

CASE NO: 2589 and 2590

ADJUDICATION BY THE NEW ZEALAND PRESS COUNCIL ON THE COMPLAINTS OF BOB MCCOSKRIE AND BRUCE ALDRIDGE AGAINST THE SPINOFF

FINDING: NOT UPHELD BY A MAJORITY 5:2

NOT TO BE PUBLISHED BEFORE 7 JULY 2017

Introduction

Bob McCoskrie and Bruce Aldridge separately complain about an anonymous first person piece published on *The Spinoff* website on May 18.

Mr McCoskrie argues breaches of Principles 1 (Accuracy, Fairness and Balance) and 4 (Comment and Fact) and Mr Aldridge argues breaches of Principles 1, 7 (Discrimination and Diversity) and 12 (Corrections).

For the purpose of this decision, the Council has considered the argument around a breach of Principle 12 to be irrelevant, as *The Spinoff* editor does not accept any error was made.

The complaints are not upheld by a majority of the Press Council 5:2.

Background

An Auckland girls' high school invited Family First national director Bob McCoskrie to speak to Year 13 Social Studies students, who were looking at opposing viewpoints as part of an assignment.

The topic discussed was gay marriage and a student in attendance shared her experience by way of a first person account told to a *Spinoff* editor.

The student was bylined only as 'A Student' and was described as a 'guest writer' for the article, headlined 'I had a social studies lesson from Bob McCoskrie'.

In short, the student's account of what was said during the presentation was different from Mr McCoskrie's. And she strongly disagreed with what she took to be his opinions.

Mr McCoskrie subsequently wrote a column on his own Family First website, giving his interpretation of the event and arguing it had been misrepresented in *The Spinoff* column.

The Family First column referenced supporting correspondence from staff and students.

Although *The Spinoff* stood by A Student's column, it did acknowledge Mr McCoskrie disputed her account of the event and included a prominent link to his own column.

Complaint

Mr McCoskrie primarily argues that the column was based on the testimony of only one person, with no corroboration, and painted him a bad light.

It was an ‘attack piece’ which would not have occurred had checks being carried out by *The Spinoff* with other people present.

The material facts which A Student’s opinion piece were based on were incorrect.

Mr Aldridge acknowledged that a) Mr McCoskrie and A Student had differing opinions and b) that *The Spinoff* included a disclaimer that it was ‘one student’s side of the story’.

However, it was sensationalist clickbait without fact checking, corroboration and balance.

Based on Mr McCoskrie’s column, A Student’s account was wrong.

Additionally, Mr Aldridge pointed out some of the very negative comments about Mr McCoskrie which *The Spinoff*’s Facebook post attracted.

Response

Editor Duncan Greive said the author’s friends had similar recollections of the event.

The column was not a news story; it was ‘an essay, a mixture of recounted memory and the subject’s emotional response to the events’.

Disputed comments attributed to Mr McCoskrie were in line with his previous public comments.

A first person account of an event, by its very nature, cannot include ‘both sides’. This is also the reason Mr McCoskrie’s comment wasn’t sought.

The same event can leave different people with different impressions - what was published was clearly presented as only one of those impressions.

Follow up inquiries were made with the author and, indirectly, her friends which reaffirmed her recollection of the event.

Despite this, Mr McCoskrie’s differing account was still linked to.

Discussion

The Spinoff could not have been clearer in what it was publishing, ie a first person account of one student’s impressions of an event.

The complainants are right that opinion must be based on material facts. But it is not for the Press Council, without evidence, to take sides in what is effectively a ‘he said - she said’ scenario.

Although Mr McCoskrie has put forward supporting evidence from unnamed staff and student sources, the author and editor argue similar corroboration from unnamed friends in attendance. None can be verified.

The Press Council has no evidence before it to determine which version of the event is ‘correct’, having not attended the presentation. And, even if it did, accuracy in this case is

subjective when the column is clearly the author's genuinely held interpretation of what she heard.

The complaints are **not upheld**

The Press Council would, however, note that the tone of the comment thread on the Facebook page is entirely inappropriate and uncalled for. While it accepts that the Facebook platform does not allow pre-moderation of comments, it does allow for post-moderation.

Beyond the Council's primary role of resolving public complaints, it is also concerned with holding the media to the highest professional standards. The comment thread for this particular column on *The Spinoff's* Facebook page is a very long way from meeting those.

Dissent

Two members disagreed with the decision. Hank Schouten and John Roughan would uphold the complaint on the principle of fairness. They took the view that though the article was clearly an opinion, it was commenting on an event that the vast majority of *The Spinoff's* readers would have known nothing about. In these circumstances, the two members believed, an opinion writer should, and normally would, recognise an obligation to provide the reader with a fair summary of the material being criticised.

This piece seized on a few words or phrases and ignored their context. It must have been evident to the editor that no attempt was being made to fairly represent the complainant's statements to the school audience. The Press Council's principles of accuracy and fairness allow a great deal of latitude for opinion but this piece fell so far short of a minimum standard of fairness, in the members' view, that it was not worth publishing.

Press Council members considering this complaint were Sir John Hansen, Jo Cribb, Chris Darlow, Tiumalu Peter Fa'afiu, John Roughan, Hank Schouten and Mark Stevens.

Tim Watkin stood down to maintain the public member majority.