

Office of the ombudsman

English services

ANNUAL REPORT

2023-2024

ombudsman



May 30, 2024

Michael Goldbloom, Chairman of the Board
CBC/Radio-Canada

Catherine Tait, President & CEO
CBC/Radio-Canada

Members of the Board of Directors
CBC/Radio-Canada

Mr. Goldbloom, Ms. Tait and Respected Board of Directors Members:

Attached please find the Annual Report of the Office of the Ombudsman,
English Services, for the period April 1, 2023 to March 31, 2024.

Sincerely,

A handwritten signature in blue ink, which appears to read "Jack Nagler", is positioned below the word "Sincerely,".

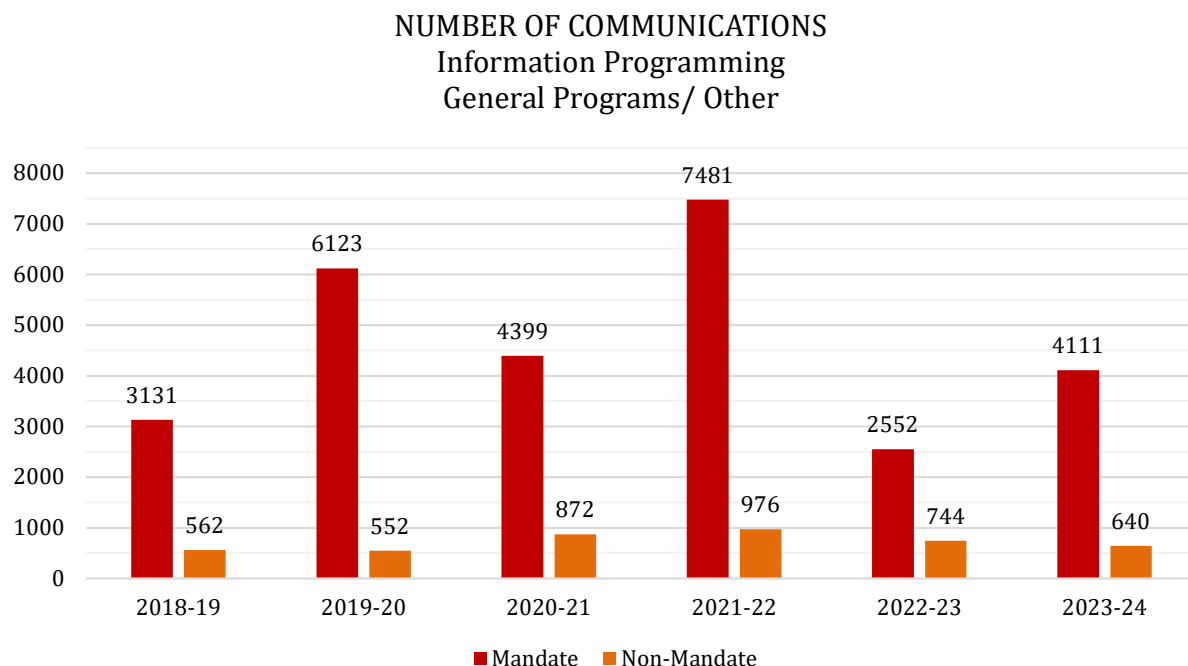
Jack Nagler
CBC Ombudsman, English Services

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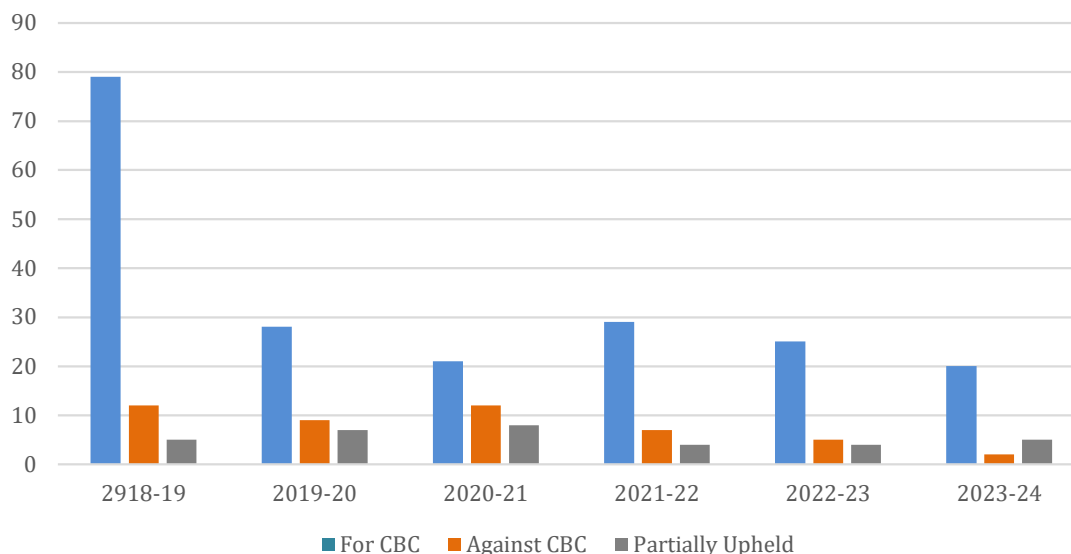
INTRODUCTION

In all, this office received 4,785 comments, complaints and expressions of concern during the 12-month period leading up to March 31st. This represents about a 45 percent increase in volume from 2022-23. Of the messages received, 640 were outside the mandate of this office. That means 4,111 were within the mandate, of which 1,173 were sent to programmers for a response. The remainder were shared with news management so they could take the concerns expressed into account. The gap between those figures is normal. This office does not insist on a reply if the nature of a complaint is too broad, or if it duplicates a complaint already received as part of an organized campaign.



