
APPENDIX

CBSC Decision 06/07-0745 CTV Newsnet re two reports entitled "Anti-Terror Measures Voted Down"

The Complaint

The CBSC received the following complaint via e-mail on February 28, 2007:

At approximately 1:42 pm MST today, 28 February 2007, during an interview of the former CICS representative "Michel" on CTV Newsnet Dan Matheson stated that under the anti-terror measures a person could be arrested and held "indefinitely" - preventative arrest. I believe that the provision limits detention to 48 hours. If so, this is a big discrepancy.

In addition at approximately 19:15 MST Sandra Jensen was interviewing a human rights advocate and made the statement that these special powers for combatting terrorism were "seldom used". Actually they have never been used. "Rarely" and "never" are two very different words and rarely implies that the provisions were, on occasion, invoked.

Would seven days suffice for you to investigate these issues and if I am correct, to expect CTV to issue a public retraction on air?

Incidentally, I do not hold these alleged slips against the reporters. In fact Dan is one of my favourite people and I was delighted when he began anchoring Newsnet years ago. If these deviations prove to be correct, they only reinforce my views that CTV management, and therefore their research, is biased in favour of the Liberals. And I intend to make my point very strongly the next time that your broadcasting license is up for renewal. I should be able to engage with any media within Canada and expect to receive accurate and unbiased information from the reporters with opinion and spin reserved solely for the editorial page.

The complainant sent a second e-mail to a station employee on March 1, with a copy to the CBSC:

Since I sent you the original note yesterday, [K.], I have researched the provisions and this is what I found: "The two provisions within C-36 are 1) 'preventive arrest' without bail for 72 hours and 2) 'investigative hearings' of material witnesses."

I await your response.

On March 4, the complainant re-sent his initial complaint because he had received "no response or acknowledgement".

Broadcaster's Response

CTV Newsnet replied on April 5 with the following:

I have received your complaint of Wednesday February 28, 2007 to the Canadian Broadcast Standards Council (CBSC) which in turn has forwarded it to CTV News for a response.

First, we want to thank you for choosing CTV Newsnet as your source for News coverage and for taking the time to share your thoughts. Your email expressed concern over two separate interviews you saw on CTV Newsnet dealing with Parliament's vote against extending two provisions of the Anti-terrorism Act. The first provision allowed for preventative arrests, while the second allowed judges to compel witnesses to give evidence during an investigation.

In the first interview when questioning former CSIS Senior Intelligence Officer Michel Juneau-Katsuya, anchor Dan Matheson while framing a question included the following: "you can arrest someone on suspicion, hold him indefinitely, force him to testify..." You point out in your letter that the provision limits detention to 48 hours. Later, when interviewing Alex Neve of Amnesty International Canada, Sandra Jansen asked: "there are people who say those provisions were rarely used anyway, why is this impactful?" Again, you point out that the provisions were never used.

Both anchors were questioning experts, posing questions seeking clarification on the law, its effects and its usefulness. They were not stating facts to the viewer, they were asking the guests to respond to views of this legislation that have been expressed by others. The expectation was that the guests would provide the facts and clarification and if necessary correct any misconceptions.

In your letter you add that "if these deviations prove to be correct they only reinforce my views that CTV management, and therefore their research, is biased in favour of the Liberals". On this point we strongly disagree with your assertion. After careful review we find that both interviews were balanced and allowed ample opportunity to respond.

While we regret that you were offended and that was certainly not our intent, we believe that both segments were fair and accurate and in accordance with all applicable industry codes, guidelines and legislation. CTV is a member in good standing of the CBSC and adheres to its guidelines.

Additional Correspondence

The complainant expressed his dissatisfaction with that response on April 5:

Thank you for your detailed reply.

However I am still not satisfied with your answer and here is why:

In neither case cited in my complaint do you acknowledge that the questioner inserted incorrect information into their statements. It is as if journalistic accuracy is incidental to your station.

Furthermore, you state that "The expectation was that the guests would provide the facts and clarification and if necessary correct any misconceptions".

I find the latter rather disingenuous since it seems to imply that the questioners, who are arguably Canadian journalism icons, are permitted to embed false information in a question that is seeking an answer to a broader point. Then to add insult to injury, your remedy seems to be that the person being interviewed then has the accountability to correct this cloaked misinformation before answering the core question.

At least that is how I interpret your response. Please correct me if you meant it in a different way.

I'm amazed that the CBSC allows its members this much latitude with the truth since it leaves the door open to sloppy journalism which is only called to account when someone gets caught asking loaded questions?

And I assign a bias to your editorial content since these "little slips" all seemed to reinforce the Liberal claims that these measures trample human rights and pose a danger to "Canadian values". They did not fall in the middle (i.e. neutral as they should have) and they certainly did not have a tone of "this is strong medicine but we need it in case something terrible was going to happen".

My advice to you is to verify the facts, stick to accurate information in your interviews and leave the emotive slant to the politicians. It's called credibility.

On June 25, the complainant wrote directly to the CBSC asking "How is the investigation into my complaints coming along?" with a copy of his above April 5 correspondence pasted into that e-mail.