

MINISTERS DIE IN HORROR CRASH

Kibaki announces three days of
national mourning after Saitoti
Ojode perish in chopper accident

Reporting Accidents and Tragedies: The Media Coverage of the Police Helicopter Crash

June 2012

Monitoring Report

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Preface

One of the most important functions of the Media Council is to conduct an annual review of the performance and the general public opinion of the media, and publish the results thereof in at least two local newspapers. The performance of the media in the coverage of the helicopter crash that killed the Ministers George Saitoti and Joshua Ojode on June 10th 2012, however, came so abruptly and created such a wide range of reactions that the Council felt obliged to compile a special report on that particular event for a number of reasons.

First there were several complaints received from numerous sources, including the Ministry of Information, on violation of important ethical principles while covering that important story. Secondly, the Council felt it could take the rare opportunity provided by the sad incident to perform its other obligations of promoting high professional standards amongst journalists through the publication of this report, which would provide a platform for discussions of a number of important issues arising from the coverage of the incident.

Making use of its own monitoring team, the Council kept a very close watch at the manner in which the print and electronic media performed this important task during the coverage of this event. Burning the midnight oil the team worked round the clock following an overflowing production of news reports and bulletins of the most important running story of the year. By the look of the team's final product it is now clear that the Council has always needed this very important department to fulfil its vital mandates.

The assignment to provide an in-depth analysis of the performance of the print media was given to Joe Kadhi for two important reasons. To begin with he wears the hat of a journalism instructor in the academia where he is familiar with the training of local journalists at the university level; and secondly he happens to have edited a national newspaper for over two decades, which gives him the rare inside knowledge of what goes on in the newsrooms while covering running stories. His observations are useful in enabling the Council not only to fulfil its mandate to enhance professional collaboration among media practitioners; but also to achieve yet another one of its goals of promoting ethical standards among journalists and in the media.

The coverage of the helicopter crash was a rare experience for both the journalists, editors, media managers and indeed the Council itself. The stories that were covered did not only concern the crash; but they also concerned the aftermaths of the crash which included speculations and debates on a variety of subjects. The professional manner of handling such a situation is always challenging to journalists but by no means impossible to achieve.

Far from being seen as a fault-finding mission, this exercise should be accepted by all concerned as a sincere attempt to give every professional in the media industry an opportunity to engage in a post publication peer review that can only be beneficial to the journalistic fraternity in general and to the training institutions in particular. Above all this the exercise also opens more doors for the Council to fulfil its other mandates of promoting and protecting freedom and independence of the media through an open discussion on their performance.

Besides that the Council feels that it can only ensure the protection of the rights and privileges of journalists in the performance of their duties when those rights are based on firm foundation of professionalism of upholding and maintaining the ethics and discipline of journalists as set out in the Media Act of 2007. It is only through such discussions that the Council can effectively advise the government or the relevant regulatory authority on matters pertaining to professional education and the training of journalists and other media practitioners.

Mwangi Haron

Chief Executive Officer

Media Council of Kenya

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1. Monitoring Report: The Media Coverage of the Police Helicopter Crash

1.1 Introduction

From June 10 to 13, 2012, the Media Council of Kenya monitored the coverage of the helicopter crash by Kenyan TV stations and daily newspapers. The accident happened in the early morning of June 10 in Ngong Forest and killed Internal Security Minister George Saitoti, Assistant Minister Orwa Ojodeh, the two pilots Nancy Gituanja and Luke Oyugi and the two bodyguards Joshua Tonkei and Thomas Murimi. The Media Council of Kenya analyzed all the articles in the *Daily Nation*, *The Standard*, *The Star* and *The People* (11 - 13/06/2012) which concerned the crash, as well as the 9.00 PM TV news-bulletins on June 10, 11 and 12. The aim of the monitoring was to analyze the quality of the reporting and the adherence of the media houses to the Code of Conduct for the Practice of Journalism in Kenya.

1.2 Findings Print Coverage

1.2.1 Scope

The helicopter crash was prominently featured with a total of 121 print articles covered within the period monitored. The majority of articles were news reports (84) followed by opinion pieces (25). On June 11 the story was the splash in all four newspapers, with a total of 54 stories appearing that day. *The Standard* published 12 pages on the crash, both the *Daily Nation* and *The People Newspaper* 10 pages and *The Star* 6 pages. On June 12, the topic was still extensively covered with 43 stories; on June 13 a total of 24 stories were published. The majority of articles were longer than a quarter of a page; more than half of them were accompanied by colour photos.

Coverage according to Date and Media House

		/Article/SourceDate			Total
		11.06.2012	12.06.2012	13.06.2012	
/Article/Source DN	Count % within / Article/Source	15 48,4%	11 35,5%	5 16,1%	31 100,0%
STAR	Count % within / Article/Source	13 46,4%	12 42,9%	3 10,7%	28 100,0%
STD	Count % within / Article/Source	17 44,7%	14 36,8%	7 18,4%	38 100,0%
TPN	Count % within / Article/Source	9 37,5%	6 25,0%	9 37,5%	24 100,0%
Total	Count % within / Article/Source	54 44,6%	43 35,5%	24 19,8%	121 100,0%

1.2.2 Focus

On June 11, the four dailies provided facts about the crash and covered the mourning and condolence messages of families, friends and state officials. All the papers published profiles of the deceased ministers. Eye witnesses were quoted as describing mechanical problems and bad weather conditions as possible causes of the accident. *The Standard* quoted a former MP attributing the crash to the poor servicing of police aircraft. All dailies covered the history of fatal police and military plane crashes in Kenya.

