

Media Strategy

brings great success to legal claim

*Lyll Mercer
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When a computer malfunction caused QANTAS Flight 72 to twice pitch downwards in 2008, physically injuring 106 passengers and terrifying all on board, a compensation claim was inevitable.

Enter leading aviation lawyer Floyd Wisner of Wisner Law Firm Chicago. Wisner has dealt with almost every major air incident over the past decade and knows about the logistical challenges of connecting with passengers – or the families of passengers – that are aboard fatal and problematic flights.

To obtain the details needed to put together each claim, Wisner appoints an investigator who traditionally does a lot of ground work that involves dealing with lawyers and their clients, intense travel, many phone calls and endless late nights and early mornings. In the case of QF72, this method had resulted in 64 passengers joining the claim, yet with only three weeks to go before the expiry of the statute of limitations, there were still many other passengers who had no idea of their eligibility.

At the suggestion of Lyall Mercer, Principal of Brisbane based public relations firm Mercer PR, Wisner tried a new approach – to use the media to get the message out and notify the 250 passengers and crew that were not yet a part of the claim.

Mercer is a respected public relations operative who last year managed the PR and media for teen

American sailor Abby Sunderland after she was rescued from the Indian Ocean during her solo world record attempt to circumnavigate the globe. An Australian, Mercer has offices in both Australia and the USA and deals with media across the world.

The nature of legal cases means that sometimes media publicity can advance a case while other times the aim is to prevent publicity. In this case Mercer wanted to bring this claim to the attention of everyone, especially those who lived in Western Australia, which was the arrival point of the flight.

He looked for the right media angle and approach and got to work. The result was instant impact that surprised even Wisner. Within 48 hours the story of “Australia’s largest aviation compensation claim” had been taken up by Australia’s national media; Wisner was doing a continuous stream of interviews from Chicago; the ABC’s 7:30 Report led the night’s bulletin with the QF72 story and the special website Mercer had set up was being inundated with hits.

Furthermore, and most importantly, enquiries were coming in from passengers; some even by-passed the website and called Wisner directly in Chicago. Mercer then turned to the Singapore media and the result was just as immediate with television, radio and newspapers across that nation taking up the story.

The final result of the media campaign was 100 extra passengers

joining the compensation claim in two weeks, adding millions of dollars to the total value of the claim and bringing the total number of complainants to over 160.

Mercer said the huge success of the media campaign should show the legal profession the value of using media to advance their cases. The value of good PR and media management is not limited to class action and compensation claims. Every case has a PR element, whether that be protecting people from adverse or intrusive publicity, using media to get a message out or promoting a legal firm’s success.

However, he warned, lawyers not to take the media lightly and to use a public relations professional. “Just as I don’t write my own legal contracts because I’ll probably mess it up, lawyers are generally not experienced in the media world and should be aware that the wrong approach or loose words may result in a negative media message that will hinder the case.”

The reason they achieved such significant results over a short time is that they understand both the Australian and international media and the objectives and sensitivities of the legal profession.

With the world a smaller place due to technology, legal firms like Wisner are increasingly using both mass and new media to achieve their objectives and increase their profitability. Mercer now deals so regularly with lawyers that he has set up a division just to service the legal profession. ●