

# Dealing with the Media after a Major Accident

## **Disclaimer**

This paper is based on my recollections, over the last 25 years, of working in the rail safety area. There is no intention to defame anyone, or any organization.

## **Acknowledgements**

I would like to thank my former colleagues at the TSB for providing the inspiration for much of this material.

## **Background**

Prior to entering business as a consultant, I worked for 13 years in the rail safety regulation area, then spent a further 11 years in rail and pipeline accident investigation. This paper is a portrayal of the author's perceptions of how various major accidents were dealt with, in terms of communicating with the media. The paper covers:

- The evolution of regulatory and investigative bodies' interaction with the media, from the 1980s to the 2000s
- Differences in approach (industry, regulator, investigator)
- Case histories
- Discussion and Conclusions; and
- Lessons learned over more than 20 years

## **The Regulatory Experience**

The rail safety regulator in 1985 was the Canadian Transport Commission, and its rail-related responsibilities included rail costing, service complaints, safety, and accident investigations. As far as I am aware, it did no formal media training, although I did participate in a television interview, with less than satisfactory results.

My first media training occurred in the mid 1990s, and it was a very uncomfortable experience. Transport Canada, which was then the rail safety regulator, had decided to invest in this training, which consisted of a one-day session given by a highly qualified, and entertaining, consultant. It consisted of teaching basic principles, such as to stick to facts and to be aware that reporters will

go along any path you might show them in responses to earlier questions. We learned that the media have different needs from the government: they want catchy “sound bites”. Conversely, the regulator wants to let the public know it is doing a good job of monitoring industry and that the railways are safe. Following a morning training session, we participated in a simulated television interview, which was followed by a media “scrum”, where hosts of reporters were vying for attention from the interviewee, all at the same time and seemingly endlessly. Needless to say, all trainees were sufficiently humiliated or disconcerted to wish never to have an interview with the press. Our tormentor was extremely good at his job!

### **Investigative Agency Experience**

My next formal media training occurred in 1999, more than one year after I had joined the Transportation Safety Board of Canada (TSB), the independent, no fault, no blame, accident investigation agency. By that time, I had already given some interviews to the media. The training was very similar to what I had undergone at Transport Canada, but the level of humiliation was lower, as I already knew what to expect. One issue that was reinforced was that of deflection, or moving the response to a question towards the message that the organization really wanted to convey. Another issue that was strongly emphasised was that there is no such thing as “off the record”. Subsequent to the training, I frequently received feedback and coaching from the TSB Communications Division’s experts, after having had an interview with the media.

In the larger scheme of things, whenever a particularly large report was about to be published, the Communications Division worked with the rail investigation team on planning the media event, finalizing press releases and rehearsing interviews, including the Chairperson (Chair) of the Board. The team of people generally consisted of two or three from Communications, up to five from the Rail Branch, plus the Chair. For significant reports, but ones perceived as having less important recommendations and safety concerns, the team was limited to staff from the Communications Division and the Rail Branch.

Generally, if a “media event” was to be held, it normally was to take place close to the location of the accident. This often produced some discussion between the Communications people and investigators, as the former preferred the nearest major urban centre, because of the relative ease of getting media interest and involvement. Investigators preferred to be very close to the accident site, which made briefing of families and next of kin easier, as well as potentially providing new safety information.

Reflecting on my years of communications with the media, it was never easy, mistakes were always made, and the feeling after an interview was always the same – a queasy feeling that I had said something wrong, which would embarrass the department, the government and me. This is not an unusual feeling, as many investigators have told me they feel the same way. In fact, one rail investigator explained that any interview done was never a winning proposition for him or the TSB; “the best you can hope for is a tie,” i.e. neither party “wins”.

## **Evolution of Dealings with the Media: Regulator and Investigation Agency**

In the mid-1980s, it seemed, at least to the author, that dealings with the media were invariably polite, formal and low-key. Seasoned subject matter experts, with industry-wide credibility, were those chosen to represent the government on issues when the media needed an interviewee. However, over the last twenty years in Canada, there has been significant change in the communications area, with a government-wide trend towards dedicated communications teams, reporting to a very senior executive, specializing in dealing with the media. They are being increasingly directive with technical experts and increasingly exert more control over what is to be said. Canada is not unique in this trend.

