

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, 2017

Toronto, ON

 = by videoconference



Members of the Committee present:

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

Members of the Committee absent:

Norman May

Also participating:

Michel Bissonnette, Executive Vice-President, French Services
Heather Conway, Executive Vice-President, English Services
Michel Cormier, Executive Director, News and Current Affairs, French Services ()
Stéphanie Duquette, Executive Director – Legal Services & ATIP, Associate Corporate Secretary
Ester Enkin, Ombudsman, English Services
Marie-Claude Ferland, Chief of Staff to the President and CEO
Sylvie Gadoury, Vice-President, Legal Services, General Counsel and Corporate Secretary
Guy Gendron, Ombudsman, French Services ()
Jennifer McGuire, General Manager and Editor in Chief, CBC News and Centres
Jack Nagler, Director of Journalistic and Public Accountability

Opening of the Meeting

At 11:20 a.m., the Chairperson called the meeting to order.

1. Adoption of Minutes

On a motion duly moved and seconded, **IT WAS RESOLVED**, — That the Minutes of the February 16, 2017, meeting of the Committees be approved.

2. Annual Report of the English Services' Ombudsman & Management's Response

Esther Enkin provided an overview of her report, including the number and subject-matter of the complaints received during the fiscal year, the increase in the number of followers and the importance of the review underway of the Journalistic Standards and Practices (JSP). She noted that there were no patterns to the errors. She explained how important it was, with the current state of trust towards news, to be responsive to questions and complaints, more particularly with *social media*. She reminded everyone of the need of making CBC's websites clearer regarding corrections and the forums available for questions and complaints.

Jennifer McGuire explained the challenges encountered in producing even larger volumes of content combined with the ubiquity of information in general. She also highlighted the absence of systemic problems. She reported that an opinion portal had been launched this year and that the redesign of news would provide more clarity on oversight. Ms. McGuire also indicated that the work around the revised JSPs was well underway.

3. Annual Report of the French Services' Ombudsman & Management's Response

Guy Gendron provided an overview of his first report as Ombudsman of Radio-Canada, including the number and subject-matter of the complaints received during the fiscal year, an increase in complaints coming from the web publication, the importance of corrections, and the need of making Radio-Canada's websites clearer regarding the forums available for questions and complaints. He also noted the growing number of questions on images and the importance of reviewing the JSPs to reflect the impact of social media. He indicated that impartiality and the representation of religious and cultural diversity were recurring themes.

Michel Cormier noted that work was underway with Guy Gendron to take a strategic proactive approach in identifying potential problems. He also explained that the way in which responses to complaints were dealt with had evolved in the past year and that he was happy with the results. He noted that it was not always clear in people's minds what content was considered news and what wasn't. Mr. Cormier explained how transparency was key in building public trust. He reported that the new blog *Le mot de l'info*, in line with the past Ombudsman's recommendations, had been quite useful in explaining the journalistic approach to certain content. He mentioned that work was underway to improve the discoverability of the complaints process. He also stated that the revised JSPs would deal with the issues surrounding the use of images.

Committee members inquired about the structure of the news operations at Radio-Canada. A discussion followed with both Ombudsmen on current world trends in news such as lack of trust and the importance of both local presence and community interest. The decline in the number of public editors and ombudsmen in other media organizations was also raised. All agreed on the value of media literacy and of the Ombudsmen as a public commitment to accurate journalism.

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

On a motion duly moved and seconded, **IT WAS RESOLVED**, – That the 2016-17 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.

Adjournment

At 12:30 p.m., the meeting was adjourned.

FRENCH SERVICES NEWS AND CURRENT AFFAIRS' REPLY TO THE OMBUDSMAN'S 2016-2017 ANNUAL REPORT

The management team of news and current affairs wishes to thank ombudsman Guy Gendron for his work and recommendations over the last year. Radio-Canada adheres to some of the most stringent journalistic standards and practises. Our relationship with the ombudsman is part of an ongoing dialogue aimed at improving the exercise of our profession.

