debate, free speech and democratization, it unfortunately also allowed for the manipulation of public opinion and the expression of extreme, disrespectful or outright hateful or filthy points of view.

I concluded from these facts that the current complaint procedure should be amended to make the process of filing public complaints more civil and exclude any possibility of exploiting the ombudsman for one's own purposes.

As agreed, I consulted with Esther Enkin, my colleague at CBC, on this matter. We believe that two additions to the procedure would make it easier for the ombudsmen to deal with the issue described above.

Currently, section 2 of the “Complaint Review Process” reads as follows:

2.The Ombudsman will not handle anonymous complaints.

Henceforth, it will instead read:

2. The Ombudsman will not handle anonymous complaints, or complaints containing insults, offensive remarks, profanities or gratuitously aggressive language.

In addition, the following new section has been added after section 2:

The Ombudsman reserves the right not to handle complaints that are identical to one already received, or that are part of a series of complaints orchestrated by an individual, organization or interest group. In such cases, the Ombudsman may decide to handle only the initial complaint. However, all complaints received will be counted for statistical purposes.

³ http://www.ombudsman.cbc.radio-canada.ca/_files/documents/ombudsman-rapport-annuel-2014-15.pdf

OCTOBER 19, 2015 FEDERAL ELECTION

With his term in office coming to an end, it came as no surprise that Prime Minister Stephen Harper called an election for the expected date of October 19, 2015. It was to be the first general election held under the new rules calling for fixed election dates.

Although he did not have any choice regarding the election date, the Prime Minister did have a choice regarding when to call the election and therefore the duration of the election campaign. Mr. Harper chose to dissolve Parliament on August 2, 2015, thereby kicking off the longest campaign in the country's recent history.

My office received 187 complaints concerning the election, a relatively small number in light of the campaign's 78-day length. This is largely explained by the high number of leaders' debates and the fact that the leader of the Green Party, Elizabeth May, was able to take part in the debate organized by Radio-Canada and its associated media. Mrs. May had not been allowed to participate in the 2011 election debate, and my office received 1,633 complaints from citizens unhappy with her exclusion.

Of those 187 complaints, 47 concerned the Radio-Canada leaders' debate held on September 24, 2015, and 39 of those were part of a series of emails sent at the instigation of the Fédération des communautés francophones et acadienne du Canada (FCFA), which had posted a model protest letter on its website. Most other organizations, associations and pressure groups representing Francophones outside Québec protested in the same way and encouraged citizens to do the same. All these organizations and citizens claimed that the questions asked during the debate primarily concerned Quebec residents and did not reflect the interests of Francophones in other provinces.

Note that 18 of these 39 complaints were sent to both my office and the CRTC and 13 of them to the CRTC alone, which, as per its standard procedure, forwarded them to my care.

In a review I conducted following receipt of these complaints, I deplored the "automatic," habitual and almost compulsory nature of this kind of protest, which seems to take for granted that the public broadcaster has always ignored the interests of Francophones outside Quebec and continues to do so. In the case of the leaders' debate, that position did not stand up to serious analysis.

I am almost inclined to think that this type of ready-made indignation, which can be dug up and dusted off whenever the need arises, sometimes serves the interests of the organizations behind them more than those of the citizens involved and the causes they wish to support.

In response to the 187 complaints concerning the election, I conducted nine reviews. In three of those reviews, I fully agreed with the complainants, and in one other case, I partly agreed.

Finally, 38 of those complaints dealt with taking in Syrian refugees, a subject that gave rise to some controversy during the election campaign.

As the Ombudsman's mandate has required since 1998 (*Compliance with Journalistic Policy*), this year I once again assembled three advisory panels of Canadians whom I asked to review Radio-Canada's radio, television and web coverage.

This was the third time I undertook this exercise. As always, I chose as panel members people who had not been involved in any partisan political activity for several years.

I therefore sought out and recruited people who agreed to perform their role with complete impartiality, no matter what their personal opinions might be, and who were interested in reviewing Radio-Canada's election coverage. I made sure they came from different backgrounds, but I cannot claim that they were entirely representative of Canadian society. The panellists did, however, include people from several regions of the country, workers and retirees, students, men and women, and members of cultural communities and minority language groups.

