



Handling the media

MPS



Putting members **first**

Advice correct as of October 2013

Local newspapers often run stories involving a complaint about a local doctor and some Malaysian Medical Council (MMC) hearings, being of wider public interest, attract high-profile national coverage. Whatever the situation, this factsheet looks at what you should do if you are approached by the media.

Duty of confidentiality

All doctors have a professional duty to protect a patient's right to confidentiality, even in the press, and even if the patient themselves has divulged personal information. The MMC's *Confidentiality* guidance states that if you are approached by the media you should:

- Remember your duty of confidentiality, even if the information is in the public domain.
- Obtain express consent from the patient before discussing matters relating to their care with the media, whether or not their name or any other identifying information is revealed.
- Remember that a patient can be identified from information other than their name or address, eg: age, occupation, the area in which they live, or their medical condition.
- Always act in the patient's best interests.

On the telephone

If a journalist contacts you and presses you for information over the telephone, take a deep breath. Behave calmly and professionally – do not appear hostile or defensive. Saying “No comment” straightaway can seem as though you have something to hide. Instead, try to give a measured response: “I am sorry, but I am unable to answer questions right now. If you give me your contact details, I will get back to you.”

Before you say anything, get the following information from the journalist:

- Their name
- The name of the publication/media outlet
- What, exactly, they want you to comment on
- Their deadline
- Who else they have spoken to
- Their contact details, so you can ring them back.

If you are contacted by the press, it is a good idea to inform MPS, as well as your employer, as they can help

with planning the next steps. They can also alert other members of staff to their situation and brief them if they receive a media call.

What can you say?

Whilst you may not be able to give a lot of detail, you can say why this is the case and explain your professional duty of confidentiality. It is best to keep your statement brief and factual. In some circumstances, you might want to add a bit more. For example, if a patient has died, it is appropriate to offer condolences to the family or express regret. If a patient has made a complaint directly to the press, you might want to draw their attention to your practice or hospital's complaints procedure.

Photographers

Occasionally, a reporter and/or a photographer might come straight to your place of work, or even your home address, which can be a very unnerving experience. Photographers will try to take your picture regardless of whether you want them to or not; the best thing to do is let them take a picture, looking calm and confident. Don't be tempted to run away or try to hide your face, as this will create a negative image. Similarly, be careful not to smile; as the image could be used out of context.

Protecting your reputation

If you feel that there is an ill-informed statement or inappropriate/defamatory comment about you in a newspaper that appears to require correction, you should not make any comment to the press. Instead, contact MPS. We can offer objective, professional advice from both our medicolegal team and our press office, who can talk you through your options.

Media interviews

Exercise caution in granting media interviews – it may be construed as self-advertisement and the same principles

against this apply as for practice promotion (See the MPS factsheet, *Practice Promotion*).

A seemingly innocuous remark can be open to misinterpretation and might easily form the subject of a damaging headline. It may be better to deliver a pre-prepared statement rather than to give an impromptu interview. If you do agree to an interview, it might be worth asking for an opportunity to approve the statement before it is published. You should ensure that any photographs used do not draw attention to your professional skills or place of practice. You can, however, allow your name, designation and place of practice to be published.

In some press reports or interviews, statements are made which comment favourably on the professional activities or success of a doctor. Such statements should not be allowed to pass unchallenged. If you are involved in an event of public interest, it is wise to inform the media covering the event to avoiding printing anything about you which could be construed as advertising.

Further information

- MPS factsheet, *Practice Promotion* – www.medicalprotection.org/malaysia
- MMC, *Confidentiality* (2011) – www.mmc.gov.my

For medicolegal advice please call us on:

1 800 81 5837 (FREECALL)

or email us at: querydoc@mps.org.uk

www.medicalprotection.org

This factsheet provides only a general overview of the topic and should not be relied upon as definitive guidance. If you are an MPS member, and you are facing an ethical or legal dilemma, call and ask to speak to a medicolegal adviser, who will give you specific advice.

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