



BY KENNETH A. PRICE
BARRISTER & SOLICITOR

EDITORIAL

Ken Price has practiced in a variety of areas for almost forty years. For thirty of those he has practiced tort law. He is a past president of this organization, and is a founding member of TLABC. He has worked for years providing counsel to several social and legal agencies, and has been a regular contributor to TLABC and CLE legal education programs. He has also worked to keep lawyers vigilant in their duty to represent citizens against oppression by the state.

The moniker “fake news” is now a staple in the arsenal of almost anyone who wants to take the lazy way out of an argument or controversy. Mr. Trump is the champion of the intellectually lazy class. Hence, rather than engaging in any kind of reasoned or measured response to something he does not like in the media, he dismisses the revelations as “fake news”, oblivious to whether the facts in the story are true or not.

Trump uses the term in a very narrow sense. Simply put, in his mind, fake news is any piece of information tending to discredit him or offend his political base. He is not the least bit concerned with scrutinizing the factual foundations for the stories which irk or outrage him. He simply paints the broad brush of fake news over the whole story, and leaves it at that. He thinks this is a smart strategy, and maybe it is, given the base simplicity of his loyal followers, who like the rather uncomplicated message the term “fake news” delivers to them.

Trump fails to realize, however, that fake news is a concept with far greater significance and complexity than a mere political slogan. He is content to dumb it down. He confines his use of the term as a reaction to incoming messages he simply does not want to hear, particularly when the content of such messages in any way criticizes or disparages him. He is too lazy to debate the accuracy of the messages, so he uses the fake news moniker too often. As a result, his equally lazy pep rally fans [SEE PAGE 24](#)

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chant the words “fake news” like a mantra for blindly uniting the faithful behind their badly persecuted leader. Thus, no one ever chases down the facts and truth gets lost in the confusion, most often to Trump’s benefit. After, all, bullshit baffles brains.

Ironically, Trump is missing real opportunity by failing to grasp the true significance of the concept of fake news. Sometimes the media messages really are fake. Trump simply paints all news stories he does not like with the broad brush of “fake news”, and never bothers to examine whether the facts supporting the stories is really true or not. Meanwhile, his followers are missing the opportunity to actually examine the factual foundations of the news stories, which may indeed be fake in the sense that the facts upon which they are based are inaccurate, incomplete or even untrue. While his political base takes his simple words as gospel, none of his supporters actually bother to delve deeper into a story to see if it really is wrong, and the potential impact of disclosing a real fake is lost. At the same time, Trump’s detractors get used to his consistent ravings about all stories criticizing his behaviour or his policies, and they end up accepting the truth of the stories Trump brands as fake, simply because he has “cried wolf” so often.

By co-opting the term fake news for his own political purposes, Trump should not be allowed to overshadow the bigger issue of how to assess the accuracy of modern news reporting. Granted, some instances of fake news really do consist of manufactured phony stories with invented content designed to fool people into accepting the veracity of the stories being circulated. On the other hand, more common today are the news stories that make conclusions based on facts which are either wrong or do not exist. While such news stories may not have been created or published for any nefarious purpose, they are fake nonetheless. Most of them result from the lack of research on the facts. Whether through journalistic laziness or the lack of money invested by media outlets in research, there is a pervasive growth in the amount of news which is plainly fake.

For example, take the headline news stories in our own back yard. Particularly in the case of the money-laundering story, the news media and the government have convinced us that the scope of the problem in British Columbia is of epidemic proportions. The latest reports commissioned to study the alleged impact of laundered illegal drug-money on the car market and the real estate market are good examples. They present dramatic conclusions to support the message that government wants you to hear. In fact, however, they are perfect examples of fake news. There has been only scant research by a handful of dedicated reporters determined to at least try to ferret out the facts. But statistics and background information are often obscured by the lack of resources devoted by government to save and collate them for study. Worse yet, politicians cut back on funding for agencies like Statistics Canada and Archives Canada because they do not like the fact that the use of such information might cause the disclosure of their own fake news schemes. They even try to thwart FOI claims or purposely hide facts in order to accomplish this.

On what basis can it be concluded that the high-end real

estate market has been driven by laundered drug money? West Vancouver is full of empty mansions, many of which have been empty for 15 years. Who says these houses are owned by drug dealers? We cannot even learn who the actual owner of these houses are. Has anyone proven that even one house in West Vancouver is owned by a drug dealer who laundered money by purchasing the house? The empty mansion near my house has recently been purchased by a Chinese family who now lives in it. Are they drug dealers? Without the actual facts to back up the rabid assertions that money laundering is the answer to all the questions being asked, how can we simply accept the theories at face value? Fintrack never investigated cash money transactions in B.C. The government never sought to collect information from gamblers to determine sources of cash. House buyers have never been required to put the beneficial owner of properties on title. Exotic car exports were never tracked and no one who claimed a refund for sales tax on exporting a car was ever audited.

For my part, I say no facts, no news.
Conjecture, speculation and even
common sense are not enough to
make these stories any less fake news
than President Trump’s favourite ones.
What ever happened to simple fact
checking? Can’t find the facts to check?
Build the story anyway, and become
no better than Trump, who rejects facts
even when they are plainly real,
and spews fake facts as if they are
the gospel truth, knowing that most
people who hear them will take
them at face value.

Maybe the more important question to ask is why is it so hard for researchers to get the real facts for the many suggested stories making the rounds today? Social media provides the opportunity for almost anyone to sabotage real facts or invent fake ones. This includes the politicians, pundits and the news media who all have something to gain by manipulating the facts on any given issue. Truth gets lost in the shuffle between the false truths promoted and the real facts suppressed. Those who still seek truth for its own sake may soon have little chance to prove the facts needed to establish that truth. Most worrying is the spectre of a society not interested in reason, reflection or reality, but only in the adoption of a position based on unfounded assertions simply because that is the most effortless way to go. Look forward to the heyday of more intellectual short-cutting. Think anti-vaccinators and climate change deniers. V