In large government departments, there are typically very few spokespersons. Where the designated spokespersons are not from the communications division, the spokespersons are normally mid-level government executives rather than managers or professionals closer to the operational side of things. The focus is on putting out a consistent message, which, although a reasonable approach, results in an onus almost totally on the communications division to be accountable for the department and its minister's credibility.

In contrast, the TSB, which is a small organization with just over 200 employees, until very recently had a very small Communications Division. The working relationship was very informal, results were positive and the TSB's approach of "quiet professionalism" was reinforced. All investigators were expected, and even encouraged, to talk to media, both on an accident site and off-site. They had to be given media training before they could be interviewed, with the main message being to stick to the facts and not to speculate on various scenarios presented by the interviewers. The TSB originally had a small media section (two or three persons) who gave significant support to investigators and who were not too concerned if a big media event had flaws. This latter view perhaps tied-in with the idea of much of the media having a short attention span.

Since 2006, circumstances, partly externally driven, led to the TSB decision to have a larger communications role. There is a wider variety of duties, including active marketing of a "speakers' bureau" with the idea of outreach to various groups to inform them about the work the TSB is doing. The division also continues with the task of managing interactions with the media. However, the TSB still maintains a policy that investigators have to deal with the media as part of their job, and encourages them to do so. Media training is freely available, along with coaching and feedback.

The perceived need at the TSB is to let the media and the public know what a good job it is doing, and, as a result, has a goal of raising public awareness as well as minimizing any impression that it is an irrelevant government organization. The outcome has been an approach of "noisier professionalism," with the attendant need for key persons to go out publicly and explain what a good job the organization is doing. Because of this, over the last few years at the

TSB, it could be argued that the organizational culture has changed, with more of a tabloid style of communicating, and harder-hitting words in reports, speeches and other communications documents. The communications division is significantly bigger, with more communications staff taking interviews at the start of investigations and organizing more large media events, but also with investigators continuing to be heavily involved.

Outside of the major on-site event, or the media event at the end of an investigation, an investigator will receive calls directly from the media. The investigator is expected to inform communications staff when an interview is upcoming or if one has just occurred. Quite commonly, a communications officer will sit-in on the session, and give feedback to the investigator after the event.

It is not clear if this new approach works any better than the previous one, but whatever the case, the TSB has changed the way it deals with the media. The addition of the element of tabloid journalism is believed to have yielded positive results. Also, the TSB has experimented with web blogs and internet broadcasts to try and get more exposure and experience with new ways of communicating safety messages. Whatever the results of these changes, they have occurred alongside, rather than supplanted, the solid scientific investigative approach the TSB has always taken.

For all media events related to major accidents, the TSB has a standard approach. These events are held at the end of an investigation, and occur for the rail mode three or four times per year. Communiqués are sent out to press agencies and media companies just before the event. At the actual event, there are copies of speeches, highlights of the investigation, recommendations, animations of the accident, and copies of the investigation report, all available at the actual event, on memory sticks. This makes reporters' work easier and allows for quick transmission of information to their offices. However, the frequency of the media events and the involvement of several investigators does increase the latter's workload and therefore reduces the time available to pursue other investigations.

In an era of ostensible openness, TSB media events have changed from an open, "town hall" kind of meeting, to one where only the media are allowed to attend. The intent is to maintain tight control over delivery of an investigation report's key messages. It avoids any possible intervention or even disruption by other interested parties, e.g. politicians, industry representatives, union representatives, persons actually involved in the accident and next of kin. Despite this restriction, the TSB briefs the next of kin on the outcome of an investigation one or two days prior to the media event, which is a very positive approach. Additionally, the railway company and the regulator receive copies of the investigation reports 24 hours prior to the public release, which allows some time for those organizations to prepare responses to media enquiries.