As of mid-April there were 35 complaints still awaiting a response. From the complaints to which CBC responded, there were 64 requests for a review. By the close of the fiscal year, 27 reviews had been completed. Of the 27 completed, I found either a violation of policy or room for improvement in 7 of them, or 26 percent. That is a slight improvement over last year, and sits comfortably within the normal range observed in years past. There was no particular theme that emerged from those 7 reviews.

Reviews



Of course, the formal reviews are only one virtue of having an Ombudsman process at CBC/Radio-Canada. The most important one of all might be the commitment to accountability by the programmers. In 2023-24, there were 62 times in which stories were corrected or improved based on complaints filed to this office. These alterations generally negated the need for a review. That is a decline from the year before, which was the first time I began tracking the number.

One other demonstration of accountability was a noteworthy improvement in the speed of replies to complaints. Two years ago, CBC Management took an average of 19 working days to offer an official response. Last year, it was 15 days. This year, it was a mere 9 days. I presume some of the improvement is tied to the similarity of complaints received on certain key files such as the Middle East. Nonetheless, this statistic jumped out as one indicator that CBC Management has made accountability to Canadians a priority. That deserves acknowledgement and applause.

TRENDS

| ISRAEL AND HAMAS

The shocking attacks by Hamas inside Israel, and the massive response by Israel inside Gaza that followed, were far and away the biggest source for complaints about CBC's journalism in 2023-24.

Prior to October 7th, the amount of correspondence this office received was trending to be lower than the previous year. That changed in a hurry. In all, I received 1,882 complaints about some aspect of CBC's coverage of this story. That was almost 40 percent of the entire year's correspondence.

The messages I received revealed a deep divide in the way Canadians perceived both the events, and CBC's coverage. About 55% of complainants thought CBC was unfair to Israel, and about 45% thought CBC was unfair to Palestinians. Both groups argued that CBC was heavily biased against their preferred side. The reasons cited included which angles of the story were reported, how much prominence they received, and the voices they included. Many complainants told me that CBC's coverage contributed to either antisemitism, or Islamophobia.

At the end of November, I published a post on my [blog](#) describing a phenomenon known as the "Hostile Media Effect", in which supporters of both sides in a conflict will consume the same media report and conclude it was biased against their side. There were plenty of times when this phenomenon played out in my inbox, and this is how I concluded that post:

The challenge for reporters and editors in this climate is immense: how to characterize events in a clear and meaningful way, without making one side or another feel that it has been treated unfairly. And that doesn't even account for other challenges journalists face, including deciding which historical facts and arguments are most relevant to understanding this war, and trying to verify the facts unfolding in front of them when such disparate versions of truth are being put on the table.

For the audience, it can be helpful to understand that each individual report captures a particular moment in time; most represent a sliver of broader coverage, and should not be interpreted as CBC's take on the war writ large.

I was encouraged that CBC News recently created a [topic page](#) on its website dedicated to its various stories about Israel and Hamas.

It allows us to scroll through many days of coverage instead of just one, and assess for ourselves whether we think that CBC is living up to its promise of balanced coverage over time. Although with the Hostile Media Effect still in place, I'm not holding my breath that either side will be satisfied by what they see.

Whichever side people were on when they complained, their views needed to be taken seriously. By March 31st, I had published seven reviews relating to October 7th and its aftermath, and they covered a wide array of subjects:

- **Terrorist, or Militant?** This was a complaint about CBC's reluctance to have its journalists describe the attacks of October 7th as "terrorism". In terms of public fallout, this was the most high-profile review of the past year. A key passage:

CBC's practice of referring to Hamas as terrorists only with attribution adheres to the corporation's journalistic standards. But in choosing to avoid that term, CBC made its own job of describing the nature of what happened on October 7th more difficult. That was executed well in some instances, but not all. There was no breach of the JSP, but there is room for improvement, nonetheless.

- **Interviews and Interjections.** This was a complaint that CBC did not sufficiently challenge statements made by Israel's Ambassador to Canada during a radio interview. A key passage from the review:

While I understand why it frustrated you as someone with a great deal of knowledge and interest in the issues, I found that the average listener was well served.

The reason why starts with the objective of the interview. In the context of that day's episode, the key question being explored in this discussion was how likely it is that Israel would stop what was then an air campaign dropping bombs on Gaza.

Mr. Galloway's first three questions were all about the prospects for a ceasefire, or what was being called a humanitarian pause. And there were multiple points at which the host attempted to push back on statements made by the ambassador.

- **Big Breaking News Creates Big Challenges.** This complaint focused on an explosion at a hospital in Gaza, and whether CBC was too quick to conclude that Israel was responsible. I found a violation of policy in an online article, because of the way its headline was initially worded.

A key passage:

I do not fault CBC for going with this story right away. I do not fault them for reporting the one thing that was known at that moment - it was an allegation by the health ministry. But I believe the requirement to “invest our time and our skills to learn, understand and clearly explain the facts” suggests that CBC could have done more before publishing this story. More consideration that there were other potential explanations for what happened at the hospital, and more consideration that for the moment, there was no evidence for how big the event was or how many casualties there were.

- Clarifying, or Confusing? This complaint was about a mistake CBC made when it referred to Tel Aviv as Israel’s capital in an online article. The mistake was then compounded by the wording of CBC’s correction. I found a minor violation of policy. A key passage:

To fix the article, CBC simply removed the phrase “into the capital” Tel Aviv and replaced it with “in” Tel Aviv. So all the correction needed to do was explain that: “An earlier version of the story incorrectly described Tel Aviv as Israel’s capital.”