Due to the particular sensitivity of French-speaking communities outside Quebec, I recruited two respected members of those communities: Maurice Rainville, of Moncton, a retired professor emeritus of the Université de Moncton, a specialist in news ethics, among other things; and Daniel Boucher, of Winnipeg, President and CEO of the Société franco-manitobaine, who chaired the Internet panel.

As panel chairs, I appointed people like Mr. Boucher, with first-hand knowledge of the media and how they work: Bryan Miles, a former reporter who was a journalism professor at the Université du Québec à Montréal and who, since then, has been named editor-in-chief of the Montreal daily *Le Devoir*; and journalist Gilles Boivin, recently retired from the Quebec City daily *Le Soleil*.

I have proceeded in the same way for the three elections I've had to deal with since I took up my position (Quebec 2012 and 2014, federal 2015) because I feel the other panellists should be able to count on expert assistance if they have any doubts or questions. This also means that as Ombudsman, I could remain fully at arm's length from panel proceedings.

As on each previous occasion, I explained to all the panellists that Radio-Canada wanted their viewpoints on how its various platforms fulfilled their mandates, and I sent them links to the Ombudsman's website and CBC/Radio-Canada's Journalistic Standards and Practices (JSPs). During my first conference call with the three panels immediately after the election was called, I explained the meaning of the five values on which the JSPs are founded. I also asked the panellists to do their best to set aside their own political views in performing the analysis I was requesting of them.

The members of the three panels set themselves the task of listening to, watching or reading daily election coverage exhaustively and attentively, and they shared their analyses and perceptions by email and by phone with their respective panel chairs. I took no part in their reflections.

Given the extraordinarily long election campaign launched in the middle of the summer, when many people were on vacation, often out of the country, I asked the panellists not to start their work until Labour Day, September 7. I felt that six weeks of observation and review would be quite sufficient to provide a critical look at the election coverage on Radio-Canada's various platforms.

The day after the election, the three chairs each provided me with a report containing their panel's observations and assessments. Each report was then sent to all members of the CBC/Radio-Canada Board of Directors.

I would like to thank all the panellists for carrying out their assignments with such care and discipline. I was impressed by their reports and recommendations. I would like to add that, in many respects, their comments echo remarks made by audience members who contacted my office during the campaign or are in line with certain concerns I share and regularly discuss with News and Current Affairs.

Last, I would like to point out that in my opinion, these reports, with their high-quality and informative observations and comments, should prove invaluable in helping News and Current Affairs reassess some of its editorial practices.

The following excerpts from the three panel reports provide a general idea of their content.

Report of the Radio Panel (exerpts)

First off, we would like to recognize the professionalism of Radio-Canada's reporters. Generally speaking, they discharged their responsibilities impartially and conscientiously. We never really felt there was any bias in favour of or against the parties or candidates at hand.

[...]

The “Premier vote” [first vote] operation was definitely one of the campaign coverage’s strong points. Not only did it give this segment of the electorate a voice, it also showed that young people are not completely uninterested in politics. The same can be said of the many fact check features aired during the campaign’s last six weeks.

[...]

The “Boussole électorale” [vote compass] also provided an interesting perspective on voters’ moods and changing opinions over the course of the campaign.

The National Radio Newscast

Clearly, given the radio newscast’s form and length, it is impossible to cover the campaign exhaustively. [...] That air time was spent mostly on the three main leaders’ caravans, with a marked interest in controversial subjects like the niqab.

Unfortunately, the radio newscast quickly developed a habit of ignoring the other parties’ campaigns. That habit did a serious disservice to the Green Party and its leader, Elizabeth May, and, to a lesser degree, the Bloc québécois [...].

Despite everything, the radio newscast gave listeners a chance to familiarize themselves with the issues that the parties sought to showcase. [...] But what about the debate over the niqab, which blew up during the campaign [...]? [...] We must ask ourselves too whether the media, including Radio-Canada, didn’t play a role in fueling the controversy.

Going beyond these major issues, the radio newscast did not really provide us, as citizens, with sufficient information on the parties’ programs and policies. [...]

Regional Radio Newscasts

In Moncton, an important station for the Francophone community outside Quebec, (we) observed on several occasions that the election campaign was quite simply absent from newscasts on several days (for example, on October 11, 12, 13 and 14). In Quebec City, local coverage during the first two weeks of monitoring was paltry in regional newscasts. [...]