The *Daily Nation* ran an editorial calling for the unity of Kenyans as well as for thorough investigations instead of premature speculation and rumours. The editorial in *The Standard* paid tribute to the experience and friendship of both ministers, while at the same time asking critical questions about travel protocols of government officials, procurement procedures and aircraft servicing practices. *The Star* editorial pointed out that the Mlolongu tragedy, in which a building had collapsed killing several people, deserved the same attention as the helicopter crash. *The People* emphasized that George Saitoti had always rejected ethnicity as a means of political mobilization.

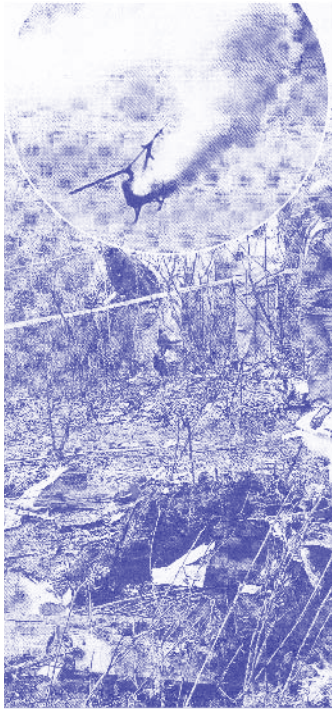
On the following day, June 12, the coverage focused on the investigation team that had been appointed by the government. Transport Minister Amos Kimunya was quoted as saying that there were no obvious reasons for the crash, as the weather had been good, the helicopter new and the pilots very experienced. While the *Daily Nation* refrained from discussing the possible causes of the accident, *The Standard* questioned the minister's assessment by headlining its article "**Sabotage, failure or human error**" as well as listing a series of "mystery questions". The paper also provided crucial additional information by reporting that a tracking device at Wilson Airport had not been functioning and that the helicopter, like all government planes, was not insured.

The Star created general suspicion by sensationally headlining its front page "**Pilot didn't want to fly on Sunday**". Only much later did the article reveal that Superintendent Nancy Gitanja didn't want to fly as she had a family meeting on the same day. *The Star* also quoted a group of MPs alleging that the crash was a plot due to succession politics – a story that was taken up by all papers on the following day. *The People* was the only paper covering the complaint that PS Bitango Ndemo had lodged with the Media Council of Kenya against *The Star* over a photo of a burning helicopter published on June 11 (see "Breaches of Code of Conduct").

June 13 was the day of conspiracy theories in all papers. The dailies covered the allegations of several politicians that the crash was not an ordinary accident, and

their demands for additional investigations. None of the papers, however, provided significant background information on the credibility of these accusations. While commenting critically on the conspiracy allegations in its editorial, *The Standard* contributed to the speculations by publishing a front page article on the “paranoid” fears of George Saitoti following a case of food poisoning years ago.

1.2.3 Breaches of the Code of Conduct



The Star, 11/06/12 p.1

Apart from some shortcomings mentioned above, the majority of news items monitored were classified as accurate and sensitive to the issue. However, some photos, for example the ones taken of Ms. Halema Montet (see p.4), intruded unnecessarily into grief and shock¹.

A serious breach was encountered in *The Star* on June 11. On that day, the newspaper published a photo of a burning helicopter on the front page claiming that it was “taken by an eye-witness moments before the chopper crashed”. The picture proved to be fake and on the following day *The Star* published an apology, saying the paper had been “duped” and admitting that the photo showed a different helicopter “in Europe”². Taking into account the seriousness of the mistake, however, it is questionable whether the small-sized apology on page 2 was an adequate reaction of the paper³. On June 13, the public editor of *The Star*, Karen Rothmyer, explained the background of the error in a comprehensive full-page comment, investigating and admitting shortcomings of the paper (*The Star*, June 13, **“Where there is smoke there may not be fire”**, p. 26).

Already on June 11, Permanent Secretary Bitange Ndemo had filed a complaint with the Media Council of Kenya, stating that the picture was misleading and tended to distort the cause of the crash.

¹ Article 14 of the Code of Conduct for the Practice of Journalism in Kenya states: “In cases involving personal grief or shock, inquiries should be made with sensitivity and discretion.” Article 20, referring to the use of pictures and names, states: “Pictures of grief, disaster and those that embarrass and promote sexism should be discouraged.”

² Full wording of the apology: “For the Record: Yesterday the Star was duped into using an Internet photo of a helicopter crashing in its story “Ministers Die in Horror crash”. A reader called and said he had taken the photo of a chopper emitting smoke as he returned from Namanga. The photo was in fact of a Robinon R44 helicopter in Europe and not the AS350 Eurocopter used by the police in Kenya. We apologise for this error to all concerned.”

³ Article 1b of the Code of Conduct states: “Whenever it is recognized that an inaccurate, misleading or distorted story has been published or broadcast, it should be corrected promptly. Corrections should present the correct information and should not restate the error except when clarity demands.” Article 1c says: “An apology shall be published or broadcast whenever appropriate in such manner as the Council may specify.”



Margaret Saitoti, wife to the late Internal Security Minister Prof George Saitoti at Kibuku in Ngong Forest, Nairobi, where Prof Saitoti and his assistant Orwa Ojode perished in yesterday's crash. (PHOTO: THE STANDARD)

The Standard
11/06/12 p.8

Another breach was encountered on June 11 in *The Standard*. The paper published an incorrect caption, attributing the central photo of a mourning lady to Ms. Margaret Saitoti instead of Ms. Halima Montet (p.8). The paper apologized only three days later.

1.3 Findings TV Coverage

1.3.1 Scope and focus

On June 10, the helicopter crash was the dominant topic on all TV stations. Most stations broadcast special editions of their 9.00 PM news bulletins with thirty to forty-five minutes coverage dedicated exclusively to the fatal accident. The coverage focused on reports from the scene of the crash and on the condolence messages by leading politicians. All stations broadcast profiles of the two deceased ministers and referred to the numerous helicopter crashes that had claimed the lives of Kenyan politicians in previous years. (K24 referred to this alarming assessment with the rather tasteless headline: **“Ooh, not again”**). The mourning of families and friends was also extensively covered (see also Breaches and Shortcomings).

