



How to provide expert comment that stands out

Whether it's a quote in a national newspaper, an interview with a local paper or insight in a technical trade journal, commenting in the press on breaking news and topical issues is a good way for lawyers to demonstrate expertise to potential clients and to build credibility.

There will always be stiff competition for such opportunities but there are ways to make your insights stand out and ensure you get some return for your efforts and in time make you a go-to source of comment.

Here we are talking about comment on stories where you have not been professionally involved. This is the advice we offer to clients about creating comment to get you noticed:

- **Be selective**

Most large firms have PR departments and many have PR agencies working on their behalf. There will be lots of lawyers trying to put themselves forward as commentators on big stories, so be targeted and don't try to cover everything.

Look for areas where you have real expertise – and better still where you have worked on high-profile matters – and ensure the activity fits in with your business objectives. Maybe you have a clinical negligence team that specialises in birth-related injury and see this as an area of growth for the firm – focus your efforts on commenting on issues such as plans to encourage home births or concerns about midwife numbers, instead of commenting every time there is a clinical negligence story in the news.

- **Timing is everything**

In these days of 24-hour rolling news, it is essential that any response you make to breaking news is done so within hours of an announcement.

We always aim to have comment out to a journalist within an hour of a story breaking. Rather than have a lawyer draft lengthy copy, our approach is usually to phone the lawyer, ask a few pointed questions and draft a short comment for their approval. They are unlikely to want more than a couple of pithy paragraphs.

In our experience, journalists typically insist on a short emailed comment rather than phone around for views. However, provide a short 'sound bite' that they can use for their piece and it may make them interested enough to pick up the phone for a more in-depth conversation.

- **Where possible, plan in advance**

If you know a landmark judgment or government announcement is on the horizon, keep track of when it is expected. Busy journalists will be grateful for a tip-off about a story that is about to break and are likely to return the favour. This also gives you the chance to start thinking about your views in advance, and in your initial communication, as well as telling journalists about this upcoming event, give them a sense of what it could mean.

Keep it short, though. At this stage you're just trying to get them interested.

- **Focus on the impact of the breaking news**

Journalists don't want you to just explain what has happened. What they really want is to understand why it matters and what the implications are.

Here are some examples of recent "quick-fire" comment we've sent out recently to breaking news items:

- *"It was always anticipated that these prosecutions would be difficult for the SFO and so it has proved. The SFO would have hoped for better given their earlier successful prosecution of Tom Hayes, which saw him sentenced to 14 years in prison (albeit that this was reduced on appeal to 11 years).*

"Enormous resources were made available to the SFO to investigate and prosecute these matters and they will now have some serious questions to ask of themselves. The SFO may conclude from the verdicts that even with their huge effort and will, there will always be challenges when seeking to prosecute individuals that were acting with a system that can be seen to have failed."

- *"The long-awaited Shaw Review is an incredibly thorough assessment of our failing immigration detention system and the impact it has on vulnerable detainees. Mr Shaw shines a light on the poor state of healthcare in immigration detention. In our work we have seen gross failures in medical care, shambolic record keeping, limited understanding of mental health issues and a reliance on poor quality, temporary agency staff.*

"Recommendations promoting the use of talking therapies, the development of an action plan on mental health services and the recommendations that the NHS prioritise filling permanent healthcare vacancies in detention centres are welcome, although efforts must be made to ensure that detention centres attract the very best healthcare staff and that standards do not slip in a bid to fill gaps.

“What the review does not touch on is the growing use of privatisation in immigration detention. We believe that the impact of the devolution of such public duties to private companies - whose primary duty is to their shareholders and who lack a culture of public service - needs to be properly and urgently assessed. Just this week we’ve seen an appalling example of private contractors failing to deliver a public service at a G4S young offenders centre in Kent.”

- **Be opinionated**

Understandably lawyers can be quite risk averse. However, if you want to stand out, sitting on the fence is not an option. Having a viewpoint is essential. From time to time we have encountered comments such as: *“This decision could mean x or it could mean y, only time will tell.”*

Remember, a journalist is looking to inform their audience, so this answer doesn’t provide any real clarity.

Journalists do not expect you to know for certain what the future holds but they do expect you to have an opinion on something that has happened and what the likely ramifications will be. Here are some comments we have created for clients that resulted in strong coverage:

- *“Short-lived and much hated, the criminal courts charge is to go in December. The charge was a poll tax for those that were unlucky enough to be involved in the criminal justice system. It applied, irrespective of your means and even encouraged innocent people to plead guilty. It is good news that it is being abolished.”*
- *“We are disappointed with the inflammatory language and tone used around many of the findings – with so much anecdotal evidence cited, we have to question the validity of the basis of many of these recommendations. The report borders on the speculative and fanciful in places to draw conclusions that satisfies the insurance sector and their paymasters, but does little to address the issues faced by claimants when dealing with insurers on a daily basis.”*

“The most impactful way to reduce the cost of insurance for all is to review how many billions the insurers pay out each year to their shareholders. Equally we feel that the taskforce should have been stronger on the need for insurers to reduce the number of pre-medical offers they make, which are bound to encourage ‘have a go’ fraudsters.”

- **Avoid legal jargon and keep it simple**

Even if you are speaking to a technical trade magazine, try to explain your points in a way that a lay person would understand. This is particularly important when targeting national news outlets whose readership is wide. More to the point, in most cases those interviewing you – even for legal magazines – will not be lawyers.

- **Use examples and statistics**

Draw on what you are seeing in the market: think about any trends emerging in cases you are acting or spikes in request for advice in a certain area of law. This kind of anecdotal evidence will appeal to journalists and demonstrates credibility, backing up any opinions you are putting forward. For example:

- *“While it might be early days since the court fees increase, we’ve found that there has been a marked increase in defendants, faced with lower-value marine claims, testing claimants’ resolve and financial means in pursuing such claims following the rise in court fees. Whereas previously these defendants might have been active in and open to settlement discussions, they are now cutting all communications with the prospective claimants in the expectation that the claimant will not have the means or risk appetite to commence proceedings.”*

- **Tie in your PR activity with other marketing communications:**

As PR professionals who in years gone by have had to justify the importance of getting into the media to cynical lawyers, we now find ourselves downplaying the importance of column inches. Whilst a quote in *The Times* is an excellent way to reach potential clients, it will only be effective as part of the wider marketing mix.

If you are commenting on breaking news in the media, make sure this is reflected in other marketing activity – share it across LinkedIn, Twitter and other social media, send an email alert out to relevant clients and prospects, put a news piece on your website, and if it is a big issue for your clients, consider a seminar or client workshop.

And finally, continuing to supply journalists with quality expert comment means they will remember and come back to you in the future. Becoming a reliable contributor, seen as a ‘go to’ expert in your field, should be your aim and will help with the development of your business or practice.