
APPENDIX

CBSC File 03/04-0926 CHEX-TV re Sportscast

The Complaint

The following complaint dated February 17, 2004 was sent to the CRTC and forwarded to the CBSC in due course:

Re: Sportscast of Feb. 16th – CHEX – Peterborough

On the 6:00 pm sportscast on the above date, the sports announcer seemed to incite the local junior hockey team to retaliate by harming an opponent as that team apparently injured a member of the Peterborough club. He never indicated that perhaps the referee or the league should have been more stringent, but urged the young players of this team to “harm” (my words) their opponent when a “cheap shot” (his words) is taken against their team.

I really don't think Canadian airwaves should be used to promote violence. Please review this telecast, as is your mandate, to determine how CRTC views this kind of on air comment. I'm sure CHEX – Peterborough would keep a tape of it.

Please contact me after your review.

Broadcaster Response

The General Manager of CHEX-TV replied to the complainant on February 26 with the following letter:

Thank you for bringing your concern (re: Sportscast of February 16 – 04) to my attention.

I have reviewed the logger tape of the sportscast in question and have transcribed (attached) the comments you take exception to. I have also spoken with Sportscast Gary Dalliday, who assures me it was not his intention to “promote violence”; in fact he prefaced his remarks with those words, which you will see in the transcription.

As you know, hockey is an aggressive sport and his comment was simply meant to inspire the team to use all means possible (non-violent) to get a message across to the opposing team. Gary points out that he has a lengthy track record of downplaying violent aspects of the game by excluding any fights that occur during games from the highlights he shows in his nightly sportscast and has done so for the past five or six years.

I trust this addresses your concern and once again thank you for bringing it to my attention.

Additional Correspondance

The complainant responded to the broadcaster's letter on March 3 and elaborated on his concerns in the following terms:

Thank you for your reply of Feb. 26th to my letter re: Feb. 16th sports news. I admire your protection of your employees but on the other hand you are using the airwaves (a monopoly that CRTC gives you exclusive rights) that belong to all the people.

Thank you too for the actual transcript of the actual words.

- 1- "If any of the Petes players ..." In other words, the announcer is addressing his words to the young players NOT the general public.
- 2- "I'm not here to promote violence BUT" ..." The word BUT surely implies that he is advocating violence.
- 3- "... deliver a message and I think YOU (the players, not the general public) know what I mean ..." Surely the "message" is to incite the young players to some kind of aggressive action.

The public would have been better served if Mr. Dalliday questioned the quality of the officiating at that particular game – clearly spelling out what he viewed as a "cheap shot" and encouraging his viewers to protest to the league official about this lack of quality.

Mr. Dalliday must control whom he interviews, etc. These players need all the publicity they can muster. If in the next game against this self-same team, a player heeds Mr. Dalliday's words and "delivers a message", does Mr. Dalliday praise him and perhaps feature that "message"??? I really think CHEX has some soul searching to do.

Please don't use the "If you don't like it, turn to some other station!!!" because of the CRTC ruling there are no other stations.

The complainant submitted his Ruling Request form and an additional letter dated March 30:

Thank you for your letter of March 15th.

Except for the first letter from CHEX, Peterborough, I have received no reply as of this date and have not seen any retraction of the offending comment from any sportscast.

Enclosure #1 – actual transcript of the words used by CHEX.
#2 – my reply to that transcript.

I am disappointed that CRTC does not "control" what is said on air, yet my understanding (wrongly, I guess) is that CRTC controls who receives permission to use Canadian airwaves and stations not upholding proper standards (eg. Canadian content) are refused renewal of these airwaves. Isn't CBSC more like a "fox" being asked to guard the hen house?

After this telecast, ironically, an NHL player severely injured another player, retaliating for an incident prior to this game, probably goaded on by a broadcast. He was a professional and an adult. The comment in question was directed to young, impressionable and vulnerable 16-20 year olds.

CHEX-TV's General Manager provided a second reply to the complainant dated March 31:

The Canadian Broadcast Standards Council (CBSC) has asked us to provide a second response to your recent letter to CHEX Television concerning comments made during the Sports segment of Newswatch @ 6:00 (the "Program") on February 16, 2004.

More particularly, your letters dated February 17, and March 3, 2004 suggest that the sports announcer seemed to incite or advocate violence to the local junior hockey team. Your overall complaint is "*I really don't think Canadian airwaves should be used to promote violence.*"

Please be assured that CHEX Television does not promote or advocate violence. As a member of the Canadian Association of Broadcasters (CAB) we adhere to all codes and guidelines established for the broadcast industry and administered by the CBSC.

In a previous decision, the CBSC has clarified that use of the phrase "Assassinate the Kings" during the broadcast of a Toronto Raptors basketball game against the Sacramento Kings did not amount to either promoting or exploiting violent action in any way, much less "violent action which is outside the sanctioned activity of the sport in question."

We regret if the Program offended you or if you found the comments to be advocating violence, for that was not our intent. In this instance, the sportscaster was neither promoting nor exploiting violence. In fact, he was quite clear when he said "*I'm not here to promote violence*". His remarks go on to suggest a "message" be delivered to the opposing team and you acknowledge in your second letter (dated March 3/04) that hockey is an aggressive sport ... in fact, you changed your remark to "*the message seemed to incite the young players to some kind of aggressive action*" deleting the word "*harming*". The "message" to be delivered could be through a legal body check or any number of other non-violent options at the players' disposal. Our sportscaster, Gary Dalliday, is very sensitive to keeping the violent aspects of hockey out of his broadcasts and is proud of the fact that he has been deleting fights from his highlight reels, preferring to show viewers the actual goals and exciting plays of the game.

Please be assured that we take our responsibilities as a broadcaster very seriously. At CHEX Television we work to ensure all our programming complies with the *Broadcasting Act*, the *Television Broadcasting Regulations* and the Codes and standards required of us as a member of the CBSC.

We trust the foregoing responds to your concern. We recognize the importance of viewer feedback and appreciate all comments. We thank you for bringing your concerns to our attention.