Across all Canadian government departments, there is more and more focus on controlling the message that gets sent to the media. This is to avoid the risk of having several different

spokespersons for the same department give potentially conflicting messages. However, it can be discouraging for functional experts if only the communications group are the key spokespeople for an organization, especially if they are believed to be sending an incomplete or flawed message from an investigator's perspective. Fortunately, at the TSB the risk still seems to be generally well managed, with a balanced approach to using several spokespersons on one issue.

### **Other Influences on Dealing with the Media**

It has been my experience that there are external factors that can seriously affect dealings with the media. The first one is next of kin and families of people who have died in accidents. If they are kept updated by investigators on the progress of investigations, all is well. However, I have seen several cases where they have been ignored and their next step, understandably for grieving relatives, is to contact the Chair of the Board or a Member of Parliament. A second factor is local political issues. It is well worth the effort to personally visit a town's mayor to outline the progress of an investigation if the mayor has indicated serious concerns. The same approach applies to Members of Parliament, aboriginal groups (First Nations), other government organizations, labour organizations and others who have been affected by a major accident. The worst thing you can do is ignore them and hope they will go away. They all deserve respect and need updates on factual information and progress. Once a conflict arises, it can be very difficult and time-consuming to manage.

### **What Organizations Want when Media Events Occur**

#### **A. TSB**

The TSB's approach is to deliver key safety messages to a very wide audience very quickly, with the messages adhered to very closely by spokespersons. The overall strategy is to have tight control over what is said by designated spokespersons. Despite that, investigators do have the latitude to add useful facts and comments which enhance the key messages and make them more credible and understandable for the audience. There is always a need to show that the TSB has done a thorough investigation and the work was worthwhile and credible.

#### **B. Transport Canada**

Transport Canada at the executive level, wants to be cast in a good light by the TSB and wants recognition of regulatory safety actions taken to mitigate the risks identified in the TSB's report, where possible. In contrast, at the operational level, Transport Canada inspectors can be more accepting of news from the TSB that could perhaps be seen as negative, but which might lead to a future positive regulatory action on mitigating an identified safety deficiency.

#### **C. Industry**

Railway companies are responsible to shareholders, where share prices can be immediately affected by the outcome of a major accident and industry's response to it. Industry never likes a

newspaper headline saying “TSB Blames Railway X for Crash Disaster”, but that is what tabloid papers sometimes do, as negative news is considered to help sell newspapers. What industry would like to see is an investigation report that indicates that all necessary safety actions have been taken and that no blame can be assigned to the railway company. Since the Canadian TSB has a no-fault, no-blame, culture, it would seem that industry should not be too concerned. However, even though the reports are neutral in tone, the findings can be, and often are, used by media and the public to infer that the “fault” lies with one party or the other.

### **Some Case Histories**

- A. Canadian Transport Commission, 1987 Coroner’s Inquest into a level crossing accident in Carleton Place, Ontario.

The accident, at a level crossing equipped with crossing signboards and with poor sight lines, resulted from a 110 km/h train hitting an automobile and killing its four occupants, two of them young children. I had been given no media training.

I testified at the inquest and subsequently gave an interview to a local television station. The advice given to me by a Canadian Transport Commission lawyer was to just go ahead and speak to reporters (the CTC was the rail safety regulator until 1987). I stated the facts, but had no idea about key messages, if the organization had any to offer, or even how to explain my particular misgivings about the crossing. Not surprisingly, the interview was never aired on the television!

- B. Transport Canada 1989-1998, two memorable encounters

1. A call came in from a newspaper reporter in the early 1990s to ask about the recent report on a fatal train accident (he had confused Transport Canada with the TSB). When I told him he was referring to an accident that had occurred two years previously, he hung-up the phone.
2. In the mid-1990s, I had an extensive telephone conversation with a Toronto newspaper reporter on the increased risk to train crew and passengers in the event of a collision when push-pull commuter trains were being operated from a cab control unit. The conversation about risk went very well until I commented to the reporter on the odds of a catastrophe if a collision occurred. I said it was highly unlikely, but said that there was always some risk, giving as an example the fact that there was always a risk of jumbo jets colliding in mid-air, but it wasn’t at all likely. It is not hard to guess what got reported and I was a bit worried that I was going to hear about it from the Minister’s office.