However, CBC instead went a bit further, and introduced the status of Jerusalem into its note - making it unnecessarily complicated. The implicit meaning of CBC’s wording is that the status of Jerusalem as Israel’s capital is in dispute. That’s problematic, because it conflates East Jerusalem with the city as a whole.

- Talking to Demonstrators. Here the issue was with radio coverage of a pro-Palestinian demonstration in Toronto. The complainant was concerned that CBC’s reports failed to properly convey antisemitism at the rally. A key passage:

It is understood that some people viewed this protest and some like it as a glorification of Hamas’ actions, and as an expression of antisemitism. CBC News covered those reactions, in articles such as **this one, which was published the next day. That the radio reports you heard did not explore that concern in any depth does not make them inaccurate or unethical.**

- Competing Narratives. In this instance, a complainant argued CBC Radio was spreading misinformation by too frequently leading its flagship newscast with unverified claims by the Israel Defence Forces. A key passage:

In a perfect world, reporters would have the ability and the time to verify what the IDF says, and what Hamas says. In reality, though, they usually can’t.

Israel won't allow CBC reporters into Gaza to see the impact of Israel's actions with their own eyes. And if that changed, there's still no assurance that Hamas would let them report anything freely. As **Reporters without Borders has said, "The Gaza Strip is a particularly inhospitable territory for press freedom."**

So it is acceptable and normal practice to do the next best thing, which is to tell listeners (or readers, or viewers) what each side is saying. The objective is to make it clear what the journalist knows or doesn't know. Resist being manipulated by either side, but still give people as much information as possible to allow them to draw informed conclusions about the events of the day.

- **Shares, Links, and Reposts**. This review hinged on the social media feed of a single journalist, which the complainant believed displayed a bias against Israel. A key passage:

But you are 100 percent correct that the public is free to draw conclusions about reporters who lay out their world views, even implicitly, on social media. And the real-world problem for CBC is that no matter how much rigour it brings to the stories it reports, those perceptions will colour the way the coverage is received by the audience.

So, while there may not have been a violation of journalistic policy in this instance, I have some advice to reporters, editors and producers: satisfying though it may be in the moment to post or repost arguments and commentaries on the most contentious news stories, when you do so you might be risking your credibility with the public you serve.

There are several more reviews to come on CBC's coverage of this conflict and all its ancillary issues. Still, the seven that have been completed already showcase a range of potential landmines for the corporation's journalists. A story of this enormity and complexity calls for a public broadcaster which is precise, is knowledgeable of history, is fair-minded, and is aware of the impact its coverage can have.

I will make one additional observation here, for the consideration of both CBC Management and the Board of Directors: it struck me that there were relatively few complaints about coverage by reporters with previous experience working in the Middle East, who understand well the nuances involved. There were, proportionately, more complaints about reports done from afar, and about coverage of the "domestic angle": how these events spilled over into Canadian society, and deepened the fears and anxieties of Jews, Muslims and Arabs here at home. While this discrepancy is not revelatory in and of itself, I can't help but wonder how much more difficult it is for CBC to cover stories such as this when it has no permanent presence in the Middle East anymore, and fewer foreign bureaux overall than it had in the past.

| SOME WORDS ABOUT WORDS

Some of the complaints I receive challenge the legitimacy of an entire CBC report. The leader in that category of complaints this year was an investigation into the life of singer Buffy Sainte-Marie. A review of that report is pending.

But just as often, complainants focus more on a single detail of a report that undermines their confidence in the broader work.

This year, I observed a trend that was even more granular than that - fixation on, and outrage over, specific words and terms. Time after time, people pointed to the language used by journalists in their reports as an indisputable sign of bias.

Examples included many from the Middle East, and they covered issues big and small:

- *Should this be called a “war”?*
- *If so, is it between Israel and Hamas? Israel and Gaza? Israel and Palestine?*
- *When and how should you use the word “genocide”?*
- *What is the implication when a news story employs active language or passive language (Side A “killed” people, while Side B people “died” or “were killed”)?*
- *What is the implication of a reporter saying one side “claimed” something, as opposed to “said” something?*
- *What are the implications of an article referring to the Gaza Health Ministry as “Hamas-run”? What are the implications of it NOT referring to it as “Hamas-run”?*
- *How are adjectives used?* There was a fairly extensive letter-writing campaign to my office in which complainants argued that CBC had revealed an anti-Palestinian bias by describing the Hamas attacks of October 7th as “vicious” and “brutal”, while describing Israel’s bombing of Gaza as “unrelenting” and “punishing”.

Over and over, it was hard not to notice the frequency with which a single word led complainants to make sweeping conclusions about CBC’s coverage. It was not confined to the Middle East.

Consider, for instance, stories about gender. There were complaints when CBC used the term “pregnant people” rather than “pregnant women”. Or politics. Terms such as “extremist” often evoke complaints when used within a report.

In a polarized environment, there are many instances in which no word is available that both sides of an issue can accept as reasonable. This is a terrible dilemma for reporters and editors who have no choice but to pick a word to use, and they can’t afford to be paralyzed searching for words that won’t offend someone, somewhere.

I have considerable sympathy for them in these moments, and I understand why it might be tempting for programmers to wave away complaints of this nature. In most cases, the journalists did the best they could to solve a problem that defies a universal solution. But I urge CBC programmers to keep debating language, and in particular to pay close attention to labels used in stories with political impact. This includes the terms “left-wing”, “right-wing”, and all their variants.

Political discourse has changed substantially in recent years. Policy positions that were once reliably understood to be either small-l liberal or small-c conservative no longer fit the same mold. This means that stories which refer to the left and the right are often dissatisfying if they gloss over details the rest of us need to know to understand who stands where.