However, coverage by these regional radio newscasts improved greatly [...] over the following weeks. Even more importantly, social and public affairs programs like *Première heure*, *Médium large* and *Radio-Canada cet après-midi* in Quebec City and *Le réveil* and *L’heure juste* in Moncton provided more complete local information on the campaign. [...]

Public Affairs Programs

Public affairs programs [...] are much more conducive to providing complete, detailed information. As a result, they were a better fit for Radio-Canada's regular and contributing reporters' reports, features and analyses. [...]

These programs were also the setting for the few debates held between local candidates. With just a few exceptions, these confrontations provided very little content for voters. In addition to their often cacophonous nature, they often involved merely repeating standard party lines on local issues. [...]

[...]

Under the guidance of their talented and clearly well-informed hosts, they made up for several shortcomings in radio newscast coverage. *L'heure du monde*, *L'info-midi* and *Desautels le dimanche* all received high praise in our weekly reports. [...]

"Spending nearly three quarters of the program (*L'heure du monde*, September 13) on Vancouver and the electoral issues in the Prairies is a success in itself," observed (a member), who also mentioned the special program dedicated to the Quebec City region.

However, this doesn't mean that the other, more regionally focused programs like *Gravel le matin* and *Le 15-18* in Montreal, and those mentioned above (in Quebec City and Moncton) missed the mark. On the contrary, they went all out, especially in the last few weeks when they presented some outstanding reports on several key ridings in their regions. [...]

The Impact of Budget Cuts?

It is important to understand that Radio-Canada's various services have relatively limited means, which vary from one region to another.

[...]

This situation may explain one of the panellists' recurring criticisms in our weekly reports and during our last conference call: there is a great deal of in-studio content, but not enough reports from the field.

[...]

Remote broadcasts have opened the door for some very interesting initiatives, like the *Info-midi* recorded at the University of Ottawa, which gave retired civil servants an opportunity to discuss the effects of civil service cuts and the muzzling of federal scientists.

In addition, at the national level, interesting Radio-Canada reports that aired on *L'heure du monde* and *Desautels le dimanche* correctly pinpointed the election issues in Vancouver and the Prairies, as well as in the greater Toronto area and the Atlantic, among others. With these programs airing network-wide, such initiatives are especially laudable.

External Resources

Radio-Canada called on external resources for many of its public affairs programs. The participation of reporters from other media no doubt played a role in ensuring an interesting range of perspectives. [...]

Moreover, experts, strategists, academics and other spokespersons of representative bodies also provided valuable input on the campaign, especially in regard to touchy subjects like the Trans-Pacific Partnership agreement and supply management, the refugee crisis and the difficulties inherent in welcoming such large numbers of immigrants, etc. [...]

However, it would have been interesting to hear more about certain issues that received little or no attention, including culture, French-speaking communities outside Quebec, the environment and Aboriginal issues.

[...]

Another notable weakness flagged several times by the two women on our panel: women were regularly underrepresented, and often not at all, on the panels put together to discuss campaign issues on various public affairs programs.

[...]

Election Night

It is certainly unusual for most people to follow election night on the radio. However, [...] radio coverage of election night on October 19 had nothing to be ashamed of. Spearheaded by a serenely calm host, Jean-Sébastien Bernatchez, the program surprised panellists with its high quality and ability to retain their attention. High-quality analysts and commentators joined forces with reporters stationed at the parties' election headquarters to make the program easy and exciting to listen to. [...]

Suggestions

[...]

- Provide a daily press review (or at least a weekly one) of regional newspapers.

[...]

- Debates between local candidates should perhaps be replaced by short candidate interviews on specific subjects that are important to the riding.

- Finally, a suggestion that we removed from the main body of our report so that it would not be perceived as a criticism of Radio-Canada reporters' ethics: the status of certain Radio-Canada reporters is not always made clear.

One example: *L'Info-midi's* outstanding host-reporter, Michel C. Auger, who put on his contributing reporter hat just a few minutes later on *Le 15-18*. We are not questioning the journalist's professionalism or the quality of his work; we are merely wondering about this role confusion. Similarly, the status of the excellent analyst Daniel Lessard would gain by being clarified. [...]