- C. TSB 1998-2009, Case Histories (of some memorable encounters)

- 1 Thamesville, Ontario, 1999, Derailment of passenger train with two crew fatalities and multiple passenger injuries.

The on-site investigation went well, with the lead investigator designated for all media interviews and his deputy investigator running the investigation in his absence. The media event at the end of the investigation also went well, for a time. It was a town hall style of meeting, with around 70 people present, including persons involved in the accident, the railway companies involved, first responders (police and firefighters) and media representatives. The meeting was being broadcast on television and was going well. However, a reporter arrived late, and, unknown to the organizers, put an electronic scanner on top of an audio-speaker. This caused a loud electronic screeching sound and the live broadcast immediately ceased as the screeching had made the conference unintelligible. The press conference did continue, with some interesting and tough-to-answer questions as well as some emotional questions, but the national broadcast was a failure.

2 St. Hilaire, Quebec, 1999, Derailment, Collision and Dangerous Goods Release. Two crewmembers fatally injured

This accident occurred at the end of 1999, in an industrial area just to the south of Montreal. Media interviews had gone well during the on-site phase of the investigation, and plans were thoroughly prepared for the media event at the time of report publication, one year later. This was to be a major event, with the Chairman of the Board to be part of the presentation team. Unfortunately for TSB, two hours prior to the planned time of the report release, there had been a major highway accident involving dozens of vehicles, just south of Montreal. As a result, many area reporters headed to the highway accident site, which got a higher priority than a public report on a collision that had happened over a year before.

3 East Hereford, Quebec, 2000, Pipeline Compressor Station Explosion, with one very seriously injured employee

The accident occurred in a picturesque part of Quebec near the border with Vermont, USA. A gas compressor station was destroyed in the explosion because of numerous causes, including design and construction issues. The report took several years to complete, but there were some interesting issues to publicize, so a town hall style event was planned, which was to take place on the eve of the media event. One week before the scheduled release of the report, the lead investigator, whose presence was critical to the success of the town hall and media events, became sick and did not return to work for several weeks. As a result, the Director of Investigations (me!) had to do 14 hours of preparation that weekend, in both Canadian official languages (English and in French), in order to be the spokesman at the upcoming events the following Tuesday and Wednesday.

The communications person organizing the two events strongly insisted that we say that there was absolutely no chance of such an accident of ever happening again, as the local residents were very leery about the natural gas pipeline which passed through their community. After some discussion, and with much reluctance, I agreed. The result was that, once I spoke those

words, the local Member of Parliament, who was at the meeting, said that surely we couldn't be 100 percent certain, that was impossible. I then had to agree, but said it was very close to 100 percent. Luckily, a second communications person came to the rescue, explaining that, because of engineering changes made since the accident, the same chain of events could not occur in the future. That was the perfect way of presenting the situation.

4 2001, Stewiacke, Nova Scotia, Vandalism resulting in a train derailment and multiple injuries

I was called about this accident just at the end of the working day on the Thursday before the Easter weekend. A large investigation team was immediately deployed from across Canada and they worked on site throughout the weekend. On the Thursday evening, the Canadian Broadcasting Corporation called the TSB to ask for a live interview at 9pm on the national news. I was called by the Communications Advisor and asked to contact the broadcaster to determine where I was to be interviewed. I did do, and fortunately asked her what kinds of questions were likely to be asked. She gave me the general idea, I prepared for some possible questions, and the interview went well. This was fortunate, because a live broadcast is potentially a minefield and, once a mistake has been made, it is almost impossible to fix.

The particular type of interview was a "double-ender" where the reporter was in Toronto, and I was 400km away in Ottawa, sitting on an open window ledge, on the 3<sup>rd</sup> floor of the Press Building, with my back to the Canadian Parliament buildings. I was looking into the lens of a very large black camera and had an earplug via which I could hear the national news proceeding. It was a weird feeling when being interviewed; it felt like I was on an asteroid in outer space being interviewed from Earth. It was one of those rare interviews – a very successful one.