The year ahead will see an important national election in the United States, along with multiple provincial elections in Canada - and a federal election in Canada looms not far behind. One wish I have for CBC’s political coverage is that any time a report employs a label of left or right, or moderate or extremist, the writer pause to consider two things: whether these words make the issues at play more understandable, and whether the report includes enough concrete information so that citizens can make their own reasoned judgments on whose views are most credible.

OTHER ISSUES

| TECHNOLOGY AND AUTHENTICATION

CBC, along with other news organizations around the world, continues to search for new ways of building trust with its audience. The Ombudsman process is part of that. So are corrections, and so is the [Editor's Blog](#). I commend CBC for making an extra effort this year within that blog to include a periodic [standards notebook](#) that helps explain decision-making to the public.

But much of that good work will be undone if the media can't stay ahead of the game on deep-fakes and other forms of manipulated video, images and audio. Consider the fuss over a doctored photo issued by the royal family which was published almost everywhere, and then think about the implications for coverage of Ukraine, or Gaza, or Haiti. The danger of people being misinformed is higher than ever. Artificial intelligence and social media aren't making it easier, either.

So I took note of BBC's announcement in March of a new "[content credentials](#)" feature that aims to explain how an image or video has been authenticated. CBC has partnered with BBC and others in other initiatives to demonstrate trustworthiness. I look forward to learning more about the measures CBC will take to lead the way in assuring Canadians that the pictures and videos they see on their many screens are genuine.

| ACCOUNTABILITY AND TRANSPARENCY

I noted in my introduction the impressive speed with which CBC Management has been replying to the complaints I send to their office.

There are two other issues raised in last year's annual report, though, which I need to revisit.

The first is fixing the "Report Error" button on news stories.

This is the link at the bottom of articles which allow readers to identify typos or other mistakes. As discussed last year, the "report error" form had been problematic because people were using it to abuse and harass CBC employees. The chosen solution reduced it to a dropdown menu, but this too was problematic because it was cumbersome and inefficient for both users and journalists to understand the error that required attention.

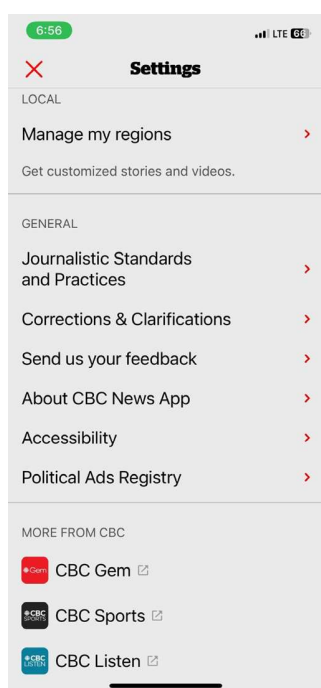
I'm sorry to say that not much has changed on this front. The button still needs fixing. I urge Management not to underestimate the importance of this issue. If a problem with a story can be remedied quickly by prompt communication between a reader and the journalists, it will make for better journalism.

And as a bonus, it might help reduce the need for people to file formal complaints, which in turn require formal responses.

The second issue is improved accountability within the CBC News app.

The issue I identified last year was that stories on the news app did not match the accountability features available in articles on the CBC News website. This included links to the report error button, to CBC's [corrections and clarifications page](#), or to a copy of the [Journalistic Standards and Practices](#).

There has been some movement here, as the News app has added links to the JSP and the corrections page. However, neither appear in their natural location at the end of an article. Instead, they are links available in the app settings, as you can see in the image below:



I acknowledge the effort that has been made to this point, but suggest there is more work to be done. It would also be helpful to include links to the Office of the Ombudsman within the News app. There is no reason we should not expect as much transparency and accountability within this app as we do on any other digital platform. It would help cement the understanding for readers that CBC is accessible, and open to improving its journalism at every opportunity.

On a more positive note, I appreciated the efforts of CBC/Radio-Canada this past year to raise the profile of the Office of the Ombudsman in both French and English. Pierre Champoux and I each took part in the corporation's [Annual Public Meeting](#), and were profiled both internally and externally as part of the [Spotlight](#) video series. In addition to making more people aware of our service, these appearances helped humanize a role which might otherwise seem intimidating to both the public and the staff.

| REMOVAL OF ONLINE CONTENT

Over the course of the year I received 39 requests for the alteration or removal of older online articles. Some were from people who had been the subject of stories which cast them in a negative light. Others were from people who regretted being interviewed or photographed for a story that continues to follow them on the internet years later. This includes people who were children or university students at the time of the original report.

When I receive these requests, I forward them to CBC Management for consideration. While the JSP makes clear that outright removing a story is done only rarely, I have found the responses from CBC to be reasonable and thoughtful.

However, I would like to repeat a recommendation I have previously made that CBC establish a clear, consistent and publicly-disclosed process for consideration of requests such as these. Right now, there is some information available at the [CBC Help Centre](#), but I am not sure that it is easily found. More transparency in this area would be helpful.

| NON-MANDATE COMPLAINTS

As noted, this office received 640 complaints this year which were unrelated to the mandate. Of those, 95 had to do with advertising and promos, while 140 were complaints about online comments.

The number of complaints about comments was down from the previous year. For the most part, the themes were familiar ones. Some people complained about the fact that a story they wanted to weigh in on was not open to comments. Others were concerned about unfair moderation practices - usually because their comment was rejected. From this second group, many continued to express frustration that CBC does not offer explanations for its moderation decisions, even upon request.

