

23 February 2011

Office of the Press Ombudsman
1, 2 & 3 Westmoreland Street, Dublin 2
Ireland

Dear Sir or Madam:

Re: Formal Complaint, Irish Independent, 18 February 2011

We are writing to lodge a joint complaint against the Irish Independent, and the column 'Sterilising junkies may seem harsh, but it does make sense' by Ian O'Doherty (18 February 2011). We believe the offending piece to be in violation of Principles 1.1 and 8 of the Code of Practice for Newspapers and Magazines.

Our organisations work with, and provide services for, people who use drugs, their friends and families, as well as advice on drugs to government and community stakeholders. As organisations that work to battle the stigma and discrimination affecting people who use drugs, we were alarmed by Mr. O'Doherty's column, and believe that the Irish Independent bears ultimate responsibility for publishing its hateful content.

Taking a complaint to the Press Ombudsman is not an action we take lightly. Given the widespread stigma against drug users in Irish society, we are unfortunately quite used to seeing media representations of drug use that we find objectionable. In that sense, we have necessarily developed 'thick skins' when it comes to press reporting of the people we work with. That said, we are bringing this complaint because we have not seen a piece as vicious and abhorrent as that written by O'Doherty in the Independent. Indeed, it is difficult to find comparable examples anywhere in the media where a columnist has proclaimed that he or she would celebrate the mass death of an identifiable group of vulnerable people. Yet this is exactly what O'Doherty does.

We shall detail each of our complaints in turn.

Principle 1.1 - In reporting news and information, newspapers and periodicals shall strive at all times for truth and accuracy.

The author's 'lede' describes an assault he witnessed from a taxi, an assault he attributes to 'junkies'. At no point in the piece does he state why he believes that the assailant uses drugs. Instead, O'Doherty sees a criminal act (potentially briefly since he never mentions if the cab was moving) and ascribes it as being representative of an entire group. There is no indication from the piece why this attribution is presented as fact, other than the author's presumption fuelled by his

own prejudice against a particular social group, a prejudice that he displays numerous times in the column.

While Mr. O'Doherty may ascribe such criminality to one group, someone with a different set of bigotries could just as easily assign it to a nationality, religion or another social group. The Irish Independent and its editors have a duty to guard against such content and ensure that, at the very least, if one of its columnists seeks to claim that a criminal act is reflective of an entire group, that the accuser at least has proof supporting that statement.

Mr. O'Doherty also attempts to draw an arbitrary and meaningless distinction between an 'addict' and 'a junkie', expressing his 'hate' for the latter. The distinction is false and misleading, and has no basis in fact or in the medical literature.

Based upon the above misrepresentations and failure to ensure factual content, we believe the Irish Independent has violated Principle 1.1 of the Code of Practice.

Principle 8 - Newspapers and periodicals shall not publish material intended or likely to cause grave offence or stir up hatred against an individual or group on the basis of their race, religion, nationality, colour, ethnic origin, membership of the travelling community, gender, sexual orientation, marital status, disability, illness or age.

In his column, O'Doherty writes 'Let's get a few things straight - I hate junkies more than anything else. I hate their greed, their stupidity, their constant sense of self pity, they way they can justify their behaviour, the damage they do to their own family and to others.' He adds that, 'They are worthless' and states that 'If every junkie in this country were to die tomorrow I would cheer.'

Drug dependency and addiction is widely recognised as a chronic, relapsing medical condition. In a number of countries, drug dependency is not only recognised as an illness, but as a form of disability under domestic disability legislation. As such, in printing O'Doherty's column, the Independent has violated Principle 8.

The United Nations Office on Drugs and Crime and the World Health Organization agree that 'Drug dependence is considered a multi-factorial health disorder that often follows the course of a relapsing and remitting chronic disease.' They continue:

In the past decades, drug dependence has been considered, depending on the different beliefs or ideological points of view: only a social problem, only an educational or spiritual issue, only a guilty behavior to be punished, only a pharmacological problem. The notion that drug dependence could be considered a "self-acquired disease", based on individual free choice leading to the first experimentation

with illicit drugs, has contributed to stigma and discrimination associated with drug dependence. However, scientific evidence indicates that the development of the disease is a result of a complex multi-factorial interaction between repeated exposure to drugs, and biological and environmental factors.¹

Mr. O'Doherty's characterisation of 'these feral, worthless scumbags' is not only a hateful attack a vulnerable population with a recognised medical condition, it also ignores the well-established link between drug use and depression, mental illness, alcohol use and homelessness. According to the National Advisory Committee on Drugs, for example, the very reason many people are on the street is due to the link between drug use and mental illness, noting that 'mental health residential facilities exclude people who misuse substances, and substance use residential facilities exclude people who have a serious mental illness.'²

The vitriol published by the Independent is targeted at people with a chronic health condition, and therefore is clearly in violation of Principle 8 that the media not 'stir up hatred' against a group based upon illness or disability. Would O'Doherty equally cheer the mass death of homeless people, alcoholics, or people with mental health problems? Would the Independent publish such statements if he did? These are key questions that must be considered by the Ombudsman's Office.

Clearly the editors of the Independent have failed in their duty to prevent such content from being published. That these vile opinions were published by one of the nation's most widely read newspapers is not just upsetting, it must be answered for.

Some have already attempted to defend O'Doherty's statements as 'satire' ('O'Doherty's satire takes courage', Irish Independent Letters, 22 February 2011). However, we doubt that Jonathan Swift went so far as to 'cheer' the mass extermination of a vulnerable social group. In any case, such claims of satirical intent are undermined by O'Doherty himself. His column clearly describes his knowledge that the term 'junkie' is considered offensive, and that he simply does not care. This is not satire. It is a conscious intent to offend. Furthermore, O'Doherty subsequently revels in the complaints his column has generated, and specifically the fact that he had offended groups representing drug users ('People, people, some perspective please', Irish Independent, 22 February 2011).

If there is any irony to be found in this situation, it is in the fact that O'Doherty himself wrote in 2007 that '[I]f we are going to have a debate about drugs, we owe it to people to at least talk about it honestly, rather than spreading dangerous misinformation.' ('Why I gave up cocaine... you can believe this one', Irish

¹ UN Office on Drugs and Crime and World Health Organization, 'Principles of Drug Dependence Treatment: A Discussion Paper', March 2008, p. 1.

² National Advisory Committee on Drugs, 'Mental Health and Addiction Services and the Management of Dual Diagnosis in Ireland', 2004, p.29.

Independent, 12 November 2007). In publishing this column, the Irish Independent not only failed to meet its obligations under the Press Council's Code of Practice, it failed to meet even the standard of informed honest discourse the columnist himself has called for.

We look forward to your attention in this matter.

Yours,

Rick Lines, Executive Director

International Harm Reduction Association