5 2003, McBride, British Columbia, Bridge Collapse and Train Derailment, two crewmembers fatally injured

This investigation was particularly contentious, and it had a high level of media interest for that reason, which related to the particular causes underlying the accident and which had led to serious disagreements between several parties. When the time came for the media event, in 2004, a minor mistake occurred when one of the communications persons handed out the French versions of the report. Unfortunately, most people in British Columbia have English as their first language and we had to move fast to correct the mistake and find the English versions and make them available immediately. In any event, the positive thing was that the press conference went well, and the Board's recommendations received high exposure and wide distribution. But, just as has happened in several other major releases, that moment of joy came crashing to the ground.

As we were having lunch in a restaurant, I was asked to take a call from a radio journalist who seemed quite verbally aggressive, in my opinion. The radio show was being broadcast

“live”. The interviewer clearly did not understand the role of the TSB and started by blaming me, and presumably the TSB, for perceived regulatory shortcomings and for causing the disaster. Once I had explained the role of the TSB as purely investigative and outlined what the TSB had found, the reporter finished by asking me what I would like to say to the next of kin of the train crew. I felt that this was a particularly unpleasant, and intrusive, thing to ask someone when the answer is immediately being broadcast to thousands of people. What I replied was not the typical standard answer we usually provide, e.g.: “that is a private matter and I’d prefer not to answer”. Instead, I said that we had been talking to the next of kin throughout the course of the investigation and I had nothing more to add. It was not a pleasant end to my interviewing day.

6 2004, McKay, Alberta: Transport truck struck and derailed a passenger train

In this investigation, on the day of the accident, the TSB spokesperson designated to talk to the media had travelled from Ottawa to the major city nearest to the derailment site. The next morning, the spokesperson was on nationwide television for an interview at 0600 local time. When asked what TSB investigators were doing, the response was: “they are here to find out what happened and why it happened”. When asked again, the same answer was repeated. Although that response was one of the classic “key messages” of the organization, it was a waste of television viewers’ time, and not very uplifting for me, either. It would have been so easy to say: “we have three investigators on site, we’re examining the black box data from the locomotive, assessing the effectiveness of emergency response and the train evacuation, evaluating the condition of the vehicle driver, including work history, vehicle mechanical condition..”, and so forth. That would have quickly let the viewers know the complexity and detail of the investigation as well as understand the capabilities of the investigators.

7 2006 Buckskin, Ontario, Derailment involving a wheel migrating inboard on an axle.

This investigation went slower than many TSB investigations, taking over two years. Some serious safety issues were identified, with the biggest one being that there could be a significant number of defective freight wagon wheelsets on trains throughout North America. These defects led to the movement of wheels, usually inboard along the axle, with the subsequent derailment of trains. The investigation was unique, as it is the only one I know of, where no investigator actually deployed at the time of the derailment. Deployment only occurred significantly later, after investigators became aware of the particular equipment issue.

We did not consider the issue as having great public interest and so a low-key report release was planned, with a small media event at the TSB Engineering Laboratory to take place early one afternoon. There was a significant amount of rehearsal beforehand,

despite the perhaps bland topic, but, 35 minutes after the prescribed time of the media event, no reporters had arrived and TSB staff members were sitting in the room with 20 empty seats in front of them. We were all thinking of packing up and returning to the office. Then, 5 minutes later, the phones started ringing and never stopped again during the whole afternoon.

The press release had been picked-up by a press agency, and it had been sent to media across Canada and the USA. The result was that the report received the biggest media exposure ever for a rail investigation. Part of the reason was that the press release was misinterpreted by the media, stating the extent of the problem as 44,000 wheelsets currently in use. In fact, around 30,000 had been already removed from service, but there was still a problem as an estimated 10,000 to 14,000 still remained in circulation. Although the numbers quoted were wrong, the message was the same and the TSB's recommendation resulted in a major and rapid response by regulators and railways in Canada and the USA to eliminate the problem.

## **Discussion**

Media require news fast, and in short "sound-bites," whether that is the ideal way of conveying a safety message or not. They also focus on human interest issues and their reporting can tend to be focused that way. The best way, in my opinion, to handle these needs, is to work with communications and technical experts to package the safety message and investigation information in a way that meets the media's needs.