Only a few of the stations provided coverage of all six victims. Whereas CTV and NTV included reports about the deceased pilots and the security officers in their coverage, the other stations focused entirely on the ministers Saitoti and Ojode.

All the stations included information from social media sites in their coverage, especially by extensively quoting condolence messages posted on Twitter and Facebook.

On June 11, the coverage focused on the committee appointed by the government to investigate the cause of the helicopter crash. Transport Minister Amos Kimunya was reported as dismissing speculations that the crash was caused by either bad weather, bad condition of the helicopter or inexperienced pilots. Government officials were quoted as demanding that Kenyans should stop speculating about the cause of the tragedy and give sufficient time for investigations.

There were also several reports covering the condolence visits of leading politicians at the homes of George Saitot and Orwa Ojode on that day.

On June 12, the coverage of the helicopter crash decreased significantly. Top stories of the day were the first conviction in a post-election-violence trial in Kenya and the results of the second ICC status conference. The crash-related reporting focused on the funeral arrangements for the six victims and some prayer services that were attended by government officials.

1.3.2 Breaches and Shortcomings

Intrusion into grief and shock, offensive material

Generally, the TV stations succeeded in producing extensive and diverse coverage of the fatal accident. However, parts of the coverage were repetitive and sensational and contained unnecessary intrusion into grief and shock. Especially the extensive coverage of the mourning of Ojode’s family didn’t follow Article 14 of the “Code of Conduct for the Practice of Journalism in Kenya” which states that inquiries in cases involving personal grief or shock should be made with sensitivity and discretion.

There were also some reports which contained sensational and distasteful pictures from the crash site, thus breaching Article 9 (Obscenity, Taste and Tone in Reporting) of the Code of Conduct⁴. On June 10, for example, KTN aired uncommented and unedited “exclusive” footage showing Kenyan residents exploring the site of the helicopter crash with bodies still burning. (On the following day, KTN apologized for broadcasting these pictures.) Citizen TV didn’t show the burning bodies, but used a similar sensational dramaturgy at the beginning of its first June 10 report, adding dramatic music to shaky uncommented hand-camera pictures of the crash site.

Accuracy and completeness

On June 10, none of the TV stations gave a comprehensive summary of the presumptions concerning the possible causes of the crash and the factual evidence available at that point of time, thus contributing to unconfirmed rumours and speculations. Both KTN and K24 suggested that bad weather might have been the cause of the crash without referring to any sources for this claim.

⁴ Article 9 of the Code of Conduct states: “(a) In general, journalists should avoid publishing obscene, vulgar or offensive material unless such material contains a news value which is necessary in the public interest. (b) In the same vein, publication of photographs showing mutilated bodies, bloody incidents and abhorrent scenes should be avoided unless the publication or broadcast of such photographs will serve the public interest.”

There were also several inaccuracies observed in the coverage of the events: KTN described the positions of the dead bodies at the crash site in detail without mentioning the source of information or referring to contradictory information that (at least some of) the bodies were burnt beyond recognition.

In the early TV coverage incorrect information about the victims of the crash was aired. On June 12, The Standard apologized for KTN's early reports on June 10 which had indicated that Internal Security PS Mutea Iringo was among the victims⁵.

K 24 wrongly quoted Heritage Minister William Ole Ntimana as claiming the crash was caused by sabotage. In fact, the minister had stated that all possible causes, including sabotage, would need to be investigated.

Even two days after the crash there still seemed to be a significant lack of basic information regarding the available sources for further investigations. CTV reported that the police still had to hand over the black box of the helicopter, although no black box was installed.

1.4 Conclusions and Recommendations

While the greater part of the print and TV coverage on the helicopter crash followed the rules of accurate, fair and sensitive reporting, there were some print and TV reports which contained significant breaches of the Code of Conduct with regard to Inaccuracy, Intrusion into Grief and Taste and Tone of Reporting (for more detailed analysis of the print coverage see p. 6). However much the coverage of a sudden tragedy entails hectic working conditions, accurate and sensitive reporting is a key requirement of responsible and reliable journalism.

The following publications provide further information on how to report suffering, tragedies and disaster and can be obtained through the internet:

- Dart Center, Tragedies & Journalists: A guide for more effective coverage
- ICFJ, Disaster and Crisis Coverage (especially see p. 30 – 37 and 46 – 51)
- BBC Editorial Guidelines, Section 7: Privacy, Reporting Death, Suffering and Distress

⁵“During the Sunday morning coverage of the Ngong plane tragedy, our sister TV station KTN indicated in one of its graphics tickers that acting Internal Security PS Mutea Iringo was feared to have been in the ill-fated plane that crashed in Ngong Forest. However, when it emerged that Mr Iringo was never on the plane, the station immediately clarified that position. We take this opportunity to apologize to Mr Iringo and his family, colleagues and friends for that inaccurate report.” Standard, 12/06/2012, p. 5.

2. In-depth Analysis:

The Print Media Coverage of the Police Helicopter Crash

By Joe Kadhi, Lecturer Journalism,

United States International University, Nairobi

2.1 Introduction

This paper examines the coverage by Kenya's four national dailies - *Daily Nation*, *The Standard*, *The Star* and *The People* - of the police helicopter crash that killed six people including the Minister for Internal Security George Saitoti and his assistant, Joshua Ojode on June 10th 2012. It looks at the professional challenges of the coverage of the sad event by dividing the incident into five distinct occasions that had to be covered following the crash, namely: the crash itself; followed by the day of speculation; and then the coverage of various activities when the mourning intensified; followed by the coverage of the burial of Saitoti and lastly the coverage of the burial of Ojode.