This year, there was a new trend worth noting. People in the western half of the country complained that CBC's commenting policies were putting them at a disadvantage. Here is an excerpt of one complaint I received:

I live in Calgary and by the time I get to settle in and read news articles on the CBC website, those open for comments have mostly been closed. I am not saying I need to comment on each and every article, but those that pertain to issues in Alberta are closing well before those of us living here even have an opportunity to make a comment. A great example is an article today on water use in the province. It was posted at 2:00 AM MDT and closed for comments by the time I finished the article this morning.

I do understand that some folks can get a bit rough in their comments, but I enjoy the opportunity to express opinions on certain subjects with my fellow Canadians. If there is an opportunity to hear and discuss the subject, I believe it is good for us as Canadians to hear from all regions of our country.

The writer of that complaint was not imagining things. As an effort to control the costs of moderation, CBC News often reduced the length of time after a story was published in which people could make comments.

But because many important news stories are published first thing in the morning, people in eastern time zones are much more likely to be awake during the commenting window.

I am already on record expressing doubt about the value of offering comments on CBC articles. But so long as commenting remains a feature, I strongly encourage CBC to find a solution to this issue. Inequity by geography is not the best of looks for a public broadcaster.

| THE STATE OF THE JSP

It has been six years since the JSP last had a fresh update. Since then, the world of journalism has been in upheaval both financially and philosophically. There seems to be adversity - either technological or political - at every turn, and there have been impassioned debates about how to practice the craft responsibly in this day and age. The debates are that much more intense and intrinsic when applied to a public broadcaster whose presence extends to so many different platforms.

In recent years, CBC has examined the values expressed in the JSP through the prism of diversity and inclusion. This was a valuable exercise. From where I sit, it is now the time to go even further and engage in a broad renewal and update of the JSP. I know from past experience that this process should not be rushed. So I encourage management to begin the exercise as soon as it can.

CONCLUSION

Writing this year's report feels a little different. My term as Ombudsman will end around the time the calendar turns to 2025, which means this is my final annual report to Canadians. With several months remaining in the term, it is far too early to be making valedictory-style remarks. However, I do want to express my appreciation here to a few particular people I deal with most often.

I'll begin with my Executive Assistant, Teresa Batista. She has brought wit and whimsy to the most challenging moments, and her energy, commitment and resourcefulness never seem to flag. Whoever succeeds me will be fortunate to have her on board.

The CBC News leadership team, in particular Editor in Chief Brodie Fenlon, Director of Journalistic Standards George Achi and Senior Manager of Journalistic Standards Nancy Waugh, have shown this office nothing but courtesy, respect and professionalism.

I can say much the same for the President and CEO of CBC/Radio-Canada, Catherine Tait. She has demonstrated appreciation for the value of this office, as well as its independence, from the moment I first met her, and I have greatly enjoyed our conversations about journalism at CBC.

And I must certainly include Pierre Champoux, the Ombudsman for French Services. The two of us do our work at the intersection of public frustration and ethical dilemmas. The work is challenging, interesting and occasionally exasperating. But Pierre has a unique ability to speak cogently and compassionately about all of it. I hope I've helped him half as much as he has helped me.

But I reserve my greatest appreciation for the Canadians who write to my office in good faith every day, expressing concerns about CBC's journalism. While I have spoken at times about the vitriol and anger that lands in my inbox, I cannot help but get excited by the people who engage in thoughtful, constructive discussion about ways the public broadcaster could be better. Assisting them, and weighing in on their concerns, makes this job incredibly rewarding.

Jack Nagler
Ombudsman, English Services

NUMBER OF COMMUNICATIONS RECEIVED

YEAR	INFORMATION PROGRAMMING	GENERAL PROGRAMS/ OTHER	TOTAL NO. OF COMPLAINTS	COMPLAINTS PROCESSED	AVERAGE RESPONSE TIME (DAYS)
2023-24	4,111	640	4,785	1,173	9
2022-23	2,552	744	3,296	982	15
2021-22	7,481	976	8,457	1,684	19
2020-21	4,399	872	5,271	1,657	15
2019-20	6,123	552	6,675	1,112	14
2018-19	3,131	562	3,693	79	9

DISTRIBUTION OF COMPLAINTS PER PLATFORM

YEAR	TELEVISION	RADIO	NEWSWORLD	CBC.CA	SOCIAL MEDIA	OTHER
2023-24	408	566	1,516	1,468	57	770

REVIEWS

YEAR	NO. OF REVIEWS	FOR CBC	AGAINST CBC	PARTLY UPHELD	CARRIED FORWARD
2023-24	27	20	2	5	64

OMBUDSMAN'S MANDATE

| PRINCIPLES

CBC-Radio-Canada is fully committed to maintaining accuracy, fairness, balance, impartiality and integrity in its journalism, as expressed in its unique code of ethics and practice, the [Journalistic Standards and Practices](#). Our journalistic mission is to inform, to reveal, to contribute to the understanding of issues of public interest and to encourage citizens to participate in our free and democratic society. We base our credibility on fulfilling that mission through adherence to the values, principles and practices laid out in the Journalistic Standards and Practices.

The Ombudsman is completely independent of CBC program staff and management, reporting directly to the President of CBC and, through the President, to the Corporation's Board of Directors.

| MANDATE

The Ombudsman acts as an appeal authority for complainants who are dissatisfied with responses from CBC information or program management.

The Ombudsman generally intervenes only when a correspondent deems a response from a representative of the Corporation unsatisfactory and so informs the Office of the Ombudsman. However, the Ombudsman may also intervene when the Corporation fails to respond to a complaint within a reasonable time.

The Ombudsman determines whether the journalistic process or the broadcast involved in the complaint did, in fact, violate the Corporation's Journalistic Standards and Practices. The gathering of facts is a non-judicial process and the Ombudsman does not examine the civil liability of the Corporation or its journalists. The Ombudsman informs the complainant and the staff and management concerned of the review's findings and posts such findings on the Ombudsman's website.