Last year, the office of the ombudsman received 709 complaints pertaining to the work of our journalists. He agreed to revise twenty-seven of them. Of these, eight were deemed justified in whole or in part. We are proud that only a few of our stories were found to transgress our standards and practices, especially given our increased production of content with the expansion of our digital offer. This does not minimize in any way our obligation to excellence. It is why we thrive to keep mistakes at a minimum.

Guy Gendron's mandate coincides with the advent of fundamental changes in the way we produce and consume information content and with audiences that expect greater accountability and transparency from the media and, especially, from public broadcasters. With the emergence of fake news, and the multiplication of outside platforms that distribute news content such as Facebook and Google, the public requires even more accuracy and excellence from legacy media such as established newspapers and broadcasters.

We have regular discussions with the ombudsman on these issues. They stem from a common desire to increase the measures we take to increase transparency and to develop a sustained relationship with our audiences.

First, we have decided to facilitate the public's recourse to the ombudsman by publishing a more direct reference to his services on our platforms. We have also made our *Corrections* section more visible on our websites and make sure every mistake, however minor, is corrected. In the case of mistakes that could impact the reputation of individuals or institutions, we make retractions on every program or platform that published the erroneous information.

The development of digital platforms represents a definite challenge. Our sites and apps account for the biggest increase both in the production and the viewing of our news and information content. This means we have to increase our

vigilance in an environment where, because of the accelerated news cycle, we produce and broadcast content at an even faster pace. We also use, more and more, amateur video of breaking news events that must be verified.

This changing environment has led us over the last year to revisit and amend our journalistic standards and practices. The new guide, which will be presented to you in the fall, enables us to regulate new practices and new sources of information that did not exist or were not as prevalent when we last reviewed it. They address among others issues like the acquisition and usage of big data and video shot from drones.

The changes also deal with the etiquette our journalists must observe when interacting with the public on social platforms. Before, the JSPs only had a passing reference to the use of social platforms like Facebook in accordance with journalistic principles. The new version goes in much more detail. The fundamental principle, however, remains the same: a journalist must not express an opinion or point of view, either on social platforms or on the air.

We will also explore, according to the wishes of the ombudsman, ways to increase even more the visibility of his services on our digital platforms.

The new digital environment poses another kind of challenge for news and current affairs at Radio-Canada : it is the question of what constitutes journalism.

This is both an external and an internal challenge. We do not have exclusive control or branding of our news content anymore. Our stories travel on platforms like Facebook or Google, where they live side by side with content that does not adhere to the same strict journalistic standards as ours. This *confusion of genres* can have a negative impact on Radio-Canada's information brand. We are working to make sure our content is clearly identified when it is distributed on outside platforms.

The challenge is also internal. The ombudsman, for example, received more than five hundred complaints about content that was not produced by the news department. More than a hundred of these complaints were about an item on our main website that intended to explain Islam to children. We can't expect the public to differentiate content that is produced by journalists with a set of guidelines from content that is produced by other services under different criteria. We are looking at ways to brand our content as *journalism* to reduce such confusion while maintaining fluidity in programming.

The ombudsman has also stressed in his report the importance of transparency. Increasingly, the public expresses their right to criticize us but also demands to know how we operate and make decisions about coverage. One way to respond to this is to communicate regularly with the public. In *Le mot de l'info*, I try to explain the approach we take to covering events, such as terrorist acts. Comments from the public enable us to have a better dialogue and to adjust our practices, when needed.

The credibility of our news and current affairs is, more than ever, one of the keys to the relevance and identity of Radio-Canada as the country's public broadcaster. Rest assured that we are well aware of the importance of producing quality information content and that we will do everything in our power to live up to the high standards of our journalistic standards and practices. In this endeavour, we rely on the counsel of the ombudsman and thank him for his report.