In normal circumstances the coverage of accidents and tragedies, which this crash can be classified as, comes under what professionals describe as spot news stories as opposed to general beat stories or exposés. To appreciate what Kenyan journalists went through, it is imperative to compare the characteristics of the three types of stories. The general beat stories happen so often and with such regularity that reporters covering them have become specialists in different fields where they occur. These include court reporting, parliamentary reporting and, to a certain extent, crime reporting. Journalists covering events in these fields grow to become specialists with time.

In this day and age, specialisation in journalism is nurtured by creating a basic foundation based on the field of study in the first university degree held by a reporter seeking specialisation in a particular field. A journalist with a first degree in economics, for example, would end up being a very valuable specialist in business, economic and maybe even financial journalism. In many countries where journalism is taught in graduate schools, first degrees could be in virtually any field.

Exposés, on the other hand, are done by writers who have mastered the art of investigative journalism. They could or could not be specialists in a particular subject. Unlike general beat stories, whose time limit is determined by the contemporaneous nature of the deadlines of print media or news bulletins of broadcast houses concerned, exposés normally require more time. They could be done within a long period of research depending on availability of information sought.

Between the two types of stories the pressure to meet the deadlines in the general beat stories is slightly greater than that in the exposés which normally take a long time to be accomplished.

Due to their exclusivity, which is a necessary ingredient of all exposés, editors have a lot of time to check their authenticity and adherence to both the law and ethical principles.

Totally different from the two types of stories discussed above, spot news stories happen with no notice at all. They take place abruptly, very often catching journalists totally unaware. Spot news stories are therefore more challenging to journalists all over the world. They require quick thinking, ability to make important decisions fast and accurately, fairly, and within the requirements of all ethical principles as well as the law. In fulfilling these goals, agility and clear-headedness is needed to determine the news peg of the story as well as the angle to follow and emphasize.

While all this is happening within fractions of seconds, the journalists covering spot news stories have also got to have the mastery of the nuts and bolts of writing ability in order to get that punch and also update the story as the new facts continue to emerge. As the events carry on taking new shapes, spot news journalists are expected to adhere to ethical principles that require them to be fair, accurate and remember the other ethical principles fast as the relevant media law remains on their fingertips.

That was the pressure under which journalists covering the police helicopter crash were working. Whether or not they succeeded in proving to be competent professionals, the following examination will tell.

2.2 Important ethical principles in covering tragedies

Whereas all ethical principles are important in covering every story including stories on tragedies, the coverage of disasters and calamities requires the mastery of FOUR important ethical principles. These are: Intrusion into Grief and Shock; Use of Pictures and Names; Accuracy and Fairness; and Obscenity, Taste and Tone in Reporting.

Needless to say, it is most important that all stories are fair and accurate. Stories of tragedy can be unfair when facts are wrong and therefore journalists should always remember that accuracy may need balance and even comments to be fair. The use of pictures of a tragedy can be challenging, so journalists need to remember that the most dramatic and newsworthy picture may be unethical. Even more important for them to remember is the fact that pictures received from unknown sources could be, and very often are, dangerous.

Intrusion into grief and shock is tempting to all journalists but they must also remember that, when people are grieving they should be left alone and when they are in shock they need no publicity. The ethical principle says (a) in cases involving personal grief or shock, inquiries should be made with sensitivity and discretion

and (b) In hospitals, journalists should identify themselves and obtain permission from a responsible executive before entering non-public areas of hospitals or similar institutions to pursue enquiries.

The ethical principles on the use of pictures say as a general rule, the media should apply caution in the use of pictures and names and should avoid publication when there is a possibility of harming the persons concerned. That suggests that manipulation of pictures in a manner that distorts reality should be avoided. It also says pictures of grief and disaster and those that embarrass and promote sexism should be discouraged.



Daily Nation, 11/06/12, p.1

The ethical principle of accuracy and fairness says that the fundamental objective of a journalist is to write a fair, accurate and unbiased story on matters of public interest. It clearly explains that all sides of the story shall be reported, wherever possible and suggests that comments should be obtained from anyone who is mentioned in an unfavourable context.

Secondly, the ethical principle says whenever it is recognized that an inaccurate, misleading or distorted story has been published or broadcast, it should be corrected promptly. Corrections should present the correct information and should not restate the error except when clarity demands. Thirdly, it instructs that an apology shall be published or broadcast whenever appropriate in such a manner as the Council may specify. And lastly it says when stories fall short on accuracy and fairness, they should not be published. Maybe the most fundamental aspect of this ethical principle is its suggestion that journalists, while free to be partisan, should distinguish clearly in their reports between comment, conjecture and fact.

The ethical principle of Obscenity, Taste and Tone says in general, journalists should avoid publishing obscene, vulgar or offensive material unless such material contains a news value which is necessary in the public interest. It also says that in the same vein, publication of photographs showing mutilated bodies, bloody incidents and abhorrent scenes should be avoided, unless the publication or broadcast of such photographs will serve the public interest.

2.3 When the tragedy struck

On that fateful day the electronic media were guided by **Timeliness** as the news value, and by and large they did a splendid job while engaging in cutthroat competition. When journalists got the sad news, survival of the fittest in the struggle for existence took its Darwinian nature and everyone competed in being the first with the news. A number of ethical principles were violated by the electronic media but since this is a report on the print media these will be examined by other specialists.

The next day on June 11th the *Daily Nation* had a shocking picture of the wreckage and a straightforward reportorial story they called **“Flight to disaster”**. A clever inset of a recent picture of the victims (Saitoti and Ojode) together brought in the human interest angle into the fore. The use of file pictures made the journalists and the paper appear to be more professional than those in one electronic media which showed pictures of burning bodies of the victims.



