
APPENDIX

CBSC Decision 09/10-0188 CILQ-FM re a “Last Word” segment on *Derringer in the Morning*

The Complaint

The following complaint was submitted via the CBSC's webform on September 29, 2009:

station: Q107

program: *Derringer in the Morning*, Maureen Holloway and John Derringer

date: August 28, 2009 approximately

time: 8:30 am approximately – unsure

concern: Comments were made by the DJ Maureen Holloway about events transpiring in Romania during the August 26 Madonna concert. There was an episode of racism from Madonna's crowd, which Ms. Holloway was reporting on. For whatever reason, known only to her, Ms. Holloway made remarks that supported the stereotypes and racist beliefs that some have, including the Romanian audience at the concert, regarding the Roma Gypsy people. Rather than shutting her down, the show's host, Mr. John Derringer, made his own racist and stereotyping comments.

By the end of the segment, I was appalled that Q107 would condone the racism of a Romanian crowd, and would add their own "fuel to the fire" of racism against anyone. Further, the language selected by the Q107 morning show cast (for example, Ms. Holloway refers to the "Gypsy Problem") was strikingly reminiscent of the language in Hitler's Germany right before the Second World War. I am not accusing the Q107 hosts of being Nazis. I am accusing them of being horrendously ignorant of history, multicultural ethics and the way that their words will affect their listeners, specifically those who hate Gypsies and those who are Gypsies. I myself am not a Gypsy, but I know enough history to recognize fascistic language when I hear it. I hope your organization does too.

I wrote Q107 a letter, and discussed it with the program manager. At first, after listening to the tape, he did not agree with me, and thought there was no problem with this broadcast. After about 30 minutes of debate, in which I explained the meaning of racism and stereotyping, and shared with him the perspective of a Canadian minority, such as Gypsies, he acknowledged that there might be an issue here.

He discussed it with the DJs and sent me a letter saying that they would try to be more sensitive. While this is a great step, it is far from concrete. I would like Q107 to issue a correction or apology or do a positive segment educating viewers about the Roma Gypsies, without bias or stereotype. I think you will find the internet supplies plenty of free research material on the subject, including Wikipedia (where the section on Gypsies says that even the term 'Gypsy' is a derogatory word), and the Jewish Virtual Library (search 'Gypsies in the Holocaust' on Google). I would like the morning show to do something to demonstrate that they are NOT racist in intent, even if they slipped up one day, and that they ARE dedicated to

making positive, tangible change. I think this apology/correction/positive info session would be a great way to do this. I think they can then follow up, as they said, by being more sensitive in the future.

Broadcaster Response

CILQ-FM (Q107) responded on October 20 with the following:

The Canadian Broadcast Standards Council (the "CBSC") has asked us to respond to your email of September 28, 2009, in which you raised concerns regarding comments made during *Derringer in the Morning* (the "Program") on CILQ-FM on August 28, 2009. Specifically, you assert that the one of the program hosts, Maureen Holloway, "made remarks that supported the stereotypes and racist beliefs that some have, including the Romanian audience at the concert, regarding the Roma Gypsy people". You make specific mention [of] Ms. Holloway's reference to a "Gypsy problem", which you say is strikingly reminiscent of the language used in Hitler's Germany right before the Second World War.

We have had a chance to review the broadcast in question, and confirm that Ms. Holloway did discuss Madonna's recent concert in Bucharest, where Madonna publicly denounced eastern Europe's treatment of what she referred to as "Romanis and Gypsies, in general". Ms. Holloway digressed by saying that she found the 'Romani Gypsies' to be fascinating people, because so little is known about their ethnic origin. She continued by acknowledging that they are maligned throughout Europe, but that we don't seem to have a "Gypsy problem here". John Derringer made reference to the "problem" with Irish "Tinkers", which is that they get involved in criminal activity.

We understand that you found the comments to be offensive, and can appreciate your point of view. The statements made by Mr. Derringer and Ms. Holloway reveal the poignant fact that the plight of Romanis is poorly understood, particularly in North America. This said, we don't believe that the comments were racist towards Roma Gypsies, and therefore, did not violate the Canadian Association of Broadcasters' *Code of Ethics* (the "Code"), which is administered by the CBSC and to which we adhere. The CBSC has frequently stated that it is not *any* reference to race, national or ethnic origin, religion, age, sex, marital status or physical or mental handicap that will be sanctioned, but rather, only those references that contain abusive or discriminatory material.

The CBSC has explained that in order for a program to constitute a breach of the Code, it would have to contain harsh language or imagery, nastiness, utter insensitivity or the like. We do not believe any of the comments made during this segment fit this description.

