

2022-65: Regier v National Post

November 22, 2022

The National NewsMedia Council has considered and dismissed a complaint about a lack of disclosure regarding a conflict of interest in an August 13, 2022, opinion column, “Donald Trump will be a successful president again,” published by the National Post.

In his column, Conrad Black argued that the former U.S. president was a “very effective and successful president and will probably be so again,” despite attempts to “derail him by manipulating the rancidly corrupt American criminal justice system.”

Ron Regier filed a complaint with the NNC stating concern that the opinion article did not include a disclaimer about the fact that the columnist was granted a pardon for a felony conviction by the former U.S. president. He argued that disclosing the information would alert readers to potential bias towards the former president that could otherwise leave readers with a distorted understanding of the facts.

The news organization responded by stating that while disclosure may be a responsible step in general, many readers are aware of the pardon granted to Black. It noted that the columnist’s pardon has been widely reported, and that the columnist himself has written about it in the past.

The news organization also noted that the columnist had already been granted a pardon by the former president at the time of writing, and stated that the columnist’s writing about Trump is consistent with his political worldview.

The complainant responded by stating that while many readers may be aware of the pardon, not all readers are aware of it, and requested that a disclaimer be added to the article as well as future articles on the same subject.

The news organization reiterated that the column was consistent with previous pieces by the columnist, especially on the writer's views of criminal justice reform. It further argued that the columnist has put forward contrarian views for his praising of controversial or 'vilified' figures such as Donald Trump or Richard Nixon in the past, even while criticizing the former's behaviour in some instances.

The news organization stated that while there was no evidence to suggest that the pardon influenced the writer's position on the former president, it would continue to have a discussion in the newsroom about whether such a disclaimer might be appropriate in the future.

In assessing the complaint, the NNC considered the wide latitude afforded to opinion writers to express unpopular, provocative, and political views, and to use strong language that others may find offensive. Generally speaking, the NNC does not consider complaints about opinion columns except in cases where there is an alleged inaccuracy.

The NNC would note that standard practice is to avoid reporting on matters where a conflict of interest may arise or be perceived. In cases where this is not possible, disclosing a possible conflict of interest is warranted.

That said, opinion writing is distinct from news reporting, which has strict journalistic standards of accuracy, context, relevance, and opportunity to respond. While opinion writing must be grounded in fact, its purpose is to provide perspective and commentary, which may be informed by several factors, including the writer's experiences and political views.

The NNC supports the news organization's view that the pardon was widely reported on, including in a piece by the columnist himself. It also supports the news organization's plans to

re-evaluate the need for a disclaimer in the future when reader awareness of the pardon may be less widespread.

While the NNC agrees with the complainant that readers may find the information useful for context, it found no evidence in the submissions provided to indicate that the pardon granted to the writer resulted in an inaccuracy in the published statements. For the reasons outlined above, Council dismissed the complaint about lack of disclosure.