

SOCIAL MEDIA: THE DIFFERENCE BETWEEN PUBLIC EXPECTATION AND THE ABILITY TO BLAME AT LAW WHEN EXPECTATIONS ARE NOT MET?



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THERE ARE HIGH PUBLIC EXPECTATIONS FOR WARNING AND RISK COMMUNICATION DURING EMERGENCIES, THEY INCLUDE THE EXPECTATION THAT SOCIAL MEDIA WILL BE ADOPTED. YET THE EXTENT OF THE LEGAL REQUIREMENT TO WARN AND USE SOCIAL MEDIA IS UNCERTAIN? EQUALLY IN UTILISING SOCIAL MEDIA TO PUSH AND PULL INFORMATION, LEGAL ISSUES CAN ARISE? THIS THESIS INVESTIGATES SOME OF THE ISSUES.

The **public expectation** to utilise **social media** in Emergency response seems high....

Yes, but public **expectations can differ from legal responsibilities**

...and equally, legal responsibilities don't always translate to findings of liability when failures occur.

...actually the law of negligence utilises concepts similar to shared responsibility to make determinations.

But if there is a clear duty, then protocols for communication need to incorporate best practice methods to demonstrate diligence.



Social Media is objectively useful to **push** information, to **pull** information but is also important for **conversations...**

...and **conversations allow** agencies to understand how risk is being perceived in the community and adapt messaging.



Research Uses: Understanding social media liability assists the Emergency Management sector by:

- Clarifying differences between public expectations and the legal requirements of agencies
- Clarifying the legal requirements for incorporating social media into communications so as to meet