



## **Dealing with the media**

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For the legal profession, dealing with the media or the so called fourth estate can be difficult and at times a frustrating process.

After spending weeks, if not months preparing a case and representing a client to your best possible ability, all this work can be undone by media reporting that is unbalanced, sensationalist and simply does not reflect the operations of the law.

In Tasmania, this situation is exacerbated by the lack of a core of court reporters who have the knowledge, experience and time to properly cover a case or particular action. Unfortunately, this trend will only continue and if anything, get worse as time goes on.

At the heart of the problem is the very nature of the shift that is currently occurring in newsrooms, that being, a loss of revenue from traditional news outlets such as newspapers and television stations to the internet and other web 2 based applications. The more diffuse the media becomes, the more an increased lack of specialisation will occur. Its manifestation in Tasmania is a trend towards general news reporters who are continually asked to cover an increasingly wider variety of news.

For the legal profession, this is a problem because it means that many journalists asked to cover a particular case or hearing have less time to do it and probably less experience in such matters. It also means that the point at which a journalist interacts with a matter is likely to be at a more advanced stage.

Gone are the days when a journalist could sit through hearings that roll on for a number of days. In most cases there is not enough time for the reporter to spend getting a feel for a particular case. For lengthy and significant court cases, the reporter must use what resources they have to get as much information as possible in the shortest period of time.

Understandably such an approach is fraught with risks when it comes to court reporting. The legal profession as a rule in Tasmania is reluctant and untrusting of the media, so it is difficult for the reporter to get any more information than what is reported by other news outlets, those contacts they have and any comments made at sentencing by the judge.

Hence it is probably not surprising that the standard of reporting can at times be poor, however, just like any profession there are good and bad practitioners and despite what many think, journalism in Tasmania operates to a high standard of editorial integrity built on the fundamental tenant to inform the community and entertain on the basis of seeking the truth.

So what does this mean when you receive a call from a journalist or worse still walk out of court, client by your side and a camera or microphone is shoved in your face? It means you have an opportunity to participate in this process or you can choose not to.

This is not to say that as a member of the legal profession you must make media comment, but it does serve to highlight the point that if you do not add to the reporting of a case in terms of educating and informing a reporter, it is likely the coverage of the case will be the less for it.

More often than not in my dealings with the legal profession, I hear complaints about media coverage of particular cases, but it is rare to also be told by the lawyer that they attempted to assist or inform the journalist covering the case.

The assumption that a journalist should know the facts of a case no longer holds true. With a bit more understanding on both sides, the legal profession and the media, there is an opportunity for court reporting to be greatly improved. It takes a bit of time and for that matter, a bit of trust.

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