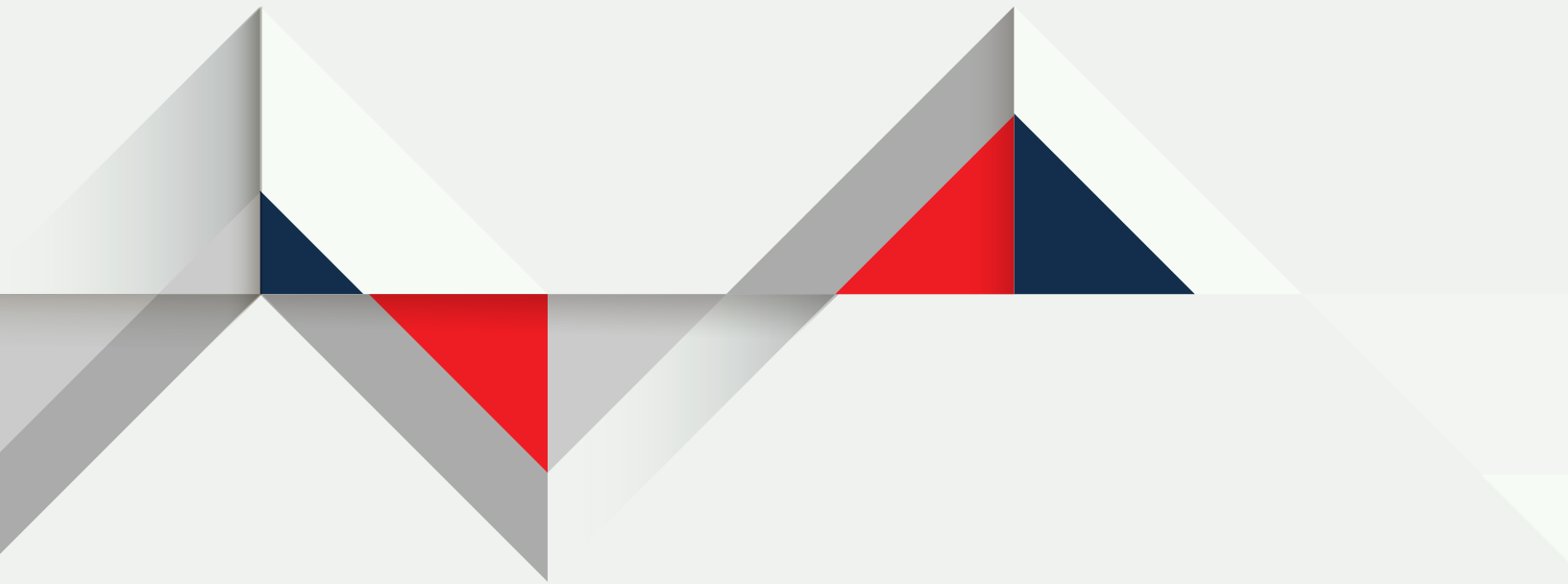
Michel Cormier

Executive-director, News and Current Affairs, Radio-Canada



OFFICE OF THE OMBUDSMAN | FRENCH SERVICES

OMBUDSMAN



ANNUAL REPORT
2016-2017

CBC  Radio-Canada

Office of the Ombudsman, French Services

May 18, 2017

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, 2016, to March 31, 2017.

Guy Gendron
French Services Ombudsman

TABLE OF CONTENTS

HIGHLIGHTS.....	3
Table: Communications received by the Office of the Ombudsman.....	7
9-1-1 OMBUDSMAN.....	8
PROCESSING OF COMPLAINTS	9
DISTRIBUTION OF COMPLAINTS.....	11
ANNEXES	
I Table: Complaints Forwarded for Departmental Response	12
II Table: Management Response Time	13
III Tables: Ombudsman’s Reviews, Outcomes & Response Times.....	14
IV The Ombudsman’s Mandate: Terms of Reference	15

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

This is my first annual report to the President and CEO and the members of the Board of Directors of CBC/Radio-Canada since taking over as French Services Ombudsman from Pierre Tourangeau, my predecessor, on April 1, 2016.

