

2018-55: Skinner vs Niagara This Week

November 2, 2018

The National NewsMedia Council has dismissed the majority of a detailed complaint about an opinion column in Niagara This Week, while upholding one portion of the omnibus complaint.

The complainant, Cynthia Skinner, objected to the Niagara This Week September 6, 2018 opinion column, “Niagara’s worst tourist attraction is this ludicrous lighthouse,” about the Point Abino lighthouse. The opinion column detailed funding of visiting the lighthouse, and argued that as a tourist attraction it did not merit public funding.

The complainant pointed out that the lighthouse is supported by volunteers, alleged that the article contained ‘verifiable lies’, and argued that the opinion writer has campaigned against the lighthouse for years. The complainant listed, and the news organization responded to, a number of specific areas of accuracy.

The complainant said the lighthouse is town-owned, rather than publicly-owned as the article stated. Niagara this Week said the article did not dispute the lighthouse is town-owned, and stated that it is located behind the gates of a private community. Because ‘town-owned’ and ‘publicly-owned’ have the same meaning in terms of taxpayer funding, the NNC dismissed this part of the complaint.

The complainant objected to the article’s statement that taxpayer money has been spent on repairs, and stated that the sale of the lightkeeper’s house covered major repair costs, which came in under budget. The news organization provided links to stories about continued funding requests, and to reports that the sale of the keeper’s house did not cover the entire restoration cost. Based on the news articles cited, and in the absence of figures to support the statement of the complainant, it appears that taxpayer money in the form of sale of public property and federal grants has been spent on the lighthouse. The NNC found the article’s statement accurate and dismissed this part of the complaint.

The complainant cited a tour brochure as evidence that the writer’s statement, ‘you are not allowed to go see it’, is inaccurate. The news organization responded that tours are available on a limited schedule, as the column stated. Reviewing the brochure, Council found limited tours are offered on a seasonal basis with restricted visiting hours and a vehicle ban otherwise. Reviewing the article, the writer twice stated access was restricted to American residents of the gated community before describing the cumbersome process for regular visitors. While the article is an opinion column, and the writer has latitude to use exaggeration, the Council found the statement “you are not allowed to go see it” to be inaccurate. Best practice would have been to qualify the statement immediately, and for this reason this portion of the complaint is upheld.

The complainant objected to the statement that residents of the gated community surrounding the lighthouse are wealthy Americans, saying that about 30 per cent of the properties are Canadian owned. The news organization argued that even in that case there is an overwhelming majority of American property owners. Read as an opinion piece with an overall point about accessibility to a Canadian

heritage site, the NNC found no evidence that the statement as written was not substantially accurate and dismissed this part of the complaint.

The complainant objected to the statement that tours are available only during the summer, stating that is the case with most lighthouses. The news organization agreed that the statement was made, and is corroborated by the town's website. Council found no allegation of inaccuracy and dismissed this part of the complaint. The complainant said the statement about 'extremely limited' bus tours was not accurate in light of the amount of interest in and location of the lighthouse. The news organization said the definition of "limited" is a matter of perception, and was valid in a case where "tours are not available more than 93% of the time." While recognizing that lighthouses by their nature are often in remote and difficult to access locations, and that many lighthouses are open to tourists only in summer months, Council found the tour schedule, gating, and lack of vehicle access could reasonably be described as 'extremely limited' and dismissed this part of the complaint.

Referring to the article's statement that the town pays the homeowners' association for rights to operate tours, the complainant argued the town has agreed to a lease with the residents' association. The news organization said the tours depend on a town access agreement with the homeowners association at a cost of \$4,000, and that concern about that public funding and access was the point of the article. As both parties agree a sum is paid by the town to the residents and there seems no dispute that the payment is a condition of access to the lighthouse, Council found no breach of accuracy and dismissed this part of the complaint.

The complainant described the writer's calculation of revenues for tours related to cost of the access agreement as 'nonsense' and said lighthouse admission fees are standard. The news organization said the point of the calculation was to show that the tour fees do not recover costs. Council found this part of the complaint to be an expression of opinion and not a complaint about breach of journalistic standards.

The complainant objected to the statement that there is no gift shop or coffee shop at the lighthouse, stating that volunteers have tables of souvenirs available and a restaurant is nearby. The news organization said it was unaware of the souvenir tables, or whether they offset town expenses. It also noted the restaurant is near the entrance gate, not the lighthouse itself. The NewsMedia Council did not comment on the difference between a table of souvenirs and a gift shop, but using Google Earth found no facilities at the lighthouse, and the gated entrance 1.5 km away. For this reason it found the article to be accurate and dismissed this part of the complaint.

The complainant also objected to reporting about the description of the gatekeeper's attitude and behaviour, the waiver required to enter the site, and taxpayer funding of the site. The news organization characterized the points cited as first-person observations and experiences the columnist encountered during his trek. Council found these submissions to be commentary on the reporting rather than complaints about accuracy or journalistic standards, and declined to comment on these parts of the complaint.

The news organization noted that comments by the opinion writer were substantiated by reader feedback, and that other points of view on the lighthouse issue were published in letters, opinion pieces and coverage of the issue as an election topic.

The NewsMedia Council supported the news organization's best practice in publishing a variety of views on a controversial public issue. Council upholds the latitude of an opinion writer to express strong or unpopular opinion. It recognizes the job of a columnist is to provoke discussion, and that an opinion writer may 'campaign' on a public issue, even if contentious.