The People, 11/06/12, p.1

On that same day *The Standard* talked of **“Friends to Death”**. This clever usage of words gave the story a human angle that was emotionally very moving but not overdone to change the pathos into bathos. In an excellent highlighting of the human interest angle the paper talked of Saitoti and Ojode’s friendship to death. The picture used by the paper of the wreckage was horrifying but it obeyed the ethical principle of accuracy. The blown-up cut-outs of Saitoti and Ojode played the trick of avoiding showing the horrific pictures of burning bodies.

The People chose the mourning angle. Though the paper chose the sad angle of country mourning with a headline saying **“Country Mourns”**, it also boldly suggested that poor maintenance of the helicopter by the Police could have caused the accident. In a strap-line that was obviously obtained from a journalist who understood the importance of attribution as it is stipulated in the ethical principle of Unnamed Sources, the paper said: “Amid shock and grief, Police Air wing Officers speculate

poor maintenance of aircraft could have led to crash that killed Saitoti, Ojodeh, 4 others”. This suggestion was a bold journalistic adventure that could lead to further investigations.

The Star chose the angle of Ministers’ death in horror crash. In a splash headline that said **“Ministers Die In Horror Crash”** the paper claimed in a speculative story that bad weather, pilot error or even mechanical problems could have caused the accident but it was an inset picture of the chopper “moments before the crash” that shocked everyone. The picture suggested to many readers that an explosion, possibly a bomb, blasted the helicopter before crashing. The controversial picture obviously suggested foul play.

Naturally *The Star* picture caused serious official complaints. Playing the story big on top of page seven *The People* said the State had lodged a complaint against *The Star* newspaper and that the complaint had been received by MCK chairman Levy Obonyo and the Executive Director Haron Mwangi. The paper quoted Obonyo saying the Council would put the complaint through the natural process by referring it to the Complaints Commission to take the necessary action.

This kind of criticism reported by one paper against the misdeed of another newspaper is a healthy professional intra media self-criticism that needs to be developed in Kenyan journalism. Superficially it may appear cannibalistic but in reality it is a process of holding mirrors on the faces of each other and exhibiting the ugliness of unprofessionalism that desperately needs to be exposed in this country.

Either because media houses are not too keen to wash their dirty linen in public, or because they would rather have their sins swept under the carpet, such open criticism against each other is very often discouraged. Hence no paper, apart from, paradoxically, *The Star* newspaper, which publishes the *Expression Today* and an occasional article from its own public editor, prints a regular column of media criticism.

It so happens that *The Star* reacted very professionally. The paper promptly published an apology in the next day’s paper which said: **“Yesterday The Star was duped into using the Internet photo of a helicopter crashing in its story “Ministers Die in Horror Crash”. A reader called and said he had taken the photo of a chopper emitting smoke as he returned from Namanga. The photo was in fact of a Robinson R44 helicopter in Europe and not the AS350 Eurocopter used by the people in Kenya. We apologise for the error to all concerned.”** Though stuck at the bottom of an inside page, it was still a correction. Ability of any newspaper to boldly admit to its readers when it is wrong is a sign of well-developed sense of professionalism. The quality of that professionalism however depends on the methodology of publishing a correction and the manner in which it follows the instructions of the **Code of Conduct for the Practice of Journalism in Kenya.**

Despite the intensity of criticism against the paper for the publication of the offensive picture the paper took an even more professional step. On June 13th it published a comment by its public editor Karen Rothmyer in which she explained in detail how the error was made. Her article was obviously the result of an internal inquiry of self-examination and criticism which should be emulated by all media houses. The article by Rothmyer elucidated what ethical principles were ignored. It amounted to a masterpiece of internal investigation, leading to the exposure of the truth to the public, which enhanced professionalism.

Unfortunately *The Star* was not the only paper that had goofed by distorting facts through the dramatization of a burning helicopter while still in the air. Though *The Star* was the only paper that published the fake picture of the burning helicopter, all other national dailies had in their stories published on June 11th suggested that the helicopter caught fire in mid-air and not when it crashed! *The Nation* said on the front page that witnesses saw a ball of smoke and fire falling from the skies before explosion. *The Standard* published a story on page seven saying an unconfirmed report indicated that the aircraft caught fire before it crashed into the forest and *The People* published on page four a story claiming that the chopper was flying low and emitting smoke.

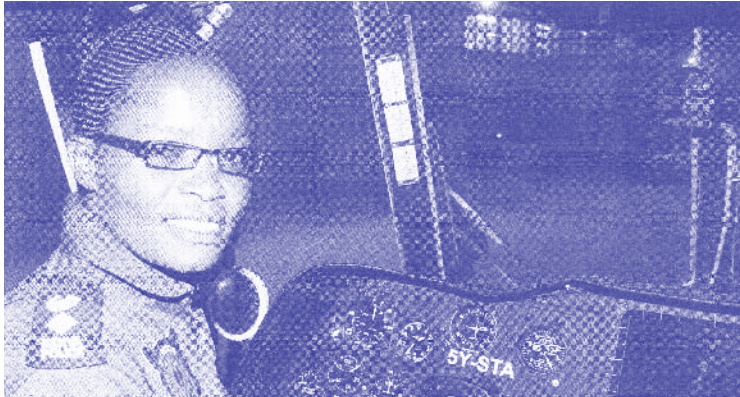
An even more shocking lack of professionalism was shown by the *Weekly Citizen* which wondered whether the two leaders were assassinated. The paper had the impudence of recalling the period when Saitoti was poisoned and connecting the story to the assassination of Dr. Robert Ouko. Seeming to break every professional rule of handling such a story, the paper came up with all sorts of conspiracy theories that led to Saitoti's and Ojode's deaths. All that notwithstanding, the paper's right to exist is indeed protected by the Constitution and, arguably, its role as the alternative media is also very vital to the country. But when all is said and done, the fundamental question still remains: How should the professional fraternity deal with this kind of journalism?