It is important to note that the segment between Mr. Derringer and Ms. Holloway is always "tongue in cheek". That said, Ms. Holloway was obviously serious in her contention that Romani Gypsies are 'fascinating', that they are generally misunderstood and widely ostracized. She continued that "we don't seem to have a Gypsy problem here". The context surrounding that statement makes it clear that the "problem" Ms. Holloway was referring to was not to the *existence* of Romani Gypsies, as you suggest, but rather, to the problems Romani Gypsies and other nomadic peoples have assimilating and being accepted into European society; a problem which has significant consequences for Romani Gypsies themselves and for the nation-states in which they live. These problems are well-documented and widely-known. Given the persecution of the 'Gypsies' during the Second World War, Ms. Holloway should have been more careful about her choice of words and more explicit about what she was trying to say. Despite this insensitive turn of phrase,

however, Ms. Holloway was not, nor could she have been perceived to have been expressing racist or fascist sentiments towards any group of people.

In reference to Mr. Derringer's comments about so-called "Tinkers", Mr. Derringer was careful to say that there is no *inherent* problem associated with Tinkers or their nomadic lifestyle. Rather, the "problem" Mr. Derringer was referring to in Ireland relates to those Tinkers who get involved in criminal activity -- a fact that is also well-publicized and has been widely discussed in various media.

For these reasons, we don't believe that our programming violated the Code. We do, however, agree with you that our hosts must always be cognizant of their choice of words, which can have a profound influence on their audience. We therefore intend to discuss this matter with our on-air staff. We do regret that you were offended by some of our programming, and want to assure you that we take our responsibilities as broadcasters very seriously, and work hard to make sure all of our programming complies with the *Broadcasting Act*, the *Radio Regulations* and the Code and standards required of us as a member of the CBSC.

We trust that this letter has addressed your concerns.

Additional Correspondence

The complainant submitted his Ruling Request on October 22 with the following note:

Q107 made racist comments on-air and will not retract them. Their program manager has wilfully interpreted the broadcast to suit his own interests. I am in no way satisfied by Q107's response.

He wrote a lengthier letter to the CBSC on November 16:

Thank you for your consideration of this matter. I am prepared to wait the period necessary to see this through.

Please add this information to my file: when I talked to Q107, I told them I would drop my complaint if they made a public service announcement that served to balance out the last one, i.e. equal length and positive in tone towards Roma Gypsies. I suggested an apology to Roma Gypsies on air for the previous thoughtless comments, or that they do some research about the Roma Gypsies and tell the listeners some nice or interesting things about this culture. Just a reminder – I am not a Roma Gypsy.

I gave the example of the Roma being related to the Indians/Hindus, with a language based on Sanskrit, one of the oldest languages in the world – which I learned from Wikipedia. I asked if [the Program Director] knew this, and he replied that he did not. My point to him was that any culture has some good people and some bad people. The point is not to stereotype them as monolithic, as all possessing a certain trait. Like being 'thieves' and 'troublemakers', as the Roma are often portrayed. If Q107 balanced out the negative comment with a positive, I told him I would go away, as the issue would have been resolved, in my opinion. [The Program Director] said he would discuss this with his 'on-air team' and decide. It took some time and explaining, but I was finally able to explain what a stereotype was when I used the example of people saying that all Chinese people are bad drivers. This was the first time he understood what stereotyping was. This man needs some guidance. I hope you will give it to him.

He discussed my issue and suggestions with the on-air personalities and decided that it was not an issue in the end, despite recognizing the issue to me on the phone days prior. They decided not to do the positive PSA. Now let me ask you: If they have nothing against the Roma people, why NOT make a positive comment? Doesn't every group have some good in it? Isn't that worth mentioning? What does it cost them to be respectful instead of stubbornly insensitive? I did not ask them to do something costly or overly humiliating or very taxing in any way. It was an obvious, simple solution. As a business owner, if my employees made comments like theirs on air, I would make the PSA just to engender public goodwill – for PR purposes, even if I didn't care about racial equity (and to keep my licence as a restricted radio operator, where you cannot get away with making frivolous or rude comments).

In other words, I would care how I was perceived. But Q107 is shamelessly unafraid: unafraid of hurting Gypsies, unafraid of my complaint, unafraid of right and wrong, and unafraid of your organization. They would rather stick to their guns when they know they are wrong than apologize and move on. And they have forced me into a lengthy and frustrating complaint that I did not want anything to do with. I am involved because I believe in justice, and was taught that Canada was a society that does not believe in hate against any racial group. Certainly its public broadcasters should not be allowed to broadcast hate without consequence. Please show them the importance of this principle.