Report of the Television Panel (excerpts)

The 10 p.m. Le téléjournal

Generally speaking, Radio-Canada adequately presented the relevant facts and divergent points of view in this flagship program [...]. However, on a few occasions the reporters focused exclusively on the three parties most likely to win the election. [...]

[...]

The interviews with the party leaders lacked teeth. The Justin Trudeau interview stuck to generalities, and there weren't very many specific questions on his policies on culture, justice, the fight against poverty, etc. The Thomas Mulcair interview focused on hypothetical questions regarding the election of a minority government. Returning to the niqab issue six weeks after the events wasn't particularly useful for voters. And finally, the interview with Gilles Duceppe skipped over an important part of the Bloc's platform: Quebec independence.

The daily campaign coverage provided by the 10 p.m. *Le téléjournal* was usually excellent. The main host and her weekend substitutes, as well as the reporters, were all very professional in the way they presented the news.

Enquête specials

The three *Enquête* one-hour specials, which related the personal and professional histories of the three main parties' leaders [...] gave audiences a chance to learn more about the three leaders' backgrounds, how they had become passionate about politics, and why they had decided to get involved in public life [...]. These informative, in-depth and professional reports gave viewers an opportunity to see the three politicians' human sides and to understand their ideas and vision of Canada.

These reports [...] allowed Quebec voters to make a fair assessment about the moral fibre and leadership skills of the three main candidates vying for the position of Prime Minister.

Finally, it would have been useful to present profiles of Gilles Duceppe and Elizabeth May as well [...].

The 6 p.m. *Le téléjournal* and *En direct avec Patrice Roy*

Patrice Roy did an excellent job presenting the debates and the issues of the day in the heat of the moment. He was well prepared, his questions were nuanced, and he was fair in his handling of the various parties.

It is [...] always surprising to see to what extent the regions are neglected and seemingly non-existent in Montreal programs. [...]

The Panel members would have liked to learn more about the diversity of Quebec's largest city: Aboriginals, cultural communities and minority groups had little input into the debate [...].

The 6 p.m. *Le téléjournal* and *En direct avec Patrice Roy* were no exception to [...] a the controversy surrounding the wearing of the niqab [...]. At one point, Patrice Roy mentioned that the niqab was making headlines for an eighth day in a row. So who is it that's constantly bringing this issue back to the fore? A minor event that has occurred twice in five years across all of Canada was blown up into a national issue!

Les ex

This program was [...] rarely watched by Panel members. The following comments do not go into very much depth. The Panel appreciated the civility of the discussions between guests from different political backgrounds. The recurring presence of the same guests, five times a week, eventually became tiresome. [...]

RDI économie

The program hosted by Gérald Fillion did a good job explaining the election campaign's economic issues. The program was particularly important because of the focus on the middle class and its aspirations, and it dealt objectively and thoughtfully with the ideas and promises put forward by the leaders during the day. The information presented on *RDI économie* was checked, and the opinions featured had the advantage of being based on facts or statistics. [...]

24/60

The panels that featured four candidates led to rather static debates. [...] The lack of representatives from the Green Party [...] was difficult to explain.

The panels involving four reporters from four different parts of the country gave rise to some constructive and highly informative analyses. Capitalizing on the expertise of Claire Durand and Éric Grenier [...] on poll methodology and reliability, raised the level of the debate and helped move it away from the standard clichés.

The “Premier vote” [first vote] feature, which raised awareness about the issues important to young people, was exemplary. [...]

Host Anne-Marie Dussault, the reporters and the guest analysts on *24/60* [...] were on top of the subjects under discussion [...]. Hats off to Ms. Dussault for adhering to the principle of “setting things right” by using the next day’s show to correct the factual errors or slips of the tongue committed the day before by her guests or herself.

Les coulisses du pouvoir

Emmanuelle Latraverse’s analyses were consistent with the neutral perspective required by Radio-Canada’s JSP. This weekly program was the ideal format for discussing the parties’ strategies, their methods and the way they used information technology to connect with their voter base. [...] Like the *Enquête* specials, *Les coulisses du pouvoir* provided an in-depth look at our politicians and helped audiences understand their values and strategies.

Final Comments

One of the participants paid special attention to the quality of the spoken French on Radio-Canada Télé. He noticed that certain reporters and hosts had difficulty using the correct forms of past participles, especially feminine agreements. [...]