2.4 Then followed the day of speculations

The tragedy was followed by the day of journalistic speculation, which is typically characterised by lack of official sources of information. Despite the cutthroat competition caused by the news values of a running story, the *Daily Nation* resisted the temptation to overdramatize the latest development of the story. It straightforwardly remained professional on June 12th, when it said on the front page that investigation into a five minute flight would reveal the cause of the helicopter crash, as President Kibaki had ordered a thorough investigation into how the plane "lost direction". In my view that was the safest way of treating the story by simply sticking to the facts.

The Star took a step further by revealing to its readers that one of the pilots did not want to fly. The story head "**Pilot Didn't Want to Fly On Sunday**" said one of the killed pilots, Sup. Nancy Gituanja, was worried about the mechanical condition of

the crashed Eurocopter. The paper said Gituanja did not want to fly on Sunday because she was scheduled to attend a family get together at her Kandara home. In my view this story created suspicion that all was not well with the helicopter. But the important professional question was and still is: Was the story based on facts? If the ethical principle of **“Unnamed Sources”**, which demystifies the attribution aspect of the story, was properly utilised in a manner that revealed more facts, then that ambiguity would have been put to a decisive end.



The Star, 12/06/12, p.1

On the same day *The People* talked of hard queries. It predicted that senior police officers who procured the helicopter were likely to face hard questions after the crash as the President had ordered a thorough probe which would look at whether the accident was caused by poor maintenance of the helicopter. The paper was expressing confidence in the probe as *The Standard* was wondering whether the accident was caused by sabotage. The paper highlighted the fact that the State was saying the weather was fine, the pilot competent and the helicopter good but it said something still didn't add up. This was bold journalism of posing relevant questions, after all, that is the watchdog role of the Fourth Estate and, in my opinion, it was in fact one of the boldest treatments of the entire story !

And when MPs also started speculating, the *Daily Nation* splashed the story, quoting them questioning the account of the accident and demanding that the official inquiry be professional, impartial and public. This was the right professional treatment of the story, given the fact that past inquiries concerning such accident bore no fruitful results. Obviously when MPs make such serious allegations, journalists can simply not ignore them. Indeed the paper let the MPs have their say by giving MPs Gideon Konchella, Ephraim Maina, Nkoidila ole Lankas and Raphael Letimalo publicity, as they were probably speaking for many Kenyans when they said there were more questions about the accident than there were answers. MPs said there was no point in having an inquiry that did not reveal the “truth”.

On the same day *The Star* splashed a similar story and quoted the MPs saying this was not an ordinary accident and revealed that they were planning to set up a select committee to conduct parallel investigations because previous inquiries of similar incidents were “shoddy”. Ignoring MPs’ concern would not have been professionally correct, as all the five major news values were there. But *The Standard* went a step further. It said Saitoti always lived “in fear” and went ahead and said he lived on the edge “as if agents of death were stalling him”. Was this the correct way to handle the story? What kind of possible causes of the accident were conjured in readers’ minds? The paper talked of a “potential killer” walking in Saitoti’s shadow!



The Standard, 13/06/12, p.1

Yet the paper went big on that angle and said he was once poisoned and had extended his fears to the food he ate and how he travelled and even whose hand he shook. Whereas the exposure of Saitoti’s paranoia was of great human interest news value, was the timing of taking that angle professionally appropriate ethically? What mental picture did this approach create in the minds of the readers?

The papers also looked at political implications of Saitoti’s departure. Naturally journalists could not ignore this angle as their work was simplified by politicians who talked of Saitoti’s leadership. Top on that list was the retired President Daniel arap Moi who revealed that he was part of the strategy in Saitoti’s presidential ambition. *The People* splashed the story with a questioning headline saying “**Was Moi Driver Of Saitoti Power Bid?**”. That headline alone showed the doubt in the Editor’s mind.

The paper didn’t let the matter end there. It went ahead and ridiculed Moi by revealing that the former President’s sentiments about Saitoti when he was dead were in sharp contrast to the manner in which Moi treated the former VP when he worked under him. The paper said the retired President had “rudely shoved Saitoti aside in favour of Uhuru Kenyatta as his preferred successor”. Though of great human interest news value, was this angle called for at the time of mourning? The question many Moi supporters must have asked was: Couldn’t the media let the old man mourn in peace?

And when the President appointed a probe team, *the Daily Nation* stuck to the facts and named appeal judge Kalpana Rawal as the head of the team which would look at possible causes of the accident, including weather, human error, mechanical failure and sabotage. Obviously the paper resisted the temptation to speculate on the causes of the accident. *The Standard* was also professionally accurate. It talked of the President's order for a detailed investigation as Amos Kimunya talked of a public inquiry while the Prime Minister called on Kenyans to maintain peace and VP Kalonzo Musyoka called for unity. But the paper also revealed the MPs' displeasure with Kibaki for arriving at the meeting two hours late! Was this human interest angle appropriate at the time?

This time *The Star* took a straightforward reportorial angle and said the President assured Kenyans of full investigation into the crash, promising to release the findings of the probe and appealed to the people to remain calm; but is this straightforward conveyor-belt form of reporting what Kenyan readers expected from the Fourth Estate? Whatever the answer to that question is, *The People* did exactly the same thing but in a more explanatory manner, showing a more professional form of interpretative reporting. The paper reported the President's orders with interpretation which said that senior Government and police officers charged with procurement and maintenance of the Police Air-wing faced hard questions. The paper had also an angle about poor maintenance obtained from the police sources.

Two days later *The Star* had a different angle. It revealed that MPs were not quite satisfied with the probe team, as the manner in which it was formulated violated the doctrine of separation of powers by appointing Rawal to head the team without consulting CJ Willy Mutunga. The paper showed it believed that even in solemn occasions the law must be obeyed. From the beginning of the coverage of this sad event, *The People* suspected something. As early as 11th June the paper suspected poor maintenance to have caused the accident and talked of "simmering anger" among members of the Kenya Police Air-Wing over alleged poor maintenance condition of the aircraft. Investigative journalism that leads to exposés is always superior to general beat and spot news stories. This is a typical example of how investigative journalism germinates.

