

**2017-40 Korski vs National Post**

*For immediate release*

The National NewsMedia Council has dismissed a complaint that the National Post misled readers and took credit for the work of others in a March 30, 2017 article, "Secret briefing says up to \$300-per-tonne federal carbon tax by 2050 required to meet climate targets".

The complainant, Tom Korski, stated that Blacklock's Reporter published an article on the same topic March 29, 2017. Both articles cited a briefing note obtained through the Access to Information process. The complainant alleged that the National Post misled readers to conclude that its reporter sourced the memo, and that the paper took credit for the work of others.

That complaint was rephrased in a detailed follow-up submission, stating the news media organization misled readers by implying the memo was secret, that it uncovered the memo through its own initiative, and that the story was exclusive.

In an email to the NNC, the complainant included an email that showed the news media organization responded promptly to his complaints, issued on social media, about the story. The editor in charge of the story provided the complainant with a timeline and description of events and stated clearly that the news media organization was working on the story independently of the work done by Blacklock's. It stated neither he nor the reporter read the Blacklock's article. The complainant did not challenge or deny that response.

In materials submitted to the NNC, the complainant quoted "The document obtained by the National Post..." from the story and said it left the reader to conclude the paper obtained an exclusive memo.

In a careful review of the materials, Council found the phrase "obtained by the National Post" is part of a sentence followed by a sentence stating that the memo was obtained by the Conservative party on an access to information request. It found the cited phrase taken out of context is not reflective of the meaning of the paragraph and that a reasonable reading of the paragraph as a whole leaves no question about the origin of the information. There was no claim of sole or first ownership of the document.

The Council found no basis for the allegation that the news media organization misled the reader on this point, and no grounds for a complaint.

The complainant stated that the news media organization misled readers by implying the memo was secret. Council's examination of the materials revealed the complainant's news site twice referred to the document as secret, and noted the news media organization's explanation that the document was labelled secret and held that security designation. Neither party offered material to contradict the description.

Council found no basis for the allegation that the news media organization misled the reader on this point, and no grounds for a complaint.

The submission filed by the complainant stated that the news media organization misled readers by stating it uncovered the memo through its own initiative. As noted previously, the article clearly stated that the memo was provided by the Conservative party. Council found no basis for the complainant's allegation, and no grounds for a complaint.

The complainant also alleged that the news media organization misled readers by stating that its story was exclusive. The news media organization denied that it claimed the story was exclusive or a scoop. A careful reading of the article found no such statement or claim, and supported the assertion of the news media organization. Council found no basis for the complainant's allegation and no grounds for a complaint.

The complainant suggested a rewording of the paragraph that cites the source of the memo in question. It is not the NNC's business to act as editor.

Correspondence from both parties provided an uncontested explanation of the timeline of the story in question. The news media organization stated that while the complainant's article was published first, its own journalists were not aware of the story until the evening and in any case did not read it while their work was in progress. They stated they were not interested in the story because they had their own sources and had begun working on the article.

On learning about the complaint, the news media organization stated that it reviewed the origin of the ATIP with the reporter, who confirmed the source, that it was the result of their own request, and that it was not the result of an ATIP request filed by Blacklock's. Council found this to be appropriate procedure in the interests of due diligence.

The news media organization strongly denied what it called an allegation of story theft, and insisted that it reported independently from an ATIP filed independently. It supported that view with information that stated the journalist provided the unique ATIP return letter, which was distinct from the one sent to the complainant's news organization. Through social media, the Council viewed images of both letters, which have different file numbers.

Taking into consideration the news media organization's credit to the source of its documents and the due diligence in reviewing the process, the NNC found no basis for the allegation that unauthorized credit was taken for the work of the complainant's news organization, and no grounds for a complaint.

The complainant noted that scalping news and claiming credit for others' work is misleading to readers and dishonest in the trade. The news media organization has demonstrated that it took the allegations seriously and has exercised due diligence in investigating the complaint.

In dismissing the complaint, the NNC found no grounds for the complaint and no breach of journalistic standards on the part of the National Post.

Council noted with concern the impact on journalists and news media organizations when complaints are stoked on social media before the issue can be fairly heard. Unauthorized use of another's work is a serious issue, but so is baseless allegation of the same. The NNC's intent is to consider complaints in a fair and transparent process. Prolonged social media exchanges circumvent that intent and can be unnecessarily damaging. Best practice would involve restraint and fair play.