

MANAGING CRISES IN THE AGE OF FAKE NEWS

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The era of Fake News adds a new dimension to media crisis management.

You are now increasingly likely to face stories that are not just inaccurate or slanted but entirely made up.

One way of dealing with this is the quick and total rebuttal: “This is Fake News!” But this tactic has been over-used of late, and can lead the public to the opposite conclusion.

So, unless the story is so obviously fake that no-one will believe it (in which case it may not even be defamatory, because it may not damage your reputation) then we recommend a two-pronged approach.

When faced with false and damaging allegations, secure good PR advisors and good lawyers – preferably ones that will communicate effectively from the outset.

PR advisors will determine the messaging. The lawyers can up the ante, using the law to persuade publishers to stop or change the story, and in extreme cases taking injunctive action to halt a story with a court order.

It is possible to get an injunction to prevent the publication of private material, such as intimate photographs, whether they are real or not, and to stop conduct that may amount to harassment.

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You need a plan. Here are seven tips:

1. Decide your lines of communication

and crisis protocols in advance: know who to call, have a dedicated person internally responsible for making decisions and giving instructions, and nominate a person to deal with the press.

2. Have an early call with PR advisors and lawyers to:

- determine the severity of the situation. What is the allegation, and to what extent is it true or false? Where will it be published (or where has it already appeared)?
- identify where the threat is coming from. Has a credible online news site threatened to publish a damaging story, or is an individual with an axe to grind threatening to voice their grievance online? Different approaches will be needed for each scenario.
- decide communication channels, which may include direct communication with the source of the story, putting out public statements or speaking to the press.

3. Put together information that rebuts the allegation.

You may not need to deploy it all, but your advisors should understand it, including where the weaknesses lie, so that rebuttals or legal letters do not include “hostages to fortune”.

4. Responsible journalists will approach you first for comment.

Engage with the questions but if the allegations are serious consider communicating the answers via lawyers, and copy the editor or website owner.

5. Consider your legal options.

These include writing a “cease and desist” letter, and in appropriate circumstances threatening legal proceedings or an injunction.

6. Act quickly.

7. Do not over-react.

Doing so may draw more attention to the story.

Your crisis management protocols will be built on the same basic principles as before – but updated to address the new media environment, where threats come faster, with greater intensity, from far wider sources. ●

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