I would like to begin by thanking the President and CEO of the Corporation, Hubert T. Lacroix, for his support while I settled into my new duties, my esteemed colleague Esther Enkin, the English Services Ombudsman, for her enlightening advice, and Pierre Tourangeau, for being so generous with his time. And I would be remiss if I did not mention the continued dedication of Laure Simonet, administrator of the Office of the Ombudsman, who helped me rapidly get my bearings.

The Office of the Ombudsman received 1,248 complaints during the year ended March 31, 2017, which was 139 fewer than during the previous year. Of that number, 709 directly concerned news content, and I referred 242 of those to the News department for a response. Twenty-seven complainants were dissatisfied with the explanations received and proceeded to the next step, asking me to review their complaints. In eight cases (or 30 percent of the total) I found in favour of the complainant, fully or partly.

The number of requests for review was the lowest in recent years. There are two main reasons for this. First, the absence of a general election campaign in Quebec or federally; campaigns are always a major source of complaints. Second, the Israeli-Palestinian conflict, traditionally a topic that attracts repeated complaints, resulted in no requests for review over the 12 months, which may be a consequence of the fact that news from that part of the world was dominated by the conflict in Syria, resulting in less attention being paid to the situation in Israel and the occupied territories.

The distribution of complaints across the various French Services media sectors reveals that there is no one issue of particular concern in one or another of those sectors.

A matter of transparency and accountability

I am pleased to report that significant progress has been made toward fulfillment of one of the priorities that I established last year: improving transparency in audience relations.

It is precisely that concern for accountability that resulted in creation of the ombudsman position and that continues to be its motivating force; hence the importance of constantly drawing inspiration from it as we continue striving to enhance our accountability processes. This is especially necessary in light of the crisis of confidence currently affecting all major media outlets as they face accusations from some quarters of spreading “fake news.” Canada is not immune to this phenomenon, and neither is Radio-Canada. Canadians rightly expect their public broadcaster not only to lead by example in enforcing its Journalistic Standards and Practices (JSPs¹), but also to display openness and accessibility in its enforcement of them.

I therefore appreciate the fact that I have had constructive dialogue with the heads of various Radio-Canada departments with an eye to clarifying the process of complaint submission, treatment and follow-up.

First, changes have been made to the complaints section of the Audience Relations website, with a direct link to the Office of the Ombudsman added for the benefit of those whose grievance concerns news content. This avoids unnecessary navigation detours for users and lessens the burden on Audience Relations staff asked to “sort” complaints.

Second, at my suggestion, replies from the heads of the various French Services departments now mention more explicitly the fact that if the complainant is dissatisfied with the response, they may request a review by Ombudsman. The new wording is closer to that currently used by English Services, and states more clearly than previous replies that complainants are entitled to the services of the Ombudsman, as an independent appeal authority.

Lastly, I note with satisfaction that the News department is showing a willingness to improve acknowledgement of mistakes, which do happen from time to time.

Case in point: in spring 2017 a factual error, first acknowledged in the News department’s reply to a complainant, was then reported in the *Mises au point* (“Clarifications”) section of the Radio-Canada.ca website. It is my hope that this admission, though it may seem routine, will herald a new era of transparency, given that the *Mises au point* section had fallen into disuse (it had only been used twice in all of 2016). In addition, as I write this, it remains difficult to navigate easily to the *Mises au point* page on Radio-Canada.ca—something that, we must admit, is at odds with its purpose. I am nonetheless delighted that the News department seems to be open to “resuscitating” it, making it easier to access as part of an overall revamp of French Services’ News websites.

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

As I mentioned recently in a review of a complaint,² public acknowledgement of an error or an inaccuracy, made on a Web page dedicated specifically to that end, can provide the complainant with a degree of validation and an opportunity to “turn the page and move on.” I might add that not only is there no shame in admitting one’s mistakes, but doing so is in fact a pledge of rigour, demonstrating an institution’s commitment to continually improving its performance in that regard.