The media always like the human interest issues. Ignoring next of kin, or forgetting about them, can cause many of the media to seize on the words of a spokesperson who seems to lack compassion. For example, the recent BP oil spill in the Gulf of Mexico demonstrates how interactions with the media can turn the best of intentions into a major embarrassment for a company.

The regulator, industry and the investigator all have goals, some similar, and some different. They all get difficult questions from the media and, from time to time, they all have to answer to the public, both via the media, as well as directly and through Parliament. That said, because industry has to answer to shareholders, the regulator to its Minister, and the investigator to Parliament, there will be differing approaches taken to answering questions. There is no point in a railway company talking about its excellent safety record after a series of crashes or a major accident, just as there is no point in a regulatory body saying it is working on fixing a problem if that problem has existed for many years.

Similarly, there is no point in the TSB going to an accident site and just saying it is there to find out what happened and why. The media and the public both deserve straight, open, responses to questions, whether from industry, regulator or the investigator. At IRSC 2009, in Sweden, somebody asked what kind of response industry can give to media about an accident. One credible response could easily be: “the accident is being investigated by the country’s investigative agency and our company is providing them all the assistance it can. We are very concerned about the accident, our sympathies go out to the victims and we will do our best to make sure this sort of outcome will not happen again.” If industry or the regulator become adversarial, point fingers, or try to pass the blame on to someone else, it may well result in zero benefit to any of the parties.

Since it is very easy for a spokesperson to make a slip when being interviewed, planning and rehearsal are important. As an example of the latter, when driving for several hours to a media event in Quebec City, one of the best things our team did was to ask each other the most preposterous and funny questions and give equally silly responses. At the same time, we also asked each other some very difficult questions and tried to give the optimal answers. The process gave us a level of comfort that we should be able to do well in the interviews. As a point of interest, the toughest question we could think of was actually asked at the press conference. The answer was perfect!

Spokespersons should be confident and relaxed, or at least appear to be. “Wooden” delivery loses the impact of safety messages as listeners become disengaged. Attire is also important if you are to appear on television. There should be no distractions. For example, some men’s shirts, which are known as “moiré” shirts, shimmer when seen on television. Jewellery can also be distracting.

## **Conclusions**

Many of the tasks undertaken by regulatory and investigative agencies, when dealing with the media, are similar to those of other government organizations and industry. In all cases, the media’s communication goals are not exactly the same as the interviewee’s or the communications divisions of organizations. However, if people in government and industry understand the underlying needs of their own organizations and the media, they will have a better chance of delivering their particular message as well as satisfy the media’s need for a good story, human interest included.

The case histories described above are a sample of what the author has experienced, and in almost every case, there was something that could have been done to improve the media event. There have actually been a few other media events of which the author is

aware. Some had more severe outcomes than those described, but all could have been anticipated to some extent, and therefore better managed.

Delivering a clear safety message is not as easy as might first be thought. Thinking it is easy can result in embarrassment to both a spokesperson and to that person's organization. Similarly, assuming that complete control of the message will result in the best impact for an organization may not always be correct. There can be cases where the simple "key messages" will result in more listeners' questions remaining unanswered, rather than less. Lessons gleaned from this, and from the author's experience, are shown below:

Many issues have to be remembered when preparing for interviews, including:

- Focus on simple and clear messages
- Media are looking for the human interest, personal side of things
- Special issues are important, such as dealing with next of kin, local political issues
- By all means state the "standard" message, but also use technical experts to add useful, related information
- Something will go wrong

### **Lessons Learned from Experience**

- Communications advisors and rail experts can, and do, make mistakes
- Because something, almost inevitably, will go wrong, expect it and manage it
- Prepare for tough questions
- Provide a quality media package
- Avoid a focus on safety record when discussing a major accident
- If it is a slow news day, the message will get out
- If it is a busy news day, it might not be heard
- An interview may seem to go badly
  - but it may actually have gone well, with positive results
- If something goes really wrong, media will soon be on another story and your gaffe will be forgotten!