



Complaint made by: Mr. Karl Martin

Ref. No. 83/17

Station:
RTÉ Radio 1

Programme:
Morning Ireland

Date:
31 July 2017

1. Programme

The complaint concerns 'Morning Ireland', which is a news and current affairs programme broadcast each weekday morning from 7am to 9am. The complaint refers remarks by the presenter in relation to journalist, Mr. Kevin Myers.

2. Complaint Category

The complaint is submitted under the Broadcasting Act 2009, Section 48(1)(a)(Fairness, Objectivity and Impartiality in News Content); the BAI Code of Fairness, Objectivity & Impartiality in News and Current Affairs – Section 4: Rules – Section 4: Rules, 4.3, 4.19.

3. Complaint Summary

The complainant states that one of the presenters on this programme described Mr. Kevin Myers as a 'Holocaust denier'. The complainant states that this was an absurd claim based on a newspaper article written by Mr. Myers over eight years ago under a misleading headline that he didn't write. The complainant states that Mr. Myers took issue with the word 'Holocaust' on account of its Greek origin, meaning 'destroy by fire'. He stated that there was no single Holocaust because it took many forms; Jews were shot in pits, beaten to death, frozen and starved to death, burnt alive in their homes and synagogues and gassed. The complainant maintains that it is quite clear from the newspaper article that Mr. Myers believes that there was a Nazi genocide of the Jews – he typically and pedantically takes issue with the word.

The complainant adds that Mr. Myers has written many times about the Holocaust and the suffering of the Jews and that it is ridiculous and offensive to label him as 'Holocaust denier'. The complainant states that no senior member of the Irish Jewish community has called him 'a denier'.



In support of his complaint, the complainant submits the following:-

- a) A copy of a statement issued by the Jewish Representative Council defending Mr. Myers from, inter alia, the claim that he had denied the Holocaust in an article eight years ago.
- b) A copy of the Guardian newspaper's correction to its earlier description of Mr. Myers as a Holocaust denier.
- c) A copy of The Times of Israel published defence of Mr. Myers by the Jewish blogger, Mr. Jonathan Hoffman.

The complainant states that despite all of the above, the broadcaster still claims that it was correct to refer to Mr. Myers as having previously written a column in which he "denied the Holocaust". The complainant states that this is, to quote the Jewish Representative Council, "an absolute distortion of the facts" and is based on the selective use of certain phrases taken out of context.

4. Broadcaster's Responses, to Complainant and the BAI

The broadcaster states that the references to Mr. Myers in this context relate to articles written by Mr. Myers for the Irish Independent and Belfast Telegraph newspapers in 2009. In reaction to commentary on the articles following Mr. Myers' final Sunday Times newspaper column, the Irish Independent immediately removed the article in question from its website. The Belfast Telegraph had not, at the time of replying to the complainant, removed its version of the article.

These are quotes taken directly from the article:-

"There was no holocaust (or Holocaust, as my computer software insists) and six million Jews were not murdered by the Third Reich. These two statements of mine are irrefutable truths."

"It is an offence in Germany to say that six million Jews did not die in the holocaust. Very well then, I am a criminal in Germany."

"I'm a Holocaust denier."



The broadcaster states that these are Mr. Myers' own words. He may have then qualified his headline statements by then writing that there certainly was genocide waged against the Jews by the Nazis, in what he describes as "one of the most satanic operations in world history." The broadcaster maintains that if he is being referred to around the world as a Holocaust denier, it is because he described himself as such.

The broadcaster refers to the contents of this article as unarguable evidence that the statement by the presenter that Mr. Myers had "previously written a column in which he denied the Holocaust" was accurate and fair, did not misrepresent Mr. Myers and was not in any way misleading to listeners. The broadcaster maintains that it was also an editorially appropriate reference in the context of the column by Mr. Myers under discussion having been accused of antisemitism, as can be heard in the interview with Mr. Gideon Falter, Chairman of Campaign against Anti-Semitism in the UK.

The broadcaster refers to the submission by the complainant of copies of a statement from the Jewish Representative Council and a newspaper article in support of Mr. Myers. The broadcaster maintains that these points of view, not shared by all commentators on the matter, do not in any way contradict the accuracy of the Morning Ireland presenter's reference to Mr. Myers' Belfast Telegraph column. The broadcaster also states that the Guardian clarification referred to by the complainant as a correction, does not state that Mr. Myers is not a Holocaust denier but says that he contest that description and "is not a Holocaust denier in the usual sense of that term."

5. Decision of the Compliance Committee: Uphold (Majority)

Having considered the broadcast and the submissions from the complainant and having had regard to the Broadcasting Act 2009, Section 48(1)(a)(fairness, objectivity and impartiality in current affairs) and the BAI Code of Fairness, Objectivity & Impartiality in News and Current Affairs – Section 4: Rules 4.3, 4.19, the Committee has decided to uphold the complaint.

In this regard:-

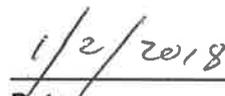
- The Committee had regard to the obligations set out in the BAI Code of Fairness, Objectivity and Impartiality in News and Current Affairs which require broadcasters to deal fairly with persons referred to in news and current affairs content and to present views and facts in a way which does not misrepresent those views of facts or render them misleading.



- Having reviewed the broadcast, it was the opinion of the Committee that these obligations had not been met in the broadcast. While noting that Mr. Myers had described himself as a 'Holocaust denier' in a typically provocative newspaper article that he had written, it was evident from the article as a whole that his description did not in fact amount to a statement denying the genocide of the Jewish people at the hands of the Nazi regime. Rather, the article was a comment on how language is used and the criminalisation of individuals or groups who engage in Holocaust denial. In this context, the comments by the presenter were considered to lack fairness to Mr. Myers and both misrepresented his views in a manner which would likely mislead audiences as to his views. Accordingly, the complaint has been upheld.



Professor Kevin Rafter
Chairperson



Date