I note that, while that commitment is not present in equal measure across the organization, Radio-Canada News and Current Affairs’ Digital Operations department clearly stands out for its openness and rapid response time in acknowledging and correcting inaccuracies. As I mentioned in my final review of 2016–17,³ however, it would be appropriate if every correction in a web article were clearly identified as such and dated, as journalism best practices currently dictate. This should be the case regardless of which department is responsible for producing the article, because any user visiting the Radio-Canada News site has the same expectations regarding compliance with professional standards.

Lastly, I must mention that there has been action this past year in one area that my predecessor, Pierre Tourangeau, had advocated for on several times: public statements by the Executive Director of News and Current Affairs on the Radio-Canada.ca News site clarifying his team’s decisions. Over the past year, Michel Cormier has posted a half-dozen messages to his space, *Le mot de l’Info*, which now enjoys enviable visibility and allows him to have a conversation with audiences on the main orientations of French Services News coverage.

Polarizing topics

The past year has seen a worrisome polarization of public opinion around questions of identity, which are not unique to Quebec and the rest of Canada. It is manifest in the rise of far-right political parties in Europe and in the rhetoric employed during the U.S. election campaign. Here, it has been most evident in discussions of immigration, Islam, and the fate of First Nations people.

The attack on the Grand Mosque in Quebec City early in 2017, the worst act of Islamophobia committed in a Western country in decades, has clearly been a catalyst for debate on the place of Islam and on the quality of public discourse toward Muslim citizens living in our society. Dozens of so-called old-stock Quebecers wrote to the Office of the Ombudsman to complain that they felt they had been judged negatively in comments, analysis and reaction to the mass killing.

² <http://www.ombudsman.cbc.radio-canada.ca/fr/revision-des-plaintes/2017/une-faute-admise-est-elle-pardonnee-les-coulisses-du-pouvoir/>

³ <http://www.ombudsman.cbc.radio-canada.ca/fr/revision-des-plaintes/2017/departager-les-causes-et-responsabilites-d-un-cafouillage-ici-radio-canada-ca/>

Others – including, but not exclusively, people of Muslim faith – felt on the contrary that coverage of issues relating to the presence of Muslims, especially in Quebec, was often tinged with prejudices or stereotypes unfavourable to that group. It is unfortunately very difficult to balance the feelings of all participants in this debate, given the mutual distrust that certain groups tend to exploit, whether as part of public discourse or on social media.

The single topic that resulted in the most complaints to the Office of the Ombudsman this year (110 in total) was a Web capsule in the youth section of Radio-Canada.ca entitled *L'islam expliquée aux enfants* (“Explaining Islam to children”). The tone and content of the complaints – often so offensive that it would be improper to quote them here – gave an idea of the heightened emotion on display in society. Incidentally, I decided that the capsule in question, produced for *Le monde est petit*, an educational program series aimed at young children, did not come under the JSPs and was therefore outside the scope of the Ombudsman’s mandate.

Reviewing the JSPs

In conclusion, I welcome the process begun by both the English and French Services News departments to review the CBC/Radio-Canada Journalistic Standards and Practices, as requested by both ombudsmen in their reports last year, especially in light of the growing use of social media platforms by journalists. This is an area that I am also quite concerned about, and that is worthy of attention. Of note is the fact that the JSPs already state clearly that CBC/Radio-Canada journalists should refrain from expressing their opinions in public forums. Obviously, we must admit that this concept does not appear to be well understood or accepted by everyone. There is also a structural constraint involved here: social media, most especially Twitter, limit one’s ability to comment in a nuanced manner, which puts journalists at risk of making blunders. In such cases, the impartiality of the News department may in turn be compromised, so I feel it is important to take the necessary measures to better control the phenomenon. It would also be wise to ask journalists to eliminate all personal information from their Twitter account descriptions, as clear evidence of their intent to distinguish between their professional and private personas.

