
APPENDIX

CBSC Decision 04/05-0933 CITY-TV re *CityPulse* at Six News Report

The Correspondence

The following complaint dated February 4, 2005 was sent to the CRTC and forwarded to the CBSC in due course:

This complaint is about *CityPulse* evening news in Toronto.

Last week there was coverage about a man (I can't recall his name) in Toronto who was arrested for his involvement in an international child pornography ring including trafficking of children for the sex industry.

I'm still bothered by what one of the reports did – a woman besides who'd I hope would have more sensitivity towards children. The big push that evening was about one of their reporters having an "exclusive" interview. It turned out it was with the convicted man's young son, a boy! How desperate can a local news channel be to reduce itself to such cheap promotion? I can't get this off my mind, so decided to write them and complain to the Commission.

I was looking to message the editor also of *CityPulse*. The person who decides what goes on air and what gets cut.

First off, I'm not sure if it's illegal but I know for sure it's unethical to interview a child without parental permissions let alone televise it. To exploit a child who is already at risk and extremely vulnerable to me seems cruel and twisted. What was CityTV thinking?

I'm sure there are a thousand angles they could have taken on such an awful story besides the further humiliation of this innocent child and the lowest common denominator of sensational reporting coverage.

That child would have already seen his father be hunted by police, perhaps his home was raided. Who knows the state of mind of himself [*sic*] or his mother/caregiver during that kind of crisis situation. This boy could very well be one of his father's victims for all we know. Chances are he was.

Can someone please explain to me what they were trying to do with such a report with an at-risk child and who's [*sic*] idea it was to televise it?

I believe these reporters need to be sensitized about the issue of child sex abuse, the station fined and whatever else it takes to prevent such twisted spectacles from happening in the future.

Since the complainant did not provide a specific date and time for the broadcast, the CBSC replied with its standard letter informing her that it would require that information in order to pursue the complaint. The complainant wrote back on February 14:

Thank you so much for getting back to me. It's unfortunate that I couldn't find the details about the broadcast from my limited online research. I also sent a letter to *CityPulse* but have had no response. Online, I couldn't find a name association with any of its departments so ended up having to send the message via general delivery. This is the first time I've had any problems with that TV station. It was the issue and ethics around the child or children that bothered me.

I am mostly concerned that they take responsibility for what has unfolded and that they are more conscientious and compassionate to vulnerable children in the future. Do you think your correspondence to them will do this, without a formal complaint process? If not, I will try and get the details you require so that a formal complaint process can continue to be pursued so that we can know what their intentions were and what their follow-up will be. Your advice is appreciated on this matter.

Thank you for your time and effort.

The complainant wrote again on February 17:

Thank you for responding to me. I understand your organization's issues about date and time. I've received similar correspondence from [the CBSC Correspondence Officer]. However, we do know that the time was the six o'clock news hour.

The Producer of CityTV did follow up with me. He replied that it was he who made the decision to air the interview and does regret the broadcast and have [*sic*] taken steps to ensure the reporter involved does not violate a child like this in the future.

So that you may view the broadcast in question, isn't it possible now to obtain the correct date from the producer as he fully knows which broadcast I'm referring to, so you can view the tape for yourself? Surely your organization has the clout to at least uncover the correct date of a well-known broadcast?

The reason I'm asking is that perhaps a formal complaint is still the most appropriate process to undertake as two major issues remain. One is, what will be the retribution to the boy and his caregiver who've been shamed by CityTV's broadcast? The other is the question that is still unanswered and that is whether or not permission was sought from a parent or guardian to interview the boy with the consent to air the broadcast? I asked the Producer this question and he has not provided an answer to that question in our email correspondences. The refusal to not answer [*sic*] the question makes me suspect that perhaps proper precautions were not taken.

Due to the fact that this incident involves an underage, at-risk child, are you or anyone at your organization at all curious as to whether proper broadcasting/journalistic protocols were taken?

CITY-TV forwarded to the CBSC a copy of the response the *CityPulse* Producer had sent the complainant. It read as follows:

In short, I agree with you.

We made a mistake by broadcasting the interview of the little boy. Even though we hid his identity, it didn't advance the story and was gratuitous. It was a case of something happening very late in the day, with a relatively inexperienced reporter, and a bad decision being made, by me, to run it. We should've given it more consideration. I apologize for any distress it

caused you. I can assure you that that kind of journalism is NOT what we are about and if we could go back in time and take it out, we surely would.