As necessary, the Ombudsman identifies major public concerns as gleaned from complaints received by the Office and advises CBC management and journalists accordingly. The Ombudsman and CBC management may agree that the Ombudsman undertake periodic studies on overall coverage of specific issues when it is felt there may be a problem and will advise CBC management and journalists of the results of such studies.

The Ombudsman establishes a central registry of complaints and comments regarding information content, and alerts journalists and managers on a regular basis to issues that are causing public concern.

The Ombudsman prepares and presents an annual report to the President and the Board of Directors of the Corporation summarizing how complaints were dealt with and reviewing the main issues handled by the Office of the Ombudsman in the previous year. The report includes mention of the actions, if any, taken by management as a result of the Ombudsman's findings, provided such disclosure does not contravene applicable laws, regulations or collective agreements. The annual report, or a summary thereof, is made public.

The Office of the Ombudsman reports annually on how each media component has met the CBC standard of service for the expeditious handling of complaints.

| COMPLIANCE

The Office of the Ombudsman is responsible for evaluating compliance with the Journalistic Standards and Practices in all content under its jurisdiction. It can be assisted in this role by independent advice panels.

Panel members are chosen by the Ombudsman. Their mandate is to assess content over a period of time, or the overall coverage of a particular issue by many programs, and report their findings to the Ombudsman. The Ombudsman will advise CBC management and journalists of these findings.

The evaluation measures performance in respecting the fundamental principles of CBC journalism.

All employees of CBC News, as well as the content they create, and employees of Local Services, Radio Talk information programming, or any service involved in the creation of news, current affairs and public affairs content must respect all of the principles of the Journalistic Standards and Practices namely:

- **Accuracy, fairness, balance, impartiality and integrity**

With the exception of fiction and comedy, content produced by other employees which touches on politics, social issues, economics, cultural issues, scientific issues or sports – particularly if the issues are controversial – must respect the following principles :

- **Accuracy, fairness and balance**

User-generated content, when incorporated into information programming, must conform with the principles of the Journalistic Standards and Practices.

Moreover, in an election or referendum period, the Journalistic Standards and Practices applies to all content related to the campaign, parties or candidates that is broadcast and published by the CBC, regardless of the department concerned.

The JSP applies to all news, current affairs and public affairs content commissioned by CBC and produced by third parties.

The Office reports bi-annually.

| JURISDICTION

The jurisdiction of the Office of the Ombudsman covers all content produced for radio, television or the internet (including social media used by CBC) that falls within the scope of the Journalistic Standards and Practices.

Complaints beyond the Ombudsman's mandate should be addressed directly to the programs concerned, or [Audience Relations](#).

| APPOINTMENT

When filling the Ombudsman's position, the CBC openly seeks candidates from outside as well as inside the Corporation.

After appropriate consultation, the President and CEO establish a selection committee of four. Two members, including the committee chair, must be from the public. People currently employed by the Corporation or employed by the Corporation within the previous three years will be excluded from nomination as public members. The other committee members are chosen, one among CBC management, the other among its working journalists. Members representing the Corporation and journalists jointly select the committee chair among the two representatives of the public.

The selection committee examines applications and selects a candidate to be recommended for appointment by the President and CEO.

The Ombudsman appointment is for a term of five years. This term may be extended for no more than five additional years. The Ombudsman's contract cannot be terminated except for gross misconduct or in instances where the Ombudsman's actions have been found to be inconsistent with the Corporation's Code of Conduct Policy 2.2.21.

The outgoing Ombudsman may not occupy any other position at the CBC for a period of two years following the end of his/her term but can, at the discretion of the incoming Ombudsman, be contracted to work for the Office of the Ombudsman.

Recommendation for modification by Jennifer McGuire and Luce Julien – February 27, 2019.

Office of the ombudsman

English services

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CBC News response to the CBC Ombudsman's 2024 report

TO:	Broadcasting and Innovation Committees
MEETING:	June 12-13, 2024
FROM:	Brodie Fenlon, General Manager & Editor in Chief
PURPOSE:	Response from CBC News management to Ombudsman Jack Nagler's 2024 annual report

1. INTRODUCTION

News media in Canada, like in the rest of the world, faced intense scrutiny and sustained commentary this past year, particularly around coverage of war, politics, and social-cultural norms. These are complex, emotionally charged stories that easily divide Canadians. For the leadership team of CBC News, they also reaffirm the value of independent, fact-based journalism, which aims to provide clarity at times of heightened passions and political polarization.

There was, as always, a vast amount of constructive audience feedback – accompanied by intensive public campaigns to either shape or discredit stories. The words we use to describe the horrors of war were criticized, often out of the context in which they were used, for being either too neutral or too biased. The most anodyne editorial processes were questioned on suspicion of allowing opinion to overtake facts.

That level of scrutiny is not new, nor do we allow it to impede our work – although we do carefully consider every opportunity to improve our journalism, and transparently report on ourselves when relevant. Many of the findings in the Ombudsman's 2024 report give us hope that our efforts to produce powerful, revelatory content across our network continue to pay off, providing our audience with useful and thought-provoking news on open, accessible platforms. We are grateful for the Ombudsman's insight into the comments many readers, viewers and listeners send his way, offering a crucial window into our impact on Canada's society and democracy.

We take the positive feedback as a badge of honour and the criticism as a prompt to



continuously do better, or to explain our work even more. Direct communication with the audience, in part through responses to mail forwarded by the Ombudsman's office, remains a stalwart of our commitment to full accountability, along with our rigorous system of corrections and clarifications, which we continue to improve, and a deep commitment to building public trust in our journalism.

