

# Chapter 9

## Public commentary and media coverage

9.1 Kidnapping incidents create significant public and media interest. Such incidents occurring overseas raise political and diplomatic issues attracting significant public commentary. Journalists and their contacts are a primary source of information for kidnapping victim's families as well as for the hostage takers. Due to their role in reporting in dangerous locations, journalists are also often the target for kidnappings.

9.2 Comment on and reporting of kidnapping cases can influence the decisions of hostage takers and the trauma of families. The media can also be used as a means to contact hostage takers or for hostage takers to send messages, particularly ransom demands and threats. For these reasons, the way that the government interacts with media is an important part of its response to any kidnapping case. This chapter examines the issues arising with regard to public commentary and media coverage of kidnapping cases, particularly DFAT's relationship with the media during such crises.

### Previous experience

9.3 In its 1997 report, the committee examined the issue of media coverage and the government's media policy during kidnappings. Throughout the David Wilson hostage crisis, there were concerns that investigations by journalists on the ground in Cambodia could disrupt negotiations with the hostage takers and that the Khmer Rouge would make use of media interest in the story to further their own views. DFAT was also concerned that the publicity surrounding the case irritated the kidnappers. At the time, DFAT adopted a 'no comment' policy approach to the media.<sup>1</sup>

9.4 Journalists were critical of this approach stating that DFAT could have provided information and guidance to the media which would have helped to ensure that their investigations did not interfere with the case and that they could share information they had gleaned with DFAT.

9.5 The committee believed that DFAT's total 'no comment' policy in the Wilson case was a mistake.<sup>2</sup> It found that while DFAT must continue to have the right to adopt a public 'no comment' policy in particular situations, it needs to develop means of handling the media in a co-operative way which ultimately best serves the interests of the hostages.<sup>3</sup> The committee recommended that 'in any future hostage crisis or

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1 Senate Foreign Affairs, Defence and Trade References Committee, *Helping Australian abroad: a review of the Australian Government's consular services*, June 1997, pp. 168–171.

2 Senate Foreign Affairs, Defence and Trade References Committee, *Helping Australian abroad: a review of the Australian Government's consular services*, June 1997, p. 171.

3 Senate Foreign Affairs, Defence and Trade References Committee, *Helping Australian abroad: a review of the Australian Government's consular services*, June 1997, p. 172.

similar event, DFAT provide guidance to the media rather than ignore it. The Department should also explain its media strategy to a hostage's family'.<sup>4</sup>

### **Current approach to media**

9.6 In its submission to the inquiry, DFAT explained its approach to media and publicity in kidnapping cases:

In most kidnapping cases, it is helpful to keep the situation out of the public eye as far as possible. This assists in managing the kidnappers' expectations of a ransom: kidnappers will routinely monitor media, particularly reports of public and government comment on a case, to gauge the response to their demands and whether there is pressure on the government to comply.

Rather than attempting to enforce a media blackout, cooperation with media outlets and providing an explanation of the merits of this approach is genuinely effective. This voluntary media self-censorship has been applied in other countries' cases as well.<sup>5</sup>

9.7 The McCarthy review noted that the department's media management during the Brennan case was beneficial and recommended that 'tight media management be repeated in future cases, including encouraging news agencies to minimise coverage in the interests of the hostage'.<sup>6</sup>

9.8 The committee understands the reasoning behind Mr McCarthy's recommendation and believes that the department's approach to cooperate with media outlets rather than try to enforce a 'blackout' is sensible. The committee took evidence, however, that suggested that the department's relationship with the media is not conducive to a cooperative relationship.

### **Criticisms of DFAT's media policy**

9.9 A number of witnesses raised the issue of DFAT's negative attitude towards the media or made criticisms of the way in which it interacted with particular media outlets. Dr Wood told the committee that:

DFAT, I would have to say, generally seemed to have a disposition which was antipathetic to the press. You do not trust the press. Be very careful—do not talk to them. And they did not seem to talk to them or use them, except that their public diplomacy in Iraq was using whatever public channels they could—that is different perhaps.<sup>7</sup>

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4 Senate Foreign Affairs, Defence and Trade References Committee, *Helping Australian abroad: a review of the Australian Government's consular services*, June 1997, p. 172.