With 100 items of news in a typical newscast, we will make a mistake once in a blue moon, since we are human, but I don't want to make excuses, I just want to apologize.

In light of the information from the complainant that a CITY-TV producer had been able to locate the news report and respond to her, the CBSC further corresponded with CITY-TV to determine that the broadcast in question had aired on January 25 during the 6:00 pm newscast. With the co-operation of CITY-TV, the CBSC was able to pursue the complaint and provided CITY-TV with a second opportunity to respond. It did so on March 17:

I am writing to address your concerns about one of our news stories as outlined in a complaint made to the CBSC, a copy of which we received on March 7, 2005. As the Vice President of News Programming for CityTV Toronto, I will speak to your concerns and provide more information about the news report in question.

Before I address the specific issues you raise, I want to assure you we take our responsibilities as news people and broadcasters seriously and manage our newsroom in a principled way, with a conviction to protect and not exploit the innocent. We are guided by all Canadian Association of Broadcasters Programming Codes, including the Radio Television News Directors Association *Code of Ethics*.

I regret the way this story was covered. It was not in keeping with our own policy and practices, and was a result of management's failure to appropriately communicate our fundamental values, policies and practices to the story's producer, who is new to our newsroom. As he indicated to you in an earlier letter, the producer on this piece made an error in judgment by including in the news story a segment in which the alleged abuser's son was interviewed.

In answer to your question, our reporter did not seek permission from a parent or guardian to interview the child. It should be noted, however, that we are not required by law to seek parental or guardian approval. However, within the context of this story, I believe we should not have interviewed the boy – either with or without parental/guardian approval. That said, I do want to point out that while our reporter should not have interviewed the boy, she did treat him with gentleness, concern and respect. It should also be noted that the boy's face and body were digitally obscured in our news story, so that his identity was not revealed. I want to be clear that it is our standard practice to treat subjects and sources with decency and respect, protecting their dignity and privacy.

We have consulted with a professional child psychologist regarding your suggestion that we apologize to the child for our error. It is the psychologist's assessment that an apology would be of no benefit to the child, and may even be harmful. You may be assured that the newsroom individuals involved clearly understand the transgression in interviewing the boy at all. You may also be assured that every point you have brought forward has been thoroughly discussed with staff.

Ms. [M], should you wish to speak to me directly about this, please contact me at ~~###-###-####~~. Again, I apologize for a rare lapse in judgment by the first-rate professionals in our newsroom. We will take every measure possible to ensure this is the first and last such incident.

The complainant wrote back to the CBSC on March 31:

I have read CHUM Limited's response sent to me March 18th via email from [the Administrator of Business & Regulatory Affairs] on [the Vice President of News] behalf. His response seems to me sincere and concerned, which in my opinion is half the battle when dealing with the protection of children. I am pleased that a child psychologist was consulted in regard to the issue of retribution to the child involved.

What I do not agree with after seeing the footage is that the reporter treated the child with gentleness, concern and respect. I'm not even convinced that common sense was applied by the reporter in question. By simply covering a child's identity while pushing that child to speak negatively towards their own parent on public broadcast is not gentle, concerned or respectful. Also, [the Vice President of News] says that this was not in following with their policy – wouldn't the producer know this policy? An advertisement promoted the interview specifically for at least one hour before the broadcast in question. Viewers were being asked to stick around to hear the "exclusive" interview. This is a lot of time for management to make a judgment call, wouldn't you agree? Isn't that part of the job of the producer? If in fact, CHUM's policy is to maintain people's dignity, I can assure you, this child in this instant was not left with dignity. This is why I feel it is important for CBSC to view this clip.

Finally, I think another significant issue here is the fact that it is not law or policy to obtain parental permission before interviewing a child for a broadcast. I believe the CBSC should examine this clip and make comment related to standard journalism and broadcast practice along with recommendations as to how to protect the rights of children within the media. We must do what we can to ensure this "mistake" does not happen again in the future in this city or across the country.

Therefore, though I do appreciate all the efforts made by the Producer at CityTV and [the Vice President of News], I feel it is necessary to proceed with the complaint in hopes that the CBSC can enlighten us all about what might have prevented this from happening and how to ensure it never has to happen again to any child but particularly vulnerable and at risk children.

If you would like to speak with me please call (###) ###-#### or work (###) ###-####.

Thank you for your time.