

2018-25: Bullock vs Toronto Star

April 27 2018 – *for immediate release*

The National NewsMedia Council has mediated and dismissed a complaint about unsubstantiated statements and biased allegations in the Toronto Star.

The complainant, Robert Bullock, stated that an April 6 2018 Toronto Star opinion column, “Arrested for riding the streetcar while Black”, contained unsubstantiated statements and allegations about racism and racist behaviour.

The complainant stated that the opinion column recounted only some of the details of an episode where a subway rider was aggressively arrested by several transit and police officers. He noted that neither the Toronto Transit Commission nor police officers' side of the story could be told, and said the writer inserted statements that “blatantly assert” those involved were racist and their actions racially motivated.

The news media organization responded that the article was clearly identified as opinion, and that opinion writers have wide latitude to express their own views.

It noted the columnist made it clear the motive for the excessive force was not known, that she made no factual conclusion, and that the role of race in the incident was her opinion.

The news organization noted that the transit commission and police were invited to comment and declined to do so. It took the view that the decision by those parties to decline comment did not limit the freedom of the columnist to express an opinion.

The paper also noted the columnist did not write the headlines, and stated that in retrospect the print version should have had a question mark or been worded differently.

In reviewing the opinion article, the complaint and the related submissions, the NNC recognized widely-accepted journalistic practice that gives opinion writers the prerogative to make strong or provocative comment. It found this article was clearly identified as opinion, and that it is within the role of opinion writers to challenge the status quo and engage readers.

The NNC supported the news organization’s position that a decision by transit and police authorities to decline comment did not bar the writer from making observations or comment on the incident. The NNC did not find, as the complainant suggested in rebuttal, that comment should be held back until authorities made a formal report. It is the job of journalism to hold authority to account, which includes reporting or commenting on excessive force and reporting news in the public interest in a timely manner.

The NNC found no indication that the writer ‘blatantly’ asserted the officers were racist. She raised the questions of bias and systemic racism, using the provocative latitude that is allowed an opinion writer.

Regarding the complainant's challenge for the writer to "show us that data" indicating Black people are systemically discriminated against by authorities, the NNC has observed there are numerous reports in a wide range of media across a wide number of cities, provinces and states that chronicle systemic racism, and that the existence of the data can be accepted as fact.

The complainant assessed the article as "another unsubstantiated, unfair, and biased indictment of Toronto police and other law enforcement authorities", and said the opinion writer will influence readers to become negative, biased against law enforcement, brazen and likely to disrespect the law.

In reading the opinion column as a whole, the NNC found strong opinion and provocative questions, but no indication of unsubstantiated fact. The NNC upholds the role of the media as a watchdog over authority that gives it the responsibility to speak out about abuse of power. It also upholds freedom of expression, which allows the exchange of opinion that each is allowed to accept or reject.

The NNC accepted the news organization's suggestion that the print headline could have had a question mark, but rejected the allegation that a headline on an inside print article was designed to sell more papers.

For the reasons stated, the NNC found no breach of journalistic standards and dismissed the complaint.