



News Release

ROGERS CABLE WILL CENSOR HOWARD STERN TV FOR ABUSIVE COMMENT

Why isn't Sirius Canada doing the same thing?

Toronto, Ontario, June 11, 2006: Rogers Cable announced last week that it would offer *Howard TV* - Howard Stern's On Demand channel for digital cable - to Canadians on a subscription basis.¹ In their June 6 news release, Rogers used the words "uncut" and "uncensored" to describe the material available. However, in their web site FAQ section under the question "Is Howard Stern really uncensored?", Rogers states:

... Please note that if a program fails to meet Canadian Broadcast Standards due to abusive comments or undue discrimination or for another legal reason which fails a Canadian Broadcast Standard – Rogers will be forced to remove the affected episode.²

This intention to censor Stern does not appear in the Rogers news release, although it is both important to potential subscribers and newsworthy. It is a current acknowledgement from one of Canada's largest communications and broadcast conglomerates that Stern's show features some material that contravenes Canadian broadcast standards. And that raises this important question: Why isn't Sirius Canada doing the same thing with their Howard Stern satellite radio shows? They are subject to the same legislation as Rogers Cable (the *Broadcasting Act* and *Regulations*), yet they are not taking similar steps to ensure that their Howard Stern programming conforms to Canadian law.

"The situation with Rogers and Sirius is exactly the same, Howard Stern programming being offered on a subscription basis," says Toronto anti-violence activist Valerie Smith, "but the companies are taking two very different approaches. Rogers is attempting to conform to Canadian law, while Sirius Canada is ignoring it."

Thanks, Rogers, for highlighting the situation. Let's hope that whatever regulatory and/or political pressure inspired them will also force Sirius to adopt similar measures to eliminate Stern's trademark misogyny and abusive comments directed at other vulnerable groups.

Excerpts from the *Broadcasting Act* and *Regulations* relating to abusive comment are attached. Additional information on the Sirius Canada/Howard Stern situation is available on the Free Radical web site in the Radio Section.

For further information, please contact Valerie Smith at valsmith@fradical.com

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¹ *King of All Media, Howard Stern, makes triumphant return to Canada "On Demand"*, Rogers Cable Inc. news release, June 6, 2006

² Rogers web site, *Howard TV is Here*, FAQ's, www.shoprogers.com, June 7, 2006

About the Free Radical: The Free Radical web site (www.fradical.com) is maintained by Toronto anti-violence activist Valerie Smith to provide information on media violence and strategies for combating it. She is the author of the *Action Agenda: A Strategic Blueprint for Reducing Exposure to Media Violence in Canada*, funded and published by Ontario's Office for Victim's of Crime, an agency of the Ministry of the Attorney General. The report is available for free download from the Free Radical web site.

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BACKGROUNDER

Excerpts from the *Broadcasting Act Regulations*. Entire documents are available on the CRTC web site www.crtc.gc.ca.

Pay Television Regulations

3. (2) No licensee shall distribute programming

(b) that contains any abusive comment or abusive pictorial representation that, when taken in context, tends to or is likely to expose an individual or a group or class of individuals to hatred or contempt on the basis of race, national or ethnic origin, colour, religion, sex, sexual orientation, age or mental or physical disability;

Specialty Services Regulations

3. No licensee shall distribute programming that contains

(b) any abusive comment or abusive pictorial representation that, when taken in context, tends to or is likely to expose an individual or a group or class of individuals to hatred or contempt on the basis of race, national or ethnic origin, colour, religion, sex, sexual orientation, age or mental or physical disability;

Television Broadcasting Regulations

5. (1) A licensee shall not broadcast

(b) any abusive comment or abusive pictorial representation that, when taken in context, tends to or is likely to expose an individual or a group or class of individuals to hatred or contempt on the basis of race, national or ethnic origin, colour, religion, sex, sexual orientation, age or mental or physical disability;

Radio Regulations

3. A licensee shall not broadcast

(b) any abusive comment that, when taken in context, tends to or is likely to expose an individual or a group or class of individuals to hatred or contempt on the basis of race, national or ethnic origin, colour, religion, sex, sexual orientation, age or mental or physical disability;