

**CASE NO: 2835 and 2836**

**ADJUDICATION BY THE NEW ZEALAND MEDIA COUNCIL ON THE  
COMPLAINTS OF LAWYERS FOR CLIMATE ACTION AND JOSEPH WILLIAMS  
AGAINST MEDIAWORKS NEWSHUB**

**FINDING: NOT UPHELD**

**NOT TO BE PUBLISHED BEFORE NOVEMBER 18, 2019**

**The Publication**

1. On 17 July 2019 *Newshub* published on its website an opinion piece headed *Peter Williams – The science is never settled on climate change*. This complaint is directed against that publication.
2. The writer of the article, Mr Williams, is a television presenter, talkback host and writer. The article began:

**“OPINION** – Peter Williams has a sore head.” The article then goes on to complain about “... the nonsense that has been propagated by politicians and policy makers about this thing that is now referred to as ‘climate change’”.

3. The theme of the article is that the world is in crisis because of climate change “nonsense” and that the media in New Zealand is biased against publishing material which says that prophecies of irreversible damage arising from climate change may be wrong. It is said that people should be allowed to question the assertions of global warming, and that science on the topic cannot be regarded as settled.
4. There is reference made to information which presents a different view of the world climate, and it is stated that it is wrong to call persons who query climate change as “climate change deniers”. There is some more detailed reference to websites and videos which ask questions about climate change, and reference to some views of some US based scientists which do not support claims of climate change.

**The Complaints**

5. There are two complaints about this article. The first, submitted on July 24, 2019, is from Joseph Williams. It asserts the article “violated” the standard on balance of accuracy. It is stated that balance does not mean every point has a counter point and that there is no

valid scientific support for the views expressed. It is said that the opinion is against the “weight of the entire scientific community”.

6. The second complaint, submitted on August 29, 2019, is from a group, “Lawyers for Climate Action”. This complaint is based on breach of Principle 1 of the Media Council Principles which requires accuracy, fairness and balance and that publications should not deliberately mislead or misinform readers by commission or omission. It is stated that Mr Williams’ views are contradicted by a vast body of data and research showing that global warming is proceeding at unprecedented rate. Climate change is caused by anthropogenic emissions of greenhouse gases, and to limit further warming a significant reduction of global emissions of greenhouse gases is required.
7. Reference is made to scientific support of those statements. It is stated that the sources demonstrate consensus among reputable scientific bodies on the existence, causes and effects of climate change. Further references are provided.
8. The work of the two scientists referred to in Mr Williams’ article is stated to be “heavily criticised by other climate scientists”, and that their views are not widely accepted within the scientific community.
9. It is accepted in the second complaint that Mr Williams is entitled to hold his beliefs, but the complainants assert that *Newshub* has provided a platform for misinformation and “bogus science”. It is said that “a misinformed public is at risk of being deprived of the opportunity to support the policies and actions which are urgently needed to combat global warming”.

### **Response of Mediaworks**

10. In response to Mr Williams’ complaint, Mediaworks stated that the article was clearly marked as an opinion piece, and was followed up by two opinion pieces that were critical of it. It is stated that there was adequate balance. In relation to the Lawyers for Climate Action complaint, the Mediaworks Standards Committee advised that the complaint was not accepted. It was stated again that the article is labelled “Opinion” and clearly reads as an expression of opinion. Reference is made to an earlier Media Council discussion on the topic.
11. The decision to publish the article was explained on the basis that it was understood that the piece would provide some debate, which it did. It is stated that contrary views were published shortly thereafter in two articles, one of which was from a distinguished New Zealand academic. It is stated that there are views at least like those expressed by Mr Williams which “clearly exist within some sections of the community. There is a value in shining a light on such views because it gives an opportunity for the sober and persuasive rebuttals seen in the articles above”.

## Analysis

12. Principle 1 of the Media Council Principles provides:

1. Accuracy, Fairness and Balance

Publications should be bound at all times by accuracy, fairness and balance, and should not deliberately mislead or misinform readers by commission or omission. In articles of controversy or disagreement, a fair voice must be given to the opposition view.

13. It is stated as part of the principle that exceptions may apply for long-running issues where every side of an issue or argument cannot reasonably be repeated on every occasion, and in reportage of proceedings where balance is to be judged on a number of stories, rather than a single report. Media Principle 4 says that material facts on which an opinion is based should be accurate.

14. Media Council Principle 5 says:

Opinion, whether newspaper column or internet blog, must be clearly identified as such unless a column, blog or other expression of opinion is widely understood to consist largely of the writer's own opinion. Through requirements for a foundation or fact pertain, with comment and opinion balance is not essential. Cartoons are understood to be opinion.

15. This is plainly identified as an opinion piece as required by Principle 5. There is no doubt the discussion on climate change is one of these long-running stories referred to in Principle 1. It is fair to say that most scientific and political opinions are given on the basis that global temperatures are increasing as a consequence of emissions of greenhouse gases arising from human causes. However, this is not a universal view and some scientists from reputable institutions express a contrary or qualified view.

16. The article in question was expressly identified as opinion. Few facts are put forward, and those that are put forward tend to be secondary, reporting the actions and positions of others engaged in the debate and some broad historical material, rather than engaging with statistical or scientific facts. Indeed, the extensive scientific writing which sets out to prove climate change is not challenged on matters of specific fact, so specific factual inaccuracies do not arise.

17. In the area of climate change, just as any other area where there are strong competing views held, balance requires free and open encounters to still take place. We are mindful of John Milton's line "Let truth and falsehood grapple; who ever knew Truth put to the worse in a free and open encounter?" Those who read Mr Williams' statement of opinion would be well aware of the arguments supportive of the position taken by the complainants.

18. The Council notes it has previously considered complaints from persons with the opposite view to the complainants who complain they have not had articles published querying climate change. It has determined that given the long-running nature of the issue it is permissible for editors to decide in their discretion not to publish climate change rejection articles. This demonstrates the long-running nature of the issue, and the well-aired competing views.
19. It also follows that immediate balancing is even less required when an article querying climate change is indeed published. Plainly the preponderance of articles assume human induced climate change, in accordance with the position of the complainants. On this well-vented issue, a decision to publish or not to publish a piece such as this, which is headlined as “**Opinion**” and plainly expressed as such, is for an editor to make, and we should not intervene.

### **Summary**

20. It is clear that the large majority of publications in New Zealand recognise the existence of climate change, but there are New Zealanders who hold and express a contrary view. The prohibition of the article in question which gives an opinion challenging the majority view would be antithetical to the freedom to debate and the freedom of expression that must be allowed in a free and democratic society.
21. The complaints are not upheld.

Media Council members considering this complaint were Hon Raynor Asher, Katrina Bennett, Liz Brown, Craig Cooper, Jo Cribb, Ben France-Hudson, Jonathan MacKenzie, Marie Shroff, Christina Tay and Tim Watkin.