Guy Gendron
Ombudsman, French Services
April 28, 2017

COMMUNICATIONS RECEIVED BY THE OFFICE OF THE OMBUDSMAN

	NEWS/INFORMATION PROGRAMMING	ALL OTHER PROGRAMMING	TOTAL
2016–17	709	539 (including 110 : Web capsule <i>L'islam expliquée aux enfants</i> , youth section of Radio-Canada.ca)	1,248
2015–16	1,038 (including 39: questions from Francophones outside Quebec during the leaders' debate ⁴)	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 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 <i>Connivence</i>)	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

⁴ In parentheses, recurrent complaints on the same subject, requiring a single response.

9-1-1 OMBUDSMAN

As evidenced by the preceding table,⁵ several hundred people contacted the Office of the Ombudsman regarding issues unrelated to News content. The fact that this problem continues to exist, year after year, should be brought to the attention of the Board of Directors, because it points to a real problem that, though it is not within the purview of the Office of the Ombudsman, nevertheless hampers its operation. Listeners, viewers and web users regularly write to the Ombudsman knowing full well that the issue they wish to see resolved does not come under the Ombudsman's mandate. Out of sheer frustration, and failing to find other places in which to seek an answer or have their voices heard, they will sometimes pick up the telephone as well – some of them stating that the Ombudsman's number is the only one associated with an “identifiable person” that is publicly available. As a result, the Office of the Ombudsman sometimes resembles a “Radio-Canada 9-1-1” line, something of a last resort.

I believe it is important to point this out here because having to manage these requests has an impact on the day-to-day operations of the Office of the Ombudsman. It also seems to indicate a real issue of transparency and accountability – the very values that, as I mentioned earlier, resulted in the Ombudsman position being created. I should also make clear that many of the people who have improperly requested my services have previously sought another solution, in vain, and that these are usually people who know their way around a website. One can thus appreciate how difficult it must be for people (and there are more of them than we may realize) facing literacy challenges or living with various physical limitations that affect their web navigation abilities.

One of the most frequent subjects of complaints that do not come under the purview of the Ombudsman is moderation of user comments posted below news stories on Radio-Canada.ca. These comments are not “news content,” and as such are not covered by the Journalistic Standards and Practices. Furthermore, moderation is performed by an outside firm; it therefore does not involve CBC/Radio-Canada employees. This is not well understood by web users who, when their comments are rejected, express their dissatisfaction – often angrily – and claim that they are being censored. In each such instance, the Ombudsman finds himself in the uncomfortable position of having to explain to the complainants why he cannot intercede. It is not up to me to suggest any specific solution to this problem, but it would no doubt be useful if Radio-Canada News and Current Affairs' Digital Operations department could find a way to communicate more effectively with web users upset by comments moderation, so as to smooth relations with them.

⁵ *Communications received by the Office of the Ombudsman*, p.7

PROCESSING OF COMPLAINTS

A look at the table in Appendix I⁶ reveals that the number of complaints forwarded to the various departments for a response (242) was down considerably this year compared with the average for previous years. That decrease was greater than 50%. Besides the aforementioned overall reduction in the number of complaints addressed to the Office of the Ombudsman, I attribute part of that decrease to the approach to dealing with complainants that I adopted after assuming my duties. Before forwarding complainants' grievances to the appropriate department for a response, I often engaged them in exchanges to clarify their complaint so as to ensure greater understanding and a more comprehensive reply. In taking that approach, I have been careful not to take the place of the heads of the departments in question, given that the Ombudsman is an independent appeal authority, and I always remind complainants of their right to an official response from Radio-Canada. Nevertheless, those exchanges resulted in several complainants reconsidering their decision, with many expressing satisfaction at having been listened to with respect and having their grievances heard outside a formal complaints process. It seems to me that this supportive approach has been generally well received by the various Radio-Canada departments, since it has had the benefit of reducing the number of complaints early in the process – even though that was not the intended objective.