2. KEY ELEMENTS

ACCOUNTABILITY

We are pleased to note that our response time to everyday audience feedback has been cut in half over the past two years. As reported by the Ombudsman, the average period of time between the filing of a complaint and the moment the audience member receives a response from CBC News is now 9 days, down from 15 last year and 19 in 2022. We achieved this dramatic decrease by building increased awareness across our team of editorial leaders to the importance of a quick turnaround: timely acknowledgement of a concern about our journalism reflects our deep commitment to never letting a lack of clarity (let alone an inaccuracy) exist on any of our platforms. The timely response to audience complaints was articulated in my own objectives for the past year and will be included again in the 2024-25 objectives for my leadership team and me.

Our process is straightforward: editorial leaders are made aware of such concerns as soon as we receive them and are asked to respond to complainants within a few days. The Ombudsman's office has traditionally encouraged us to respond within 20 working days, but we now give ourselves a much tighter internal deadline, when possible. Most responses are expedited but some require more research and can take longer, depending on circumstances.

Our JSP Office carefully monitors and organizes those responses, sometimes directly addressing concerns that encompass multiple platforms or topics. I am especially grateful to the JSP Office administrator Laura McIsaac for her tireless efforts to keep our direct accountability process running efficiently, and to George Achi, Nancy Waugh, Bob Campbell, and Paul Moore for their diligence and good humour.

THE WAR ON WORDS

We acknowledge with great interest the Ombudsman's thoughts and advice on controversial words. His recommendation to "*keep debating language, and in particular to pay close attention to labels used in stories with political impact*" is one that we will undoubtedly follow as war rages on multiple continents and as we cover elections in India and the United States among others in the next few months – before a possible federal election in Canada.

We make every effort to help our journalists choose neutral language when describing



controversial situations – particularly in the context of breaking news when they have less time to reflect on the implications of each word or possible label. The guidance, provided by the JSP Office, is based on thorough research that aims to understand how the audience perceives well-entrenched and evolving language.

A Language Advisory Group (LAG) was created in 2022 as part of CBC’s overall commitment to reviewing its journalistic practices and related policies through an inclusive lens. The LAG feeds into some of the key decisions we make about style and language use, allowing us to be more proactive in identifying necessary language shifts, and inclusive and nimble in reacting to fast-moving changes to language in our communities and society. We remain deeply committed to facilitating their work.

Shorthand language thrives in headlines. With limited space and a need for efficient concision, our teams of thoughtful editors have no choice but to summarize complex ideas into a few simple words – headlines and banners should always be meticulously accurate and fair but are never a full account of the story itself. There is a tacit agreement with the audience that a headline in our news app, or a banner on a TV report, is no more than a reference point, and we trust that our readers, viewers and listeners invest even a few minutes to take in the essence of the story.

MIDDLE EAST COVERAGE

We appreciated reading the Ombudsman’s analysis of the many tension points that emerged around our Middle East war coverage in the past few months. As always, we will take his conclusions into account as we continue to shape guidance for our journalists to report on the conflict with accuracy and fairness.

With the advantage of hindsight, historians will use our coverage to paint a picture of how the world thought of itself today, through the stories we selected, the angles we picked, and the words we used. In the meantime, audience feedback, Ombudsman reviews, and other types of criticism – including from political actors – offer a fascinating look into how Canadians perceive national and world events, helping us in our efforts to define the elusive notion of public interest.

Pre-writing history is a daunting task, and we make every effort to ensure the big picture we’re painting is a balanced, fair, and accurate perspective on today’s world. But the right place to start is at the heart of journalism: we tell stories. From a debate at city hall to business news to a harrowing war, our goal is to give our audience a 360-degree perspective on any issue. One headline and one report will never tell the full story, and we continue to send our reporters into the field to build the most diverse collection of national and international stories in the Canadian media landscape.

As the Ombudsman has noted in his response to public feedback and in his report, our Israel-Hamas topic page has helped aggregate the numerous reports on one of this year’s most contested topics. Beyond the convenience offered to readers curious to access more of those



stories, we intended that topic page as a tool for the audience to judge our commitment to balance over time, which we are confident is achieved.

We also acknowledge the Ombudsman's suggestion that our journalism – and public trust in that work – would greatly benefit from the creation of a Middle East bureau. We of course agree that the best way to tell all those stories is to be permanently present in the field. Until our financial reality allows us to consider an expansion of international bureaus, we will continue deploying reporters strategically, ensuring we're present in the field to directly witness key moments in the story.

ARTIFICIAL INTELLIGENCE

Last year at this time, in our response to the Ombudsman's 2023 report, I wrote: "artificial intelligence is likely to become an even more prominent area of discussion by this time next year." That holds true. From our phones to our cars, smartwatches, banking systems, grocery stores and much, much more, artificial intelligence has quickly become an integral part of our everyday lives.

We are closely watching the rapid advances in generative AI and the ability for anyone to create hyper-realistic "deep fake" video, audio and text. We are especially concerned about fake content that mimics our brand, our journalism or our people. CBC/Radio-Canada is actively working with industry partners to help tackle these emerging problems, including providence tracking through [Content Credentials](#).

At the same time, [a recent publication](#) from Columbia Journalism Review concludes, in part, that while artificial intelligence is increasingly used in newsrooms around the world, at this point "AI mostly constitutes a retooling of the news rather than a fundamental change in the needs and motives of news organizations. It does not impact the fundamental need to access and gather information, to process and package that information into 'news,' to reach existing and new audiences, and to make money."

