

Review: CBC New Brunswick report
Complaint about accuracy and fairness of report on citizens' group

August 19, 2011

REVIEW

On July 8, 2011, CBC New Brunswick [carried a report](#) from Moncton about reaction to the decision by the non-profit Citizens for Responsible Resource Development to no longer call for a moratorium on hydraulic fracturing to develop natural gas sources in the province.

The process, better known as fracking or hydro-fracking, initiates and propagates a fracture in rock, using fluid as its source of energy. By drilling into the rock formation, it increases the extraction rate of oil or gas. Environmental groups have expressed concerns about its impact, particularly on the contamination of nearby water from the use of chemicals in the process, but also on air quality, wildlife, and the method of waste disposal.

The report noted that the province had now agreed to test nearby water well quality, that resource firms would provide funds to insure against accidents during the process of exploration and agree to reveal any chemicals used, and that royalties would be paid to local land owners.

The report said these measures had met the approval of the citizens' group, according to its president, Bethany Thorne-Dykstra. The group she led would no longer push for a moratorium on fracking. The report said she had communicated the measures to its membership before changing its position, and Thorne-Dykstra said only four emails had expressed opposition to the group's move.

The report also featured Jean-Louis Deveau and identified him as the group's secretary. (It was not clear where he resided.) Deveau said he opposed the group's decision and objected to the way it was communicated during "holiday season." He said he and

others were “blindsided” and that this was no way to change such a fundamental position.

The report went on to say Deveau believed the “very existence” of the group was to oppose fracking as a process “catastrophic for the environment” and that the new provincial provisions had not removed the danger.

The report noted opposition to the fracking and showed a group of people demonstrating against it, but it was not clear whom they represented, where they were, or when the protest took place.

The report said Thorne-Dykstra had been taken by surprise by opposition to the group’s decision but that it wouldn’t change her plans to work with the provincial government on the issue.

The complainant, Thorne-Dykstra herself, wrote CBC later that day wanting to know “who lied” about Deveau’s status as an official representative of the group. She said Deveau had been removed as secretary months earlier. She supplied a copy of the group’s constitution and minutes of a meeting she said confirmed Deveau was no longer a board member. She also said that reporter Kate Letterick had not mentioned Deveau to her when she was interviewed for the story.

The executive producer for CBC New Brunswick, Dan Goodyear, wrote back July 15 to say that the reporter had not “lied” and that Deveau and Thorne-Dykstra had a “differing view” on his status with the organization. He offered to present a story on the dispute within the group.

Thorne-Dykstra wrote back that Letterick also knew that the citizens’ group had not organized a Fredericton rally while the province was holding a forum on the issue in late June and that the video footage of that rally incorrectly associated her group with it. She said she sent another email to the reporter after the story was presented to prove another group had organized the event.

She further wrote that the newscast was no longer accessible online, that the field tapes of her interview with the reporter were no longer accessible, and that Deveau had incorrectly described her group as an “environmental” one.

Goodyear wrote again July 21 to attempt to address some of Thorne-Dykstra’s concerns.

Earlier he had committed to review the field tapes of the report to determine what the reporter discussed with Thorne-Dykstra and Deveau, but he wrote to say that “unfortunately” the tapes were not saved.

He supplied Thorne-Dykstra with a transcript of the story and noted there was no mention of the group as an environmental one or that it had any role in organizing the rally. He wondered if she had confused the CBC report with one from another outlet. He also acknowledged that the program was no longer online (initially the individual story itself had not been posted alone, but as part of the online presence within the supper-hour newscast).

In her request for a review by this Office, Thorne-Dykstra said CBC had not been forthcoming in helping her understand if Deveau had misled the reporter. The responses, the removal of the newscast online, the loss of the field tapes, and the insinuation that she did not know which newscast aired what information led her to believe CBC had been involved in misrepresentation. She said she would understand if CBC were merely reporting what Deveau told her, but she implied she couldn't get even a clear answer to that.