[...]

The Panel also wishes to reiterate that “les Canadiens” [Canadians] are first and foremost citizens or voters. The widespread use of the expression “les Canadiens” by Radio-Canada’s hosts and reporters signals a significant shift in meaning. [...] Federal politicians have figured out that a monopoly over certain words cannot be left to Quebec nationalists, who insist on using the expression “les Québécois” [Quebecers].

[...]

A word about election night: the formula should be entirely revisited. What use is it to spend the first few hours presenting partial results (or even mere glimpses at results) based on two or three ballot boxes in a single riding? [...] Despite the quality of the guest analysts’ comments, the formula felt like a time filler [...]. Why not take advantage of the first few hours of election night to recap the campaign issues and conduct in-depth interviews?

[...]

Finally, throughout the election campaign, the reporters managed to file their reports without taking sides for any party or presenting biased information. [...]

[...]

The Panel believes that Radio-Canada should have paid more attention to the major issues facing Canadian society and a little less to day-to-day political jousting.

[...]

Radio-Canada's reports spent considerable time on isolated, relatively minor issues like wearing the niqab [...]. Instead, it would have been useful to pay more attention to other social issues [...] and to various subsets of the general population. The campaign issues did not all receive the same attention [...].

[...]

Radio-Canada must continue to control the agenda and not give up the right to set and control the agenda to political parties and their strategists.

Report of the Internet Panel (excerpts)

Week 1 (September 7 to September 13)

The news feed for this first week of coverage dealt with a wide range of subjects [...]. We noted that there was nothing on the Green Party during the first week.

Denis-Martin Chabot's fact checks on the unemployed and Canada's role in fighting the Islamic State also provided accurate and impartial information. For website visitors, this interesting section sheds new light on certain party statements for which the general public may have trouble distinguishing what is true from what is not. [...]

[...]

The map entitled "*Pour qui ont voté vos voisins*" is an interesting and extremely accurate tool. However, it is unfortunate that site visitors do not have access to statistics that are more general in nature and could apply to a broader area. It might have been useful to have links to articles providing analysis of the map.

We appreciated the 45 features and analyses in the same section. A wide variety of subjects were covered by several seasoned analysts and reporters. [...]

Week 2 (September 14 to September 20)

First, we noticed [...] that several stories on the news feed were not signed by an author or reporter. [...] Being an irritant, this situation [...].

[...]

We noticed that several articles on the site were short and precise, which is greatly appreciated when visitors have little time and want to catch up quickly on several news stories. [...]

Following the *Globe and Mail* leaders' debate and the often contradictory statements made by the leaders, we found the fact check very useful and interesting.

Week 3 (September 21 to September 27)

Christian Noël's article "Jeunes, sans emploi et en marge du débat politiques" caught our attention because in our opinion, it was an exception to the rule: it dealt with a specific segment of the population and their concerns rather than the politicians' actions and statements. [...]

The feature "Les enjeux des Autochtones aussi importants sinon plus que le port du niqab" by Mathieu Gohier raises a very interesting subject that did indeed receive very little attention during the campaign. However, we feel not only that the report was too short, but that it would have been useful to have some statistics [...].

[...]

In the last line of the article "Une valse à plusieurs en Colombie-Britannique," the author refers to proportional and mixed-member voting systems. Clearly, a full explanation and analysis would have been very useful. This is a topic that deserved much more than an off-the-cuff remark.

[...]

In our view, the series on the place of Canada in the world was well done and went into some important issues in great detail. However, we found that the coverage was more static than educational and a little long for listeners.

[...]

Week 5 (October 5 to October 11)

[...]

Mathieu Dion's article "Que veulent vraiment dire les sondages" was very interesting, necessary and informative, coming just before the campaign wrapped up. Questioning the role of polls when they get so much attention in the media is essential if citizens are to be well informed. [...]

[...]

The niqab and covered-face issue continued to receive significant coverage on every platform. [...]. We believe that it is important to find the right balance between sensationalist and factual content.

Week 6 (October 12 to October 18)

Our Panel wondered whether Radio-Canada had a role in fueling certain discussions by coming back to them repeatedly. The niqab, and all the issues associated with the issue, was mentioned at least 20 times while employment was mentioned only three times. [...]

[...]

