
APPENDIX B

CBSC Decision 07/08-0553 CHMP-FM re a segment on *Le Journal du midi*

The Complaint

The CBSC received the following complaint dated October 10, 2007 via the CRTC:

On October 2, 2007 at 12:42 pm Gilles Proulx from the radio station 98.5 FM in Montreal was interviewing the deputy fire chief of Montreal. During this interview Gilles Proulx, on the air, said FUCK YOU, to what I assume are the firefighters of the island of Montreal. This can be heard at www.985fm.ca/mp3player.php?mp3=93531mp3.

Thank you for looking into this matter.

Broadcaster Response

CHMP-FM responded to the complainant in a letter dated October 30:

The Canadian Broadcast Standards Council (the "CBSC") has asked us to respond to your email of October 10, 2007 which you raised concerns regarding comments made by Gilles Proulx during *Le journal du midi* (the "Program") that was aired on CHMP-FM (the "Station") that same day.

In your email, you state that the Program host used the f-word during, which you find objectionable and inappropriate broadcast [*sic*].

We have reviewed the Program and confirm that the host used a derivative of the F-word to describe his thought. We recognize that this is inappropriate, and that the use of such language does not meet Canadian broadcasting standards. We apologize for having broadcast the term.

Since receiving your email, we have discussed the situation with the Program host, and he is aware that this type of language is not appropriate under any circumstances. We at CHMP-FM take our responsibilities as broadcasters very seriously, and we work hard to make sure all of our programming complies with the *Broadcasting Act*, the *Radio Regulations*, the CBSC's *Code of Ethics*, and all standards required of us as a member of the CBSC.

We appreciate your comments, and trust that this letter has addressed your concerns.

Additional Correspondence

The complainant replied to the station on November 6:

Thank you for the prompt response to my concerns regarding comments made on 98.5 FM in Montreal October 2, 2007 at 12:42 PM. I would also like to thank [the Program Director] for his prompt response to my concerns. Although [the Program Director] has addressed the fact the Mr. Proulx did use, as he put it, "a derivative of the F-word" and he has apologized for having broadcast the term, he has not addressed the fact that the term was directed at all of the firefighters on the island of Montreal. Being a firefighter on the island of Montreal myself, this is what was most upsetting to me. I will consider this matter closed when a letter of apology is sent to Mr. [M. C.], President of the Montreal firefighters Association, by Mr. Gilles Proulx of CHMP-FM as well as a copy sent to myself.

The addresses are: [M. C.], Association des pompiers de Montreal inc., 2600 Boulevard Saint-Joseph est, Suite 200, Montreal (Quebec), H1Y 2A4

The complainant wrote to the station again on November 12:

Since I have not received a response from you regarding the email I sent you on November 6, 2007, I can only assume that you did not get my original email. The email I sent you is in response to the one you sent me on November 6, 2007 that included an attached letter from [the Program Director]. I will send you a copy of this response at the end of this email.

I have had the opportunity to listen to the broadcast in question by going to the web site (http://www.dkpod.com/affiche_article.php?id_ite=778809) and then clicking on the little martian with the headphones on that page. A countdown timer keeps track of how long the interview takes between Mr. Proulx and the Deputy Fire Chief. The first reference to the "f-word" in the form of "f--- you" takes place when the timer reads about 06:20. The second instance occurs shortly after when the Deputy Fire chief makes sure that the term was not directed at him, and the final instance is when Mr. Proulx makes it clear, in no uncertain terms, when he says at 06:13 in the countdown "Non je dis f--- you à eux autres" in reference to every firefighter on the island of Montreal.

As in my previous email I thank and applaud [the Program Director] for having taken his responsibility as program director very seriously and welcome his apology for having broadcast inappropriate words over the air waves. However I think that Mr. Proulx needs to demonstrate as much professionalism and apologize for having directed those very inappropriate comments at 2300 individuals. Mr. Proulx is solely responsible for what comes out of his mouth and needs to be accountable for what comes out of his mouth.

The complainant then filed his Ruling Request on November 16 with the following note:

I was very hopeful that this case would be resolved when [the CBSC] wrote to me and said, "The dialogue between broadcasters and members of their audience is a cornerstone of the CBSC's complaints resolution process." However when I responded to a letter written by [the Program Director] sent to me by [his assistant] I did not receive a reply. I also did not receive a reply when I sent a second letter regarding this case. I will include a copy of those emails at the end of this letter.

Although [the Program Director] did apologize for having broadcast inappropriate words over the airwaves, I feel very strongly that Mr. Gilles Proulx needs to apologize for having directed those words at 2300 individuals (all of the firefighters of the island of Montreal). If Mr. Proulx would have directed those comments at a historically persecuted religious group, at an ethnic minority, or the PQ I feel this matter would have already been resolved. Being a firefighter on the island of Montreal I do not deserve someone speaking to me in that way over the airwaves.