In my exchanges with viewers, listeners and web users, however, I realized that some of them had already addressed a complaint directly to the staff responsible for the programs involved. Many of the radio, TV, public affairs and ICI RDI news programs have dedicated web pages, which include information on how to contact their team members. In most cases, these pages invite audience members to write in with “comments” or “suggestions.” To the best of my knowledge, though, none of these programs' web pages explains the procedure for “filing a complaint.” Not all audience members clearly understand the role of the Ombudsman, so it is likely that many may feel inclined to use the Comments section to make a “complaint.”

When that happens, however, the Ombudsman is never properly informed, even though the complaints in question come under his jurisdiction. Do these complainants receive a response or a simple acknowledgement of receipt? How long does it take? I have no way of knowing. And if a response is sent, are the complainants informed that if they are dissatisfied with the response, they may appeal to the Ombudsman?

⁶ *Complaints forwarded to departments for a response*, p. 12

I do not know, but I do know that I have never received a review request from a complainant who originally complained using that method which circumvents the standard complaints procedure as specified in the Ombudsman's mandate and is validated in the Journalistic Standards and Practices.

It would thus seem appropriate for the news programs' web pages to include, in the *Nous joindre* ("To reach us") sections, a note to audience members who do not wish merely to make a "comment" or "suggestion", but to file a complaint, that they should contact the Ombudsman. Ideally, that note should contain an active link taking the user directly to the Ombudsman complaint form, as has recently been done for the *Plaintes* ("Complaints") section of the Audience Relations site.

DISTRIBUTION OF COMPLAINTS

Looking at the distribution of complaints across the various French Services media lines and considering the significant amount of news content that they produce over the course of a year, there is no one issue of particular concern. It is apparent from the table in Appendix I⁷ that the proportion of complaints about news stories published on Radio-Canada.ca is increasing. This year, web stories represented a quarter of all complaints for which I requested a response. This strikes me as normal, given the growing popularity of the medium. Of the 61 complaints that involved content published on the web, only 7 were subjected to a review, and I found that only one was (partially) founded.

I also reviewed 7 complaints related to content on ICI RDI, and concluded that 3 of them were founded, in whole or in part. I conducted reviews of 6 other complaints regarding TV news, and decided that none of them was founded. Four complaints regarding public affairs programs were brought to my attention, and in 3 cases I found in favour of the complainant, wholly or partially. Lastly, there were 3 complaints regarding ICI Radio-Canada Première radio programs, and I concluded that only one was founded.

⁷ *Complaints forwarded to departments for a response*, p. 12

APPENDIX I

COMPLAINTS FORWARDED TO DEPARTMENTS FOR A RESPONSE

BY MEDIA LINE

	TV	RDI	RADIO	WEB	RADIO- WEB-TV ⁸	TOTAL COMPLAINTS
2016–17	65	59	36	61	21	242
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 ⁹	155	67	68	33	759

⁸ These complaints cover multiple platforms.

⁹ Including the 236 complaints received in 2012–13 about Jean-Martin Aussant's exclusion from the leader's debate.

APPENDIX II

RESPONSE TIME FROM DEPARTMENTS

	COMPLAINTS PROCESSED	AVERAGE RESPONSE TIME (IN DAYS)
2016–17	242	11.9
2015–16	573	15.7
2014–15	611	11.8
2013–14	500	12.4
2012–13	759 ¹⁰	8.7

¹⁰ Including the 236 complaints received in 2012–13 about Jean-Martin Aussant's exclusion from the leader's debate.

APPENDIX III

REVIEWS BY THE OMBUDSMAN

	COMPLAINTS PROCESSED	AVERAGE RESPONSE TIME (IN DAYS)
2016–17	27	12.8
2015–16	41	3.6
2014–15	35	3.3
2013–14	36	7
2012–13	42	8.1

REVIEW OUTCOMES

	UNFOUNDED COMPLAINTS	PARTIALLY FOUNDED COMPLAINTS	FOUNDED COMPLAINTS
2016–17	19	4	4
2015–16	33	2	6
2014–15	23	3	9
2013–14	26	4	6
2012–13	31 ¹¹	7	4

¹¹ 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.



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