At CBC news, we are, and have been for some time, using artificial intelligence as a careful aspect of our journalistic processes. For example, an internal system called Scribe is used many times every day by our journalists to convert audio from interviews or news conferences into text with related timecodes. This system is imperfect, as often the text output misunderstands words or may have other errors in terms of spelling, punctuation or otherwise. But, with proper human oversight and revision, it is a tool that allows our journalists to work much more efficiently.

Scribe is an excellent example of how some of the guidance we gave to everyone who works at CBC News last June can be put into practice. In a note to staff and in [a public Editor's Blog](#), we outlined how our use of AI and our journalism around it would maintain trust and transparency with audiences. Bottom line: we will do whatever is necessary so that audiences will never have to question whether a CBC News story, photo, audio or video is real or AI-generated.



In the past year, our JSP office has worked with journalists across the country on all sorts of programs to navigate these new technologies and, most importantly, to help our audiences understand them. In the coming year, we will carefully consider and discuss the application of AI to our work, while ensuring public trust in our journalism is never compromised. As we wrote to our journalists in our preliminary AI guidance, we are all learning as we go.

WEB AND NEWS APP IMPROVEMENT

We agree with the Ombudsman's call for more consistency in accountability features and better ability for the audience to report potential errors on digital content. We work closely with our colleagues in Digital Strategy & Product to make such changes.

There is a commitment to have links to the JSP, Corrections and Clarifications page, and a "report error" function added to the bottom of all news stories in the News App by the end of the fiscal year, to match what's available on news stories on the web platform.

There is also a commitment to offer an improved function for the audience to report potential errors on digital content by the end of the fiscal year. Part of the delay comes from the need to find a technical solution that balances ease of use for the audience to reach us, mitigation of harm and threats to our staff, and available resources.

We are confident these improvements will provide greater transparency and accountability to our continued commitment to improving our journalism.

JSP TRAINING

I am very proud to bring you an update on our in-house JSP training program which I raised last year. This full-day course takes employees out of their normal workday to focus intently on the core principles of JSP. The program is constantly reviewed and updated so that the lessons are relevant to the work we do every day. In each session, the learners are a mix of employees from all levels of experience, including our most senior journalists. As of early May, nearly 1,800 staff have taken the course and it continues to be immensely successful.

One of the training facilitators recently shared with me an anecdote about two journalists who had already taken the training last year and were enrolled again by mistake. When they realized it was a duplicate, they were given a choice to hop off but both decided to stay and take the course again – and stayed the full day. This says a lot about the enthusiasm that surrounds the program, which is seen more as a forum to reflect on the JSP than a top-down lecture. Few institutions offer that space and time to their employees to reflect on the philosophy and ethics of their work, and we intend to keep this flame alive, as other news outlets are starting to inquire about the program.

Other training programs have since emerged, and some include specific JSP elements. A



Climate Reporting Essentials course was launched recently, and a Middle East Coverage program is currently being developed. It will serve as a refresher and a sounding board for reporters with more or less experience being deployed to the region. We are also updating our Reporting in Indigenous Communities course and intend for it to be delivered in all newsrooms this year.

We also plan to establish our first Indigenous Editorial Advisory Circle to support our journalism and inform our JSP office, drawing on the Indigenous perspectives and lived experience we have within the organization.

COMMUNICATING WITH THE AUDIENCE

As noted by the Ombudsman, we continue to regularly publish [Editor's Blogs](#) to communicate directly with the audience about our editorial challenges and decision-making. Furthermore, we continue to find ways to build audiences and ensure our relevance with people across this country by seeking out a full range of perspectives in our content and journalism.

For example, over the past year we have heard a lot of feedback from people who live in rural Alberta thanks to a joint project between CBC Edmonton and CBC Calgary's editorial and communications teams, and in conjunction with The Alberta Library consortium. As part of the "Out Your Way" project, we visited nine towns and hamlets all across the province – some places with only a few dozen residents – holding thoughtful conversations with local leaders and influencers, large gatherings with people who live in the area, and other events.

The intent of all of these interactions was not to tell people how great the CBC is, but to sincerely listen – to hear from those who live outside of urban areas about what matters to them so that we can better reflect their realities in the stories we tell and how we tell them.

As a result, and in addition to building much stronger connections across rural Alberta, we published and broadcast many pieces of journalism and voices from these communities that might otherwise not have been heard.

3. CONCLUSION

This year marks a special step in the relationship between CBC News and the Ombudsman's Office as Jack Nagler files his last report and prepares to complete his 6-year tenure – also ending an illustrious career with the public broadcaster. We will miss his sharp reviews of our journalism and the stimulating debates that ensued. Before serving as an independent Ombudsman, Mr. Nagler worked on "our" side of the fence as a journalist and editorial leader. On behalf of our colleagues, I am grateful for his many contributions to CBC News and for upholding the journalistic standards we all hold so dear. He leaves the Ombudsman's office with



the deep respect of our journalists and many more working in our industry outside the CBC.

The next Ombudsman will have large shoes to fill and we are eager to take part in the formal hiring process, later this year, that will bring together CBC News managers, journalists, and representatives from the audience.

The past few months have also been my first as General Manager of CBC News, a role that was added in January to my position as Editor in Chief, and I am humbled by the trust Canadians put in us every hour of the day when they engage with CBC News on one of our platforms. I am indebted to my senior leadership colleagues for their tireless support and the never-ending inspiration they bring me and their teams as we work hard to make sense of our world together – while up against an unrelenting news cycle.

Above all, year after year, I am in awe of our hundreds of journalists and staff across our newsrooms in Canada and our overseas bureaus. They are the beating heart of this institution, and I continue to partake in the country's gratitude for their passion and tireless work.

Sincerely,

Brodie Fenlon

Editor in Chief and General Manager, CBC News