

Courtney Scallan

Executive Counsel at Nine Entertainment Co

Nicola McLaughlin, Solicitor at Kay and Hughes, sat down with **Courtney Scallan**, Executive Counsel at Nine Entertainment Co to discuss International Women's Day and Courtney's career in media law.

NICOLA MCLAUGHLIN: What recent events in the Australian media law landscape most affect your organisation/role?

COURTNEY SCALLAN: The trial and penalty hearing in the George Pell media contempt proceedings have raised significant considerations for the media. The proceedings have recently concluded on the basis that the corporate respondents pleaded guilty to contempt by breaching a proceeding suppression order. The proceedings lasted for almost two years and saw members of various media organisations, and their advisors, give evidence.

MCLAUGHLIN: Are there any law reforms in your sector that you think are desperately needed? If so, what are they?

SCALLAN: Yes, and they are coming. The New South Wales Parliament gave assent to the *Defamation Amendment Bill 2020* in August 2020, and its equivalents should soon be enacted in all States and Territories. Significantly for the media, the Bill: introduces a single publication rule for multiple publications; makes it mandatory for the aggrieved person to issue a concerns notice to allow the time for an offer to make amends to expire before they are able to commence defamation proceedings; introduces a public interest defence to improve protection for journalists and media outlets; seeks to repair the contextual truth defence; and clarifies the cap on economic damages. A further stage of reform is expected to focus on the responsibility and liability of digital platforms for online content, which is also needed, particularly in light of decisions such as *Voller*.

MCLAUGHLIN: What's the greatest risk you've taken as a professional?

SCALLAN: I feel like every day in my new role at Nine involves a risk of some sort: each publication, be



it in television, print or on radio, carries an inherent risk. It is a constant balancing act between the important role the media plays in publishing matters of public interest and expressions of opinion, and the rights of the individual; as well as navigating, and ensuring compliance with, the statutory reporting restrictions which exist (and differ) in each of the States and Territories, a task which certainly keeps in-house lawyers on their toes.

MCLAUGHLIN: How do you unplug from work?

SCALLAN: By spending time with my husband and my 3 year old daughter, Addison. A glass or two of champagne with friends also doesn't go astray. I am fortunate to have a long list of amazing women (and men) in my orbit who are a mix of lawyers, professionals, business owners, mums (and dads!) and all-round stellar humans, who I am so proud to call friends and colleagues.

MCLAUGHLIN: What advice would you give to the next generation of female leaders in the industry?

SCALLAN: Always maintain a belief in yourself and your abilities. As a junior lawyer, I was once told that I would be more suited to a role in events management or public relations, rather than law. This devastated me at the time, because I loved being a lawyer, and sadly it made me question whether I was capable of my job, and I lost a lot of confidence in my role (which invariably happens to us all, no matter what your level of experience). I knew however that a role in media/defamation law was something I felt strongly about and wanted to hold on to and pursue, and so I did. It's taken me a long time to believe that my contribution to what I do is worthy. I now know my strengths, and make the most of them; and continue to work on overcoming any perceived weaknesses (whether imposed upon myself, or by others). Don't give up on the things that are important to you.