The article entitled “Besoin de réviser les programmes des partis avant de voter?” was not only absolutely essential and very useful as the campaign neared its end, but also very well put together. It might have been useful to have links to sections of the parties’ websites concerning the issues at hand.

[...]

The article on the 12 interactive tools designed to help visitors vote was appreciated and a commendable effort by Radio-Canada to encourage people to vote with information at their fingertips. However, we found that downloads were often slow and could make for a difficult and frustrating experience. [...]

The #1ervote Project on Instagram

We found the idea and format of this first initiative for young people interesting.

[...]

We [...] felt that the dialogue was limited, even though there were a good number of participants and the questions were relevant and interesting. [...] Since this platform (or a similar one) will certainly be a preferred mode of communication in the future, we hope that two-way communications will be improved.

The Vote Compass

Some 1,300,000 people used the compass by the campaign’s end. That’s only 100,000 less than the CBC vote compass, which primarily targets users of the English-language site. [...]

There were 16 articles on these data and questions derived from the answers to the vote compass’s questions [...] served voters very effectively throughout the campaign. This content [...] made a significant contribution to the positive user experience offered by the website.

[...]

However, we suggest that the compass’s designers find a way to include the opinions of the smaller parties, whose political positions may be even closer to those of participants.

In regard to the article “Qui va gagner dans votre circonscription?”, we found that the title lacked punch and was possibly biased and a little presumptuous [...].

Election Night (October 19, 2015)

The election night dashboard was nicely arranged but may have included a few too many tools. The tools [...] could be confusing for users because of delays on the site. Panel members reported technical problems throughout election night.

We had to refresh the page constantly, a process that caused us to lose the favourites we had selected at the start of the night. [...] At the start of election night, especially as the results from the Atlantic provinces were being announced, there was a considerable discrepancy between the results shown on the site and those on television. The television results were much more accurate. [...]

A few Panel members used the Radio-Canada mobile app, and we found it to be insufficient and not very interactive. All it offered were articles from the day's news feed, and we received little or no live information as election night unfolded. [...]

Conclusion

[...]

We have only praise for the “Vérification des faits” fact check features, which seems to be fairly exclusive to Radio-Canada. According to our Panel, this fact-checking work demonstrates the importance attached to high journalism standards at Radio-Canada. [...]

It may be a good idea to explore ways of giving more exposure to parties like the Green Party because they are important participants in the Canadian political conversation.

[...]

The debate surrounding the niqab appeared to be unbalanced in its coverage of the positions of the LPC and NDP. [...] However, it is difficult to determine whether that imbalance was caused by political gaffes or by a wave of reports that focused more on the contrary positions of the Conservatives and NDP while ignoring the LPC's position. [...]

In regard to the impact of the niqab in our day-to-day lives vs. the impact of Aboriginal and environmental issues, we believe that newsrooms have to find a balance between controversial issues and issues that are important to the general public. [...]

[...]

Ultimately, Radio-Canada succeeded in presenting a high-quality website that adhered to the five key principles guiding our French-language public broadcaster's daily coverage. That coverage included the major issues across the country. With about 400 articles, features and reports, the reporters covered a wide range of subjects. [...]

APPENDIX I

COMPLAINTS FORWARDED TO DEPARTMENTS FOR A RESPONSE

BY MEDIA LINE

	TV	RDI	RADIO	WEB	RADIO- WEB-TV ⁴	TOTAL COMPLAINTS
2015–16	226	161	64	92	30	573
2014–15	275	215	43	67	11	611
2013–14	249	109	52	65	25	500
2012–13	436 ⁵	155	67	68	33	759
2011–12	642 ⁶	76	40	51	16	825

⁴ These complaints cover multiple platforms.

⁵ Including the 236 complaints received in 2012–13 about Jean-Martin Aussant's exclusion from the leader's debate.

⁶ Including the 502 complaints received in 2011–12 about E. May's exclusion from the leaders' debate.

APPENDIX II

RESPONSE TIME FROM DEPARTMENTS

	COMPLAINTS PROCESSED	AVERAGE RESPONSE TIME (IN DAYS)
2015–16	573	15.7
2014–15	611	11.8
2013–14	500	12.4
2012–13	759 ⁷	8.7
2011–12	825 ⁸	7.1

⁷ Including the 236 complaints received in 2012–13 about Jean-Martin Aussant's exclusion from the leader's debate.