[CBC Journalistic Standards and Practices](#) intersect with the complaint in a few ways.

On the matter of accuracy, the policy states: *"We seek out the truth in all matters of public interest. We invest our time and our skills to learn, understand and clearly explain the facts to our audience. The production techniques we use serve to present the content in a clear and accessible manner."*

On the issue of fairness, it says: *"We treat individuals and organizations with openness and respect. We are mindful of their rights. We treat them even-handedly."*

On the question of balance: *"On issues of controversy, we ensure that divergent views are reflected respectfully, taking into account their relevance to the debate and how widely held these views are."*

CONCLUSION

It is a very serious charge when anyone, let alone the representative of a citizens' organization with a public profile on a significant policy issue, suggests that CBC journalists have lied in covering their activities.

Let me dispense with that issue before reviewing the particulars of the newsgathering in this case: There is no evidence CBC lied or misrepresented in the course of researching or reporting this story or discussing it with the complainant.

As part of my research in this review, I accepted CBC's explanation that the field tapes were erased and that the newscast was taken offline in accordance with common and acceptable technical procedures. While both episodes might have fed concerns, there was far less than met the eye.

The complainant asserted that her group was characterized by Jean-Louis Deveau as an environmental organization, when it is in fact a non-profit citizens' group. Deveau did not characterize the group as an environmental organization, as the complainant asserted. Instead, reporter Kate Letterick said Deveau argued the "very existence" of the group was due to its concerns that fracking was "catastrophic for the environment." I found that description fair.

But I agree with the complainant that viewers might have inferred that her citizens' group was associated with the rally seen in the story. The story pointed out there was opposition to fracking. While CBC News did not violate standards and practices by inaccurately saying the citizens' group held the rally, there was room for improvement to fulfill policy that calls for "*clear and accessible*" production techniques. It would have been optimal, if CBC News believed it necessary to present the rally video, to superimpose information and precisely script the accompanying text to know whose rally it was.

Muddying the water considerably in this case are the lingering, conflicting assertions about the executive status of Jean-Louis Deveau at the citizens' group. I cannot resolve the dispute about his status, but can comment about its impact and suggest some next steps.

CBC News portrayed Deveau as the secretary of the Citizens for Responsible Resource Development, a position it in good faith believed he held. In reporting what it believed to be accurate at the time, CBC did not violate standards and practices.

Since then, the group's president, Bethany Thorne-Dykstra, has insisted Deveau was removed from the position last February. When later asked about it, Deveau said that information was news to him. He asserts his role can only be changed through an election.

Of course, if he were not an official of the group, the thrust of the story suggesting an internal rift would have been lost.

In reviewing the matter, I concluded that the sequence of interviews for the story contributed to an unsettled situation.

Letterick interviewed Thorne-Dykstra in Moncton and a producer later in the day interviewed Deveau in Fredericton. But Thorne-Dykstra was not aware of the Deveau interview until it aired.

While that was not a clear violation of standards and practices, there was room for improvement in the reporting technique. In principle, people should know who are their critics or opponents when a dispute is reported, and it is fair-minded to go back and

forth between the parties to gather the fullest possible information about their differences.

It is reasonable to assume that, had CBC gone back to Thorne-Dykstra after interviewing Deveau, she almost certainly would have raised the issue of his status. At the very least, CBC would have had more information upon which to decide how to describe him and the nature of the dispute.

I agree with CBC's correspondence with Thorne-Dykstra that a follow-up story could be in order, particularly if CBC News feels it needs to set the record straight on Deveau's status and thus resolve whether there exists a split in the executive ranks of a citizens' group about one of its most prominent policies. Left unresolved, the story could be contributing an errant public perception of the group.

That being said, if CBC affirms there are not inaccuracies and that no follow-up is necessary, it does not make sense for the story to remain offline. Hydro-fracking remains one of the province's central environmental issues and CBC has committed extensive resources to coverage in recent times, as evidenced by the presence of other story packages on the topic readily available.

Kirk LaPointe
CBC Ombudsman