On the very first day of the accident *The Nation* gave information about the chopper. In its first edition after the accident the paper took the trouble to tell its readers that the crashed chopper was new and powerful and that the Kenya Police Air-Wing was the first in Africa to purchase the model. The paper took the trouble to interview experts about the crashed helicopter - a professionally commendable way of demystifying the hidden "W"s - as *The Standard* came out with the first exposé. On the second day of the crash the paper quoted Strategic Intelligence News (SIN) urging Kenya to look inward for answers, claiming that by elimination of internationally recognized forensic audit, fingers pointed at a lapse in security policing. But the big question remained: Does probing by journalists help or obstruct Rawal's efforts?

On the first publication after the accident *The Nation* had a graphic of the way the helicopter flew, showing the route the ill-fated helicopter was taking before it crashed. Though the graphic was published by the paper the very next day a number of professional questions could be asked about the drawing: Was it showing the exact route in which the helicopter flew? How authentic was the drawing? And what value did it add to the investigations? If the illustration was by an aviation expert then it was a masterpiece of journalism. But if it wasn't then it just added more cobwebs to harmful rumours and dangerous speculations.

On June 14th the *Daily Nation* dropped a bombshell! Not only did the paper reveal that the families of the two dead ministers wanted to be represented in the probe team but it also exposed the fact that the chopper was not insured. The implications of this sad fact could be quite devastating. The most natural follow-up of such an exposé is a proper investigative assignment on uninsured government aircrafts and vehicles.

2.5 And when the mourning intensified



The People, 13/06/12, p.5

Photojournalists rightly had a field day and sub editors correctly used the pictures big. *The Daily Nation* had many dramatic pictures which were used big and, in my opinion, professionally in the right manner. *The Star* did more or less the same thing and made a very dramatic usage of pictures which it published in a professional manner too. *The People* did the same thing by showing pictures of flags at half-mast and other pictures of ladies who were mourning together with the Deputy Prime Minister Uhuru Kenyatta who, despite being the paper's proprietor, was given the same treatment as other mourners. The paper published a picture of a lady it correctly identified as Halima Montet, a member of Kajiado CDF Committee.

The Standard also did a good professional job but then it goofed! Ms Montet was described as Margaret Saitoti, wife of the late Minister George Saitoti. And the correction was stuck at the bottom of page 6 three days later. Professional ethics demand that whenever it is recognized that an inaccurate, misleading or distorted story has been published or broadcast, it should be corrected promptly. It also says corrections should present the correct information and should not restate the error except when clarity demands. It further states that an apology shall be published or broadcast whenever appropriate in such manner as the Council may specify.

The fact that a correction was published at all was professionally commendable. But what did the correction say? It said: **On Monday we erroneously referred to Mama Halima Montet (right) as the Internal Security Minister George Saitoti's widow due to mix-up of photos. We have since established that Mrs Margaret Saitoti (left) is the wife of the late Minister. We regret the embarrassment we may have caused Saitoti's family and that of Montet.** Long after the publication of that correction the question still remains: Was this published according to the Council's specification?

2.6 And when Saitoti was buried

The *Sunday Nation* had a straightforward splash headline saying **“Goodbye Professor”** and in a fitting editorial the paper said the two men (Ojode and Saitoti) had special qualities and attributes which was a good lesson for coalition Government. Needless to say this was a professionally correct way of handling such a story. *The People* talked of time to rest which was also professionally appropriate for the occasion in which the paper said leaders eulogised fallen Internal Security Minister as a true patriot, tribeless and humble Kenyan. It called for peaceful polls as fitting tribute, which was an equally professional way of handling a funeral story. *The Standard* too was appropriately punchy. It used a single common Kiswahili word **“Kwaheri”**. The paper penetrated many hearts in a journalistically punchy way of headline writing. **“Kwaheri”** was a headline that was emotionally punchy.

2.7 And when Ojode was buried

The *Daily Nation* took an angle of calling for unity because Ojode stood above the usual party and ethnic divide in the Coalition Government. It said leaders had turned the “Sirkal” burial into a campaign for national unity. With a headline saying **“Call for Unity as Ojodeh Laid to Rest”** the paper exhibited its ability to combine the burial act with newsworthy utterances of leaders, which is a superior professional headline writing skill.

The People concentrated on the numbers of people at the funeral. Though the paper splashed the number of MPs at the event, it is the only one that reported Mrs Mary Ojode's scathing criticism of the media. She said her son Andrew, who studies in the UK, knew of his father's death through the media. Was Mrs Ojode's criticism fair or was she hitting below the belt? Reporting Ojode's funeral *The Standard* goofed yet again! In an otherwise good front page that described Ojode as a man who played the role of more than just a junior minister, the paper inserted a close-up picture of President Kibaki which was disrespectful and therefore professionally unethical. The controversial picture was, in fact, quite unnecessary.

The offensive picture showed the Head of State with a running nose as a result of shedding tears at the funeral. The picture certainly went against the ethical principle of Obscenity, Taste and Tone. It was in extremely bad taste. The next day the paper said it was sorry.

In an apology stuck on at the bottom of page nine it explained that the picture was not meant to embarrass the President but only aimed at “showing the overwhelming emotion of a grieving nation”. At least the paper was bold enough to apologize.



The Standard, 15/06/12 p.21

2.8 Conclusion

This exercise was an eye opener to me personally as a journalism lecturer. Its findings show beyond any reasonable doubt that Kenyan journalists tend to overlook some vital professional ethical principles while covering spot news. This, needless to say, calls for an even more intensified approach to the training of journalists on specific ethical principles that must be strictly observed while covering spot news ranging from accidents, assassinations, natural catastrophes and other disasters and tragedies.