⁸ Including the 502 complaints received in 2011–12 about E. May's exclusion from the leaders' debate.

APPENDIX III

REVIEWS BY THE OMBUDSMAN

	COMPLAINTS PROCESSED	AVERAGE RESPONSE TIME (IN DAYS)
2015–16	41	3.6
2014–15	35	3.3
2013–14	36	7
2012–13	42	8.1
2011–12	23	38.8 ⁹

REVIEW OUTCOMES

	UNFOUNDED COMPLAINTS	PARTIALLY FOUNDED COMPLAINTS	FOUNDED COMPLAINTS
2015–16	33	2	6
2014–15	23	3	9
2013–14	26	4	6
2012–13	31 ¹⁰	7	4
2011–12	15	5	3

⁹ The Ombudsman, French Services position was vacant for three-and-a-half months.

¹⁰ This figure includes the Ombudsman's clarification on Jean-Martin Aussant's exclusion from the leader's debate.

APPENDIX IV

Mandate of the Office of the Ombudsman

(Terms of reference adopted by the Board of Directors on March 21, 2012)

I. Principles

CBC/Radio-Canada is fully committed to maintaining accuracy, integrity, balance, impartiality and fairness in its journalism, as expressed in its unique code of ethics and practice, the *Journalistic Standards and Practices* (<http://www.cbc.radio-canada.ca/en/reporting-to-canadians/acts-and-policies/programming/journalism/>). Our journalistic mission is to inform, to reveal, to contribute to the understanding of issues of public interest and to encourage citizens to participate in our free and democratic society. We base our credibility on fulfilling that mission through adherence to the values, principles and practices laid out in the *Journalistic Standards and Practices*.

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

Audience Complaints and Comments

- a. The Ombudsman acts as an appeal authority for complainants who are dissatisfied with responses from CBC information or program 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 Standards and Practices*. 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 the review's findings and posts such findings on the Ombudsman's website.
- d. As necessary, the Ombudsman identifies major public concerns as gleaned from complaints received by the Office and advises CBC management and journalists

accordingly. The Ombudsman and CBC management may agree that the Ombudsman undertake periodic studies on overall coverage of specific issues when it is felt there may be a problem and will advise CBC management and journalists of the results of such studies.

- e. The Ombudsman establishes a central registry of complaints and comments regarding information content, and alerts journalists and managers on a regular basis to issues that are causing public concern.
- f. The Ombudsman prepares and presents an annual report to the president and the Board of Directors of the Corporation summarizing how 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.
- g. 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.

Compliance with journalistic policy

- a. The Office of the Ombudsman is responsible for evaluating compliance with the *Journalistic Standards and Practices* in all content under its jurisdiction. It can be assisted in this role by independent advice panels. Panel members are chosen by the Ombudsman; their mandate is to assess content over a period of time, or the overall coverage of a particular issue by many programs, and report their findings to the Ombudsman. The Ombudsman will advise CBC management and journalists of these findings.
- b. The evaluation measures performance in respecting the fundamental principles of CBC journalism:
 - balance, impartiality, accuracy, integrity and fairness for information content; and
 - balance and fairness for general-interest programs and content when dealing with current issues.
- c. The Office reports bi-annually.

III. Jurisdiction

The jurisdiction of the Office of the Ombudsman covers all news, current affairs and public affairs content on radio, television and the internet (whether in-house or produced by a

third party) that falls within the scope of the Corporation's *Journalistic Standards and Practices*, as amended from time to time.

This includes news and all aspects of current affairs and public affairs (political, economic and social) as well as journalistic activities in agriculture, arts, music, religion, science, sports, and variety.

This also includes user-generated content when incorporated in news, current affairs and public affairs stories.

Complaints beyond the Ombudsman's mandate should be addressed directly to the programs concerned, or Audience Relations.

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. People currently employed by the Corporation or employed by the Corporation within the previous three years will be excluded from nomination as public members. 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 gross misconduct or in instances where the Ombudsman's actions have been found to be inconsistent with the Corporation's Code of Conduct Policy 2.2.21.
- 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.

Note: This document can be found on the Web:
<http://www.cbc.ca/ombudsman/about/terms-of-reference.html>