

Interacting with the media

Doctors' actions are being questioned the world over—through formal disciplinary action by Medical Councils or employers, clinical negligence claims or complaints, or the apparently constant interest of the media.

But why do the press dwell on the negative side of medical practice, the cases that went badly wrong, and the doctors whose performance or behaviour is unacceptable? Editors would doubtless highlight the many newspaper articles reporting medical breakthroughs and successful, heroic treatments. Although these stories do appear, the majority of press coverage about doctors currently is overwhelmingly negative. This probably reflects an overriding priority of publishers to print news that sells papers. Fairness, objectivity, information, and the promotion of a proper understanding of medical practice can appear to come a very poor second to this sales objective.

It is possible to engage positively with the media, however, and it certainly can be worthwhile. When embarking on media contact, the first question to consider is the audience being addressed—in other words, what is the readership of the journal or paper concerned? Secondly, where do the interests of this group overlap with the profession? And thirdly, how can that common ground be made newsworthy to show doctors and patients campaigning in partnership for some common good?

Providing a medical opinion on a clinical incident is a separate issue. Doctors are frequently approached by journalists and asked to opine on the basis of the journalist's description of events. Although the danger inherent in providing a viewpoint may be obvious, doctors asked for their expert view frequently don't consider their response to the request carefully. Attempting to explain an issue or the context of specific medical treatments may be appropriate, but it is prudent not to comment on specific cases and to carefully avoid any reference to identifiable cases already in the news. Attempting to provide an opinion on the basis of ill-informed speculation is a dangerous pastime, more likely to result in ridicule than glory.

Where a doctor has been subjected to criticism in the press following a court case or disciplinary proceedings, professional damage may be limited by providing some balance to the reporting. Doctors in these circumstances are frequently portrayed as incompetent, heartless, and arrogant. If nothing is said on the doctor's part, false allegations are not rebutted and inaccurate statements remain uncorrected. Having the doctor agree to an interview is one strategy and works well provided the doctor is articulate, can state his case concisely without breaching professional confidence, and is confident of his position. But there are significant risks, and if the doctor comes over badly on camera, the

damage can be compounded. The compromise solution is to provide a written statement. This then allows the doctor to state his case without having to face a relentless stream of media questions.

Whether speaking directly to the press or simply releasing a press statement, there are a few cautions to observe. Firstly, professional confidence must be maintained. Doctors should not regard press interest as *carte blanche* to reveal all known details about the patient. Even when the patient has chosen to disclose some confidential information, the doctor is not released from the obligations of maintaining patient confidentiality. Secondly, doctors should ensure that they are well versed in the facts of the case and what they can comment on before responding. And thirdly, the doctor should not comment on the actions of others involved in the case—it is up to each individual to respond on his or her own behalf.

When a patient dies or suffers serious injury in the course of medical treatment, the patient and/or family will naturally attract considerable public sympathy. For members of a caring profession not to register their own sympathy in the circumstances appears callous and self-centred, even if their own conduct is under investigation. Equally, where there has been an obvious error, to fail to explain and express sympathy or to suggest that blame lies elsewhere comes across as arrogant and self-serving.

At the conclusion of a lengthy investigation, it is appropriate to state that legal proceedings have been an ordeal but it must be remembered that they have been an ordeal for all concerned. The object of making a statement is to demonstrate that the doctor is objective, professional, caring, and capable, where appropriate, of acknowledging identified shortcomings and demonstrating a constructive approach to remedying those deficiencies in the future.

It is very difficult for a doctor in the media spotlight to achieve these goals unaided. Seeking help from someone who can take a broader view of the situation and who preferably has some experience in dealing with the media will generally produce a better result.

Journalists can sometimes resort to subterfuge to get the story they want. Following a high profile public inquiry into paediatric cardiac surgery in the United Kingdom, one enterprising journalist approached the lead clinician concerned and asked for an interview, not, he said, about the facts of the case but about the impact of the inquiry on public confidence and the medical profession. This issue was close to the doctor's heart and so he agreed to the interview on this basis. The interview did not follow the agreed topics, however. Almost immediately, the interviewer

began questioning in relation to the inquiry's findings. Fortunately, the doctor was alert and refused to answer any questions outside the agreed remit. The content of the interview was not what the paper wanted and in the end, the interview was not published.

The legal remedies available to doctors who are victims of inaccurate news reporting are limited. Apart from complaining to the newspaper itself, the only legal remedy lies in defamation proceedings that are lengthy, expensive, and leave the claimant doctor vulnerable to the defendant's negative assertions should the case go to court. In short,

defamation proceedings and the subsequent newspaper reports of the proceedings can be more damaging than the original article. Consequently, before filing a defamation suit, potential claimants need to carefully consider their chances of success and the potentially negative impact of further publicity.

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