



2020-62: Quaiattini vs Newmarket Today

September 29, 2020 – *for immediate release*

The NNC has reviewed and dismissed a two-part complaint about a March 4, 2019 news article “Driver found asleep at the wheel after vehicle veers into field,” published by Newmarket Today. The first part of the complaint focused on specific details included in the story. The second part of the complaint expressed concern that the article’s headline was not appropriate.

The complainant, Susan Quaiattini, stated that the impaired driving charge referenced in the article was devastating to the family and to her son, who now regrets his decision to drive under the influence.

The news organization responded by stating that remorse isn’t a valid reason to unpublish material that is correctly and accurately reported. The complainant’s son was also named in a press release issued by local law enforcement.

In general, the NewsMedia Council recognizes public’s concern about how sensitive material published on news sites can cause long-term damage to an individual’s reputation. Nevertheless, in this case, the NNC noted that the majority of journalism standards and best practices are specific in stating that a person’s feelings of remorse, alone, are not a compelling reason to unpublish news stories.

In her submission, the complainant provided a news article which reported the local police department had recently abandoned its so-called ‘name and shame’ initiative around impaired driving because of privacy issues. She also noted that another news organization in the community unpublished some names following that decision by police.

The news organization pointed out that it was following widely-accepted practice by declining to unpublish the material, and that it is not obliged to act in concert with another news organization

The complainant also stated that the article’s headline indicated her son was the accused found asleep at the wheel. The NNC found no evidence in the story to suggest support for that view and dismissed this aspect of the complaint. Similarly, the NNC dismissed the allegation that publishing the name was a breach of personal and family privacy. Information on police charges is public information, and rightly so in order to serve as a check on police power and operations.

The NNC is aware that the situation presents conflicting interests. Police and society are trying to deal with a public safety issue and reduce impaired driving. At the same time, individuals and society are faced with a privacy issue in terms of publishing names in a manner that may create lasting prejudice, because of the longevity and searchability of the internet.

In reviewing the complaint, article, news organization response, other submissions and current best practice on the contentious issue of unpublishing requests, the NNC noted that requests to remove content are best reviewed and considered on a case-by-case basis. News organizations should be as clear as possible about unpublishing practices, and recognize public desire for wider discussion and sharing of best practices on this issue.

In cases where complainants report hardship due to adverse publicity, a remedy may involve reporting the outcome or doing a follow up story. Such action can be seen as part of the journalistic responsibility to give opportunity to respond to harmful allegations.

In this case, the news organization offered to update the story, but there is no evidence that the complainant responded to that offer.

We note the complainant mentioned difficulty in job searches because of the news article. While that is distressing, it alone doesn't rise to a level of extreme hardship.

In summary, while the complainant describes an unfortunate situation, the NNC is of the view that the news organization's decision not to unpublish in this case follows widely-accepted best practice related to unpublishing requests.

That said, newsrooms are giving careful thought to publishing names of those charged with minor offenses. There is a laudable public service goal in reporting on community activity and crime, but in this case we note that even the police conceded that internet longevity of published names creates unintended consequences that don't further that goal of improving public safety.

As a matter of general information, it is worth noting that while police are accepted as reliable source of information, reporters are not bound to repeat police reports verbatim. Newsrooms have editorial discretion over content that is judged to be newsworthy and in the public interest, and have the prerogative to use judgement in the wording and framing of the news they publish.