


**PRACTICE**

# Why co-operating with media is usually the best advice

BY **PETE BURDON**

THE ADVICE LAWYERS GIVE THEIR CLIENTS around dealing with the news media during negative events often conflicts with the views of public relations professionals (PRs).

The reason for this is obvious. Lawyers are focused on the court of law and fear that talking to reporters could weaken their clients' case in any subsequent legal action.

On the other hand, PRs are more concerned with the court of public opinion and how negative media attention can impact on the clients' reputation and future earning potential.

## What's the answer?

Clearly there are times when there's good reason not to say anything. For example, if something is before the courts, you can't comment. There are also times where the mere admission of something could be seen as defamatory. But on most occasions, it's best to cooperate as much as possible with media. This will limit reputational damage and sometimes even grow a company's credibility. But this only applies to companies that are well prepared and have well trained spokespeople who know how to keep out of trouble.

As a former reporter and current media trainer and advisor, I see lots of occasions where business leaders damage their brands heavily by shying away from media requests. Often this is on the advice of their lawyer. For example, last year the property management company Quinovic refused requests for media interviews after a franchisee's advertisements suggested that landlords weren't charging enough if their tenants could still afford to go

out socialising. This led to a massive social media backlash and negative news media attention.

While Quinovic did issue a brief statement, its refusal to front for media interviews led to heavily one-sided stories that would have severely damaged the company's reputation. These occasions where business owners fail to front often lead to misinformation as well, and there's no one

around to correct it. It also leads to complaints by the businesses involved about biased reporting. But if they refuse to appear, there's no-one to blame but themselves.

## A great example of doing this properly

Remember back to the Pike River disaster. When the mine collapsed, the company responded perfectly. Forget what happened later; at the time they did everything right.

Spokesperson Peter Whittall was always available to media. In just about every story he was there representing the company. Can you remember what he said?

He basically had two key points that he kept referring back to. One was around empathy for the victims and their families, while the second was what the company was doing to get the miners out and support their families. That was all he needed to do and all anyone expected him to do.

What if he hadn't appeared? You can imagine the stories. What people forget is that the media will write their stories whether you decide to be in them or not. But if you're at the centre of the issue, media will come to you first. This gives you

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the power to control the flow of information. But if you don't, media will be forced to look elsewhere and probably turn their focus to negative reporting because they have no alternative.

Forgetting what happened later, Peter Whittall became a bit of a celebrity and was respected for showing up. While he was there for media, they didn't need to go elsewhere. I know there were a few unethical things done by some media at the time, but this was minimal and from memory, that was media from overseas.

### But what if media misquote you?

Lots of lawyers I speak to are concerned about talking to media because they think they, or their clients, will get misquoted or quoted out of context. This is a justifiable concern and something that does happen.

But it doesn't have to. The key is to know how to talk to media. It's a completely different conversation and any spokesperson needs to know the difference. As a media

trainer, I can spot quickly whether someone knows what they are doing.

The big difference is that for all non-live interviews, reporters will only ever use snippets of the conversation in their subsequent story. That makes it completely different from any other form of communication.

What this means is that you have to make sure that everything you say can stand on its own without relying on other parts of the interview to make sense or fit the right context.

Here's an example. Reporter: "Does your company have an emergency management plan?" You: "We don't have an

emergency management plan, but we will have one in place next week and we've always had weekly fire drills."

From this example, the reporter might choose to only use the first part of your answer: "We don't have an emergency management plan." That makes it look like you don't care about the safety of staff. The best answer here would be to only say the second part of that answer: "We will have one in place next week and we've always had weekly fire drills." You can see how the context is now completely different. In a nutshell, if you don't want it quoted, don't say it.

### Other media interview mistakes

The biggest mistake people make with media interviews is treating them as Q&As. They are not. They are a conversation between you and a reporter or presenter. They pick the topic and you decide what you want to say about that topic, as long as it's of interest to the audience.

In the earlier Peter Whittall example, he kept referring back to those two points of empathy and what the company was going to do about the disaster. That's how it works.

If he was asked: "Who's fault was the explosion?" he wouldn't have been able to answer that, and probably wouldn't want to anyway for any number of reasons. His best way to deal with that would have been to address it briefly and then use a bridging statement to get back to one of the messages he wanted the story to focus on.

Here's how it could have gone: "Who's fault was the explosion?" Answer: It's too early to speculate on that. Our 100 percent focus now is on trying to get the miners out."

It's vital that any spokesperson has a clear three-point message to return to during any media interview. It's not about avoiding questions, it's about knowing how to get your points across and into the media stories.

Remember the best plan is to help media as much as possible. It's fairly simple to work out what they will ask. So, when you've decided how to answer those



briefly, you return to your key points.

### One more step

The last step after creating your three-point message is to dress those points up in attractive ways. That means you can almost guarantee their use by the media. John Key was an expert at this. Here's one example. He was asked a few years ago how much taxpayers were spending on wining and dining the UN delegates when they came to New Zealand. We wanted them to vote for us to get the vacant seat in the General Assembly.

The point he wanted to get across was that he couldn't give a figure because that would give ammunition to the others who wanted the seat. So he responded this way. "Me saying what we spent

on the UN delegates coming here would be like Steve Hansen giving the England rugby team the All Blacks' game plan for next Saturday's test." You can see how that answered the question perfectly, gave the reporters a great sound bite and he could almost guarantee that the media would use that in their story.

Hopefully this gives you some insight into how a media interview can be an opportunity rather than a threat. But the key is to be ready before these skills are needed. It's too late once the crisis erupts. The media skills are needed well in advance in the same way someone takes out insurance. You may not have a fire, but if you do, you will survive financially.

### What recent media changes mean?

The introduction of the internet and social media has changed the way businesses must deal with the media during a crisis or negative situation. We all know how quickly news travels. That means that the success of a crisis response is usually determined by the speed with which a company acts.

If something erupts, a reporter will

produce a story, ring the company at the centre of it for comment and immediately post the story on the news website and send it out through social media. If the company can't respond within the first hour, all the story will say is that the spokesperson refused to comment. Most people see that as an admission of guilt.

The best way to deal with this is to have a crisis management plan in place. This needs to have a number of holding statements (short media releases) that say things like: "We've just heard about the issue and we're doing all we can to sort it out." That's far better than: "No comment." These statements should all be seen by lawyers before they are needed. Then they can be sent out quickly, getting the company into the first story that goes out and giving everyone time to work out the more detailed response.

If a company waits three or four hours to respond these days, it's too late. The horse has bolted and people have already made up their mind whether the company is a victim or a villain.

### Summing up

While this has all looked at the PR response alone, the reputation of a business is just as important, and often more important, than legal threats. Even if there are legal threats, in most cases, public comment from a trained spokesperson won't hinder any potential legal action. In fact, it can assist.

But one thing is clear, just like the All Blacks need a game plan before every test, businesses need a crisis management plan and trained spokespeople if they want to cement themselves against reputational damage. It's too late to start thinking about this when something erupts. ■

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