In the coverage of the helicopter crash the ethical principle of **“Intrusion into Grief and Shock”** was particularly difficult to observe as culturally Africans normally mourn together. In situations where communities gather to express sympathy to the bereaved, journalists find it extremely easy to get very close to the families of the departed people. Very often they just take pictures of the wailing relatives who have just learnt of the death of close members of the family.

That must have been what happened with the photographer of *The Standard* who ended up with an extremely dramatic picture of a woman in tears at Saitoti’s home - a picture which led to an apology from the paper as the photographer took it for granted that the woman was Mrs Saitoti when in fact it was the picture of a close friend, Mama Halima Montet. Under normal circumstances photographers will always take pictures at events of mourning and grieving people. All professional journalists are required to do is to take pictures “with sensitivity and discretion” as required by ethical principle. And then get all the captions right, which is a very basic journalistic requirement in photography.

The other ethical principle which was violated during the coverage of the helicopter crash was even more serious as it constitutes the backbone of the entire journalistic profession. This was the ethical principle of **“Accuracy and Fairness”**. In journalism when a story is inaccurate, the mistake is taken so seriously that very often heads roll. It is as serious a professional mistake as negligence is to doctors and stealing clients’ money is to lawyers.

Unfortunately in the coverage of the helicopter crash, *The Star* newspaper made that mistake by inaccurately describing a file picture of a burning helicopter as the fateful one.

As it was, the paper was quick to apologize and explain to the readers how the mistake was made. But the manner in which the apology was published was not in conformity with the provisions of the **Code of Conduct for the Practice of Journalism in Kenya**.

The other challenging ethical principle for the journalists when they were covering the helicopter crash was **“Obscenity, Taste and Tone”**. The example could be found in *The Standard* which published a picture of President Mwai Kibaki with a running nose on the front page during Ojode’s funeral. Though the paper claimed it wanted to show how sad everyone was including the President of Kenya, it later realised that the picture was in extremely bad taste and apologised.

The manner in which the apology was published was also not in conformity with the requirements of the ethical principles, which goes to prove that the need for an intensified training on these tenets for the practitioners now working as journalists is indeed very urgent. The matter is made worse by an apparent inability of Kenyan journalists to work under pressure while adhering to the vital ethical values in their profession.

3. Appendix

Quantitative Analysis Print Coverage

Sample of Articles

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid DN	31	25,6	25,6	25,6
STAR	28	23,1	23,1	48,8
STD	38	31,4	31,4	80,2
TPN	24	19,8	19,8	100,0
Total	121	100,0	100,0	

Format of Articles

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Feature	6	5,0	5,0	5,0
News	84	69,4	69,4	74,4
Opinion	25	20,7	20,7	95,0
Other	6	5,0	5,0	100,0
Total	121	100,0	100,0	

Date of Articles

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid 11.06.2012	54	44,6	44,6	44,6
12.06.2012	43	35,5	35,5	80,2
13.06.2012	24	19,8	19,8	100,0
Total	121	100,0	100,0	

Gender of Author

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid (n.a.)	26	21,5	21,5	21,5
both	4	3,3	3,3	24,8
female	4	3,3	3,3	28,1
male	87	71,9	71,9	100,0
Total	121	100,0	100,0	

Number of Viewpoints in Articles

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid >3	40	33,1	33,1	33,1
1	34	28,1	28,1	61,2
2	27	22,3	22,3	83,5
3	20	16,5	16,5	100,0
Total	121	100,0	100,0	

Crosstabulation: Number of Viewpoints

		/Article/Viewpoints				Total
		>3	1	2	3	
/Article/Source DN	Count	7	9	5	10	31
	% within /Article/Source	22,6%	29,0%	16,1%	32,3%	100,0%
STAR	Count	0	23	5	0	28
	% within /Article/Source	,0%	82,1%	17,9%	,0%	100,0%
STD	Count	12	1	17	8	38
	% within /Article/Source	31,6%	2,6%	44,7%	21,1%	100,0%
TPN	Count	21	1	0	2	24
	% within /Article/Source	87,5%	4,2%	,0%	8,3%	100,0%
Total	Count	40	34	27	20	121
	% within /Article/Source	33,1%	28,1%	22,3%	16,5%	100,0%

Crosstabulation: Format of Articles

		/Article/Format				Total
		Feature	News	Opinion	Other	
/Article/Source DN	Count % within / Article/Source	1 3,2%	23 74,2%	7 22,6%	0 ,0%	31 100,0%
STAR	Count % within / Article/Source	0 ,0%	20 71,4%	6 21,4%	2 7,1%	28 100,0%
STD	Count % within / Article/Source	1 2,6%	28 73,7%	8 21,1%	1 2,6%	38 100,0%
TPN	Count % within / Article/Source	4 16,7%	13 54,2%	4 16,7%	3 12,5%	24 100,0%
Total	Count % within / Article/Source	6 5,0%	84 69,4%	25 20,7%	6 5,0%	121 100,0%

Crosstabulation: Gender of Author

		/Article/AuthorGender				Total
		(n.a.)	both	female	male	
/Article/Source DN	Count % within /Article/Source	12 38,7%	0 ,0%	0 ,0%	19 61,3%	31 100,0%
STAR	Count % within /Article/Source	6 21,4%	0 ,0%	2 7,1%	20 71,4%	28 100,0%
STD	Count % within /Article/Source	4 10,5%	4 10,5%	0 ,0%	30 78,9%	38 100,0%
TPN	Count % within /Article/Source	4 16,7%	0 ,0%	2 8,3%	18 75,0%	24 100,0%
Total	Count % within /Article/Source	21,5%	26 3,3%	4 3,3%	4 71,9%	87121 100,0%



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