

2018-50: Nadolski vs Globe and Mail

October 25, 2018 – for immediate release

The National NewsMedia Council has upheld two parts of a complaint about a Globe and Mail article published on July 31 2018 entitled “How Canada’s Bombardier Inc. helped build Russia’s controversial railroad.” At the same time, the NNC dismissed four parts of the same complaint.

The article examined the involvement of Bombardier, a multinational company with headquarters in Canada, in providing rail-control systems for a Russian rail line. It described the line’s proximity to Ukraine, and raised questions about military implications and Canadian foreign policy around Russian issues.

Mike Nadolski, an executive with Bombardier, complained about inaccuracies in the article. The complaint also alleged bias on the part of the news organization in its representation of the company, and took issue with what the complainant viewed as omission of key facts.

The complaint was reviewed in six parts, as follows.

First part: Dismissed

The article described the rail line’s proximity to Ukraine, and raised questions about the military implications and Canadian foreign policy around Russian issues. The complainant said the article portrayed Bombardier as part of a “controversy” and at odds with Canadian foreign policy.

The news organization responded by stating the fact that Bombardier helped build a railroad along Ukraine’s border is a newsworthy story that was unknown to Canadian taxpayers until publication, and that the possibility of military use at some point made it a controversial issue.

Review and decision: The NNC understands it is the nature of a news story to present a controversy. The complainant did not argue the point that Bombardier receives taxpayer support, nor that Canadian foreign policy supports Ukraine. In that light, the subject matter can be considered controversial and the article newsworthy. The NNC dismisses this portion of the complaint.

Second part: Dismissed

The complainant stated the article contained an error that significantly changed the meaning of a quote from a Bombardier executive. In the original version of the article, “UN recognized borders” appeared as “Unrecognized borders.”

The news organization promptly corrected the misprint, attributed to a technical error, post-publication online and in the next day’s paper, and admitted it was a very unfortunate error.

Review and decision: The NNC agrees with both parties that the error was especially unfortunate. However, it finds there was no malice in the error, and that it was quickly admitted and corrected in accordance with the paper’s policy. The NNC supports the policy of admitting errors, making correction

swiftly, and posting notice of corrections in a consistent manner. Those steps were adhered to in this case. For these reasons, the NNC dismisses this portion of the complaint.

Third part: Dismissed

The complainant said the article presented biased coverage that omitted key facts needed for balanced perspective. He argued that the article lacked balance in presentation of the issues, and was misleading in characterization of the sourcing.

The news organization noted that while the complaint about balance and omitted information was described as inaccuracy, beyond the corrected error the complainant gave no example of a statement of inaccuracy or suggestion of compliance illegality.

The complainant argued that the article was not definitive in describing the company's activity in relation to Canadian policy. It took exception to the news organization's view that because it reported Bombardier's position—that the company's actions were legally compliant—no further explanation was required.

The news outlet argued that the quote from the Bombardier executive said Bombardier's actions were legally compliant with Canada's sanctions against Russia, and denied that the article suggested compliance illegality on the part of Bombardier.

Review and decision: A straight reading of the article is that Bombardier said the venture was legal. The accuracy of the statement was not questioned by the complainant and it was not contradicted in the article. While the complainant further argued that a fundamental issue was that the company statement was cut to a single sentence, there is no requirement for a journalist to act as stenographer. A journalist has the latitude to select a quote, or part of a quote, that best conveys the information. In this case, the statement of a company's lawyer can be reasonably read as definitive on the issue of compliance. For these reasons, the NNC dismisses this portion of the complaint.

Fourth part: Upheld

The complainant said the article made inaccurate use of the plural "critics," suggesting other sources share this view, and that it is irresponsible to infer that claim without citing another source.

The news media organization responded by stating the article quoted two critics of the project, and said "there are others," but did not provide further information.

Review and decision: The news organization's response does not offer evidence on this portion of the complaint. It alludes to other critics of Bombardier's contract, but does not name them in the article or in its response. A military analyst is quoted in terms of the rail line's military potential, but not in relation to Bombardier's contract.

The NNC argued in an earlier decision related to estimates of crowd size at a political rally that numbers matter. Numbers can imply support or importance, and can alter a reader's view. Without evidence of others who share criticism of the Bombardier contract, best practice would be to say 'one critic', 'an

outspoken critic,' or to simply state the person's name and credentials. For this reason, the NNC upholds this portion of the complaint.

Fifth part: Dismissed

The complainant stated the article misled readers by withholding a full and fair description of the actual and ongoing operations of the infrastructure project it purported to examine. It argued the article failed to detail regulation around Canada's foreign policy or to give an accounting of regulations around foreign policy.

The news outlet responded by saying that a Bombardier spokesman was quoted at length from his e-mailed response, along with others who are concerned with the project. It argued that is in line with standard coverage and gave both sides opportunity to respond.

Review and decision: Taken as a whole, this article reads as a story about the location of a railway and the involvement of a company based in Canada. While the complainant or company has interest in the ongoing operations of the infrastructure as a whole, it is a journalist's prerogative to select the focus of an article.

The NNC understands that the complainant may desire different information to be included in the article, but a news story is not a foreign policy primer. It is the job of the journalist to convey the newsworthy elements in contained, understandable and focused manner. For these reasons, the NNC dismisses this portion of the complaint.

Sixth part: Upheld

The complainant argued that the article rested on the issue of whether Bombardier's involvement with the rail project complied with the sanctions and policies enacted by the Canadian government, and that the news organization should have clearly reported on this easily verifiable fact.

The news outlet stated the article adheres to its code of conduct principles of solid research, clear, intelligent writing, and reputation for honesty, accuracy, objectivity and balance.

Review and decision: Read as a whole, the article raised questions about Bombardier's tax assistance, the contract for the rail line, Russia's potential use of the line, Ukraine's concerns, and business connections. Council understands that while these questions may not be welcomed by the complainant or definitively answered by the article, it is the job of journalism to find and present information in a responsible manner so that the public can be informed – and ask questions – about political and business decisions.

Nevertheless, in this instance, Council felt there was an obvious need for readers to understand more specifically what those policies and sanctions were. For these reasons, the NNC upholds this portion of the complaint.