5 Department of Foreign Affairs and Trade, *Submission 8*, [p. 6].

6 Department of Foreign Affairs and Trade, *Submission 8*, [p. 11].

7 *Committee Hansard*, 6 October 2011, p. 4.

9.10 Dr Wood stated that his family, however, 'engaged a media adviser and forged a mutually beneficial relationship with the media'.<sup>8</sup>

9.11 Nicole Bonney also commented in her submission on DFAT's approach to media:

DFAT appears to have an adverse reaction to media especially if it appears to reflect badly on DFAT who it would appear endeavours to shut it down to save face. Yet DFAT used the guise of safety of the hostages to achieve this aim.<sup>9</sup>

9.12 Mrs Nikki Sorbello, news editor for the Bundaberg *NewsMail*, Nigel Brennan's previous employer, was particularly disappointed with DFAT's approach. As noted previously, each kidnapping event is different. It would follow that as a consequence the role or function of the media or a particular media outlet may also vary. In Mr Brennan's case, the staff on the local newspaper felt that they could make a contribution. As Mrs Sorbello explained:

...given that Mr Brennan was from Moore Park Beach in Bundaberg and that he had worked for the paper for 12 months before leaving for overseas, this story became important to our paper and to our community. It was also extremely personal for me and a number of other staff members in the newsroom who knew Mr Brennan personally...we were a close-knit group.<sup>10</sup>

9.13 While she accepted that her paper should not have received any special treatment from DFAT, she noted that in effect they were 'brushed off more and treated as less because of the size and location of our paper'.<sup>11</sup> She explained that DFAT released general statements during the first couple of days, but after a time officers from the department explained that 'there would be no more and that we were to minimise the coverage'.<sup>12</sup> At first, the paper did so. Mrs Sorbello explained that from then on, they were the ones to initiate contact with DFAT and received most of their information from the news wires, the internet, Canadian papers and from reports out of Somalia. She explained that some of the information turned out to be true and some to be false. DFAT refused to provide the paper with any information.<sup>13</sup>

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8 M Wood, *Submission 3*, p. 2.

9 N Bonney, *Submission 13*, [pp. 43–44]. Former DFAT officer, Alistair Gaisford told the committee that DFAT officers 'were taught that "the media are the enemy", not to be trusted nor shared information with—this despite the frequent fact that the media were far better informed than we consular officers in the field were, constrained as we were by our very restrictive operating procedures and rules.' A Gaisford, *Submission 14*, [p. 2].

10 *Committee Hansard*, 6 October 2011, p. 16.

11 *Committee Hansard*, 6 October 2011, p. 16.

12 *Committee Hansard*, 6 October 2011, p. 16.

13 *Committee Hansard*, 6 October 2011, p. 17.

9.14 With regards to DFAT's relationship with the paper, Mrs Sorbello was damning:

We were treated with disrespect by arrogant bureaucrats, who spoke to us like we did not know what we were doing, who made accusations towards me that I could personally jeopardise Mr Brennan, who treated us like we were just another problem that had to be dealt with and who acted as though they thought that, just on their say-so, we would fall in line and follow orders that were given with little reason or explanation.<sup>14</sup>

9.15 The main thrust of the criticism was that DFAT's approach to the media has been to minimise coverage and comment on the basis that it could endanger the lives of hostages or interfere in negotiations. The concern from witnesses was whether protecting the hostages was actually the priority of DFAT and questioned whether the relationship with media could be better managed.

9.16 The AFP was asked whether it was best to keep kidnapping cases out of the media for management of intelligence purposes and to control information going back to the hostage takers. Assistant Commissioner Jabbour replied:

I think it largely depends again on the case, but in the main I would say not necessarily. If it is general media covering the incident, it can indeed be useful to warn others of a similar fate, particularly where there are travel warnings put out by DFAT in relation to particular countries...So there can indeed be some value in the coverage of cases. I think where they start to get into specifics, potentially it could impact on an ongoing operation. So, again, I would qualify it by saying it really does depend on the content of the media, but in general terms I have no issue with it.<sup>15</sup>

9.17 The committee heard that journalists were just as concerned as government agencies at ensuring their reporting did not jeopardise the safety of hostages. Mrs Sorbello told the committee that the *NewsMail* was always concerned about how any story might affect Mr Brennan's situation:

...we know Mr Brennan as a person and there was no way that we would ever want to do anything that would have hindered his release or endangered his safety. That was something that was forefront of my mind.<sup>16</sup>

9.18 Nicole Bonney also told the committee:

The Brennan family had a number of contacts within the media who were far more helpful and compassionate to Nigel's situation in Somalia than within the ranks of the Department...The Australian government has to

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14 *Committee Hansard*, 6 October 2011, p. 16.

15 *Committee Hansard*, 11 October 2011, p. 16.

16 *Committee Hansard*, 6 October 2011, p. 20.

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recognize that the media is Nigel's peer group and had his best interest at heart.<sup>17</sup>

9.19 The Brennan family came to trust the journalists they had dealt with. Nicole Bonney found that the 'Australian media was nothing but helpful to us at all times'.<sup>18</sup> Mr Brennan told the committee:

There were print journalists especially who were at times given information from start to finish with regard to what the family was going through, and they were asked not to publish. They were sitting on a gold mine and chose not to run those stories because the family requested that. Certainly stuff that is in print can have an effect on a kidnap situation.<sup>19</sup>

9.20 Clearly, government agencies must weigh up competing considerations when dealing with the media during a kidnapping incident.

### *Weighing up the risks*

9.21 At issue on one side are the risks inherent in government sharing any information on a case which may be fed back to the hostage takers, interfere with a negotiation strategy, or suggest that a particular individual is of significant importance such that the hostage takers' ransom expectations are raised. On the other is the significant public interest in such a story, the stream of misinformation and conjecture that swirls around such cases and how best government officials can manage the way a story is reported and ensure it causes no harm.

9.22 The committee heard that even if details of the kidnapping were not provided, a positive relationship between DFAT and media outlets could be useful to quell misreporting of facts or damaging speculation. Mrs Sorbello stated:

I just think it would have been helpful to have a relationship so that we could have said: 'This is what we are hearing. Have you heard anything about it? Do you know if it is true? Don't you know if it is true?' That is not to say that we would have decided to do anything differently, but if there was a case where DFAT did know that this information that was out there was untrue and they said to us, 'No, we definitely know that is untrue', we certainly would not have published it knowing that it was actually false.<sup>20</sup>

9.23 As noted above, DFAT stated in its submission that developing a cooperative relationship with media was preferable to a media blackout and could be done by explaining the merits of the department's decision to limit comment and request minimal coverage. The committee heard, however, that the manner in which such requests were made was not always conducive to such a relationship.

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17 N Bonney, *Submission 13*, [pp. 44–45].

18 *Committee Hansard*, 11 October 2011, p. 10.

19 *Committee Hansard*, 11 October 2011, p. 11.

20 *Committee Hansard*, 6 October 2011, p. 19.

9.24 One incident was particularly unfortunate. Mrs Sorbello informed the committee that a person from the minister's office had contacted her and said that the newspaper's coverage of the case was putting Mr Brennan in danger and that she would be personally responsible if any harm were to come to him. According to Mrs Sorbello:

That was probably one of the worst experiences I personally had during this whole time. It probably upset me the most personally to have somebody say that to me...To be honest, when I had someone from a minister's office, who did not know Nigel, did not know his family, tell me that...I just did not believe it. I just felt that that was a scare tactic and that they were trying to be a bully. If it had come from the family, however, then it certainly would have carried more weight. As I said, if they had an issue with anything we were doing, we certainly would have changed tacks.<sup>21</sup>

9.25 The committee is of the view that this statement implying that the journalist would be responsible if any harm came to Nigel Brennan was inappropriate and unacceptable.

### *Committee view*

9.26 As has been previously noted, each kidnapping case differs markedly and the committee agrees with the AFP's point that the approach taken to media coverage should depend on the case. The committee does not believe that a blanket 'no comment' policy contributes to good relations with media or to a successful outcome of a case.

9.27 The committee notes the criticisms made of DFAT's attitude towards media and believes work needs to be done to build bridges between the department and media. While a no comment approach may be necessary to protect the safety of a hostage or ensure operations are not disrupted, this approach should be clearly explained to both the victim's family and to the media.

9.28 The committee would support any efforts by DFAT or by an inter-departmental group to work with media organisations or representative bodies to formulate guidelines for the reporting of hostage cases that will not endanger hostages or affect ransom demands.

### **Recommendation 6**

**9.29 The committee recommends that DFAT examine ways to improve its relationship with the media when dealing with a kidnapping situation and how it explains its media strategy to media organisations and family members at the outset of a crisis.**

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21 *Committee Hansard*, 6 October 2011, p. 20.

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## Public statements

9.30 In some cases kidnappings occur in a politically charged environment which means that any statements made by government officials may carry particular significance. The committee is considering two kidnappings that occurred in Iraq when Australian troops were actively engaged in fighting: Douglas Wood and John Martinkus. In both cases, concern was raised over public statements made by government members.

9.31 Dr Wood wrote that his family was concerned that comments made by the then Foreign Minister, the Hon Alexander Downer, denouncing Douglas Wood's kidnappers could be 'counter-productive to efforts to forge some kind of dialogue with the captors'.<sup>22</sup> According to Dr Wood:

Someone who is a family friend...suggested to me that the foreign minister's remarks early on were somewhat bellicose and his continuing denunciation of terrorists as the scum of the earth, or whatever expression he used, was likely to be counterproductive because his own department, our family and the Muslim community were trying to forge some kind of linkage, however tenuous, or at least keep lines of communication there to be potentially used with the captors. There is the political reality that a government which was fighting a war in Iraq against terrorists is going to denounce terrorists and yet in this tricky situation it was in the interests of the family to have a softer line. I fed back that line of thought to my contacts in foreign affairs, and while they did not directly say it I believe they fed back their own perceptions and the family's perceptions to the minister, and my thought is that his public stance became less belligerent.<sup>23</sup>

9.32 As described in the previous chapter, Mr Martinkus was surprised and offended by comments made by the minister following his release by militants in Baghdad. He recommended that DFAT officials be better informed with regard to the facts involved in a kidnapping before briefing the minister.<sup>24</sup> Mr Martinkus was concerned that there was an inclination to blame those working in dangerous locations, particularly journalists, for the violence against them:

The attitude from foreign affairs, especially in my case, was: 'Baghdad's not safe. You shouldn't be there, and if you are you should be embedded'. That was a kind of a belittling of the role of journalists, which is to inform the public about what is going on in a war that we are involved in.

So there has to be a bit of recognition of the legitimacy of the role of journalists. I think later today that you are speaking to Nigel Brennan. He was going to Somalia to report on a humanitarian disaster, and I heard that when he was taken there were rumours with people saying, 'He shouldn't have been there', and that kind of thing. So I think we have to step back

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22 M Wood, *Submission 3*, p. 2.

23 *Committee Hansard*, 6 October, p. 6.

24 *Committee Hansard*, 6 October 2011, p. 8.

from our tendency to immediately blame victims for the circumstances and actually look at what has happened.<sup>25</sup>

9.33 The Brennan family were also critical of comments made to the media by the then Prime Minister, the Hon Kevin Rudd. Mr Rudd visited the hometown of Mr Brennan's parents, Bundaberg, in July 2009 and was confronted by Heather Brennan. Mr Brennan submitted that 'at that time he [Mr Rudd] told my mother that he had "spent more time on my case than any other in the past year", though then he could not recall my name'.<sup>26</sup> The Brennan family took offence because they felt that the then Prime Minister had ignored their family and had not attempted to contact them.<sup>27</sup>

### *Committee view*

9.34 Kidnapping situations are highly fraught and emotionally tense experiences for all involved and, as the committee has heard, often involve contentious political and diplomatic issues. The committee has already underscored the importance of government officials being alert to the effect their statements and actions can have on victims and their families. The committee believes anyone commenting on kidnapping cases should be sensitive to the welfare of those involved and be certain of the facts of the case.

9.35 The evidence on insensitive, ill-informed or inaccurate statements made by departmental officers, ministers and ministers' staff underscores the need for greater discipline on the part of officers when commenting on matters likely to arouse strong sentiments. In a situation such as a kidnapping overseas, comments should always take account of the welfare of the victim and his or her family. The committee believes that only those authorised to make public statements should do so, taking care that their statements are factual rather than judgemental and all care is taken not to politicise an incident or attribute blame.

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25 *Committee Hansard*, 6 October 2011, p. 14.

26 N Brennan, *Submission 12*, [p. 9].

27 N Brennan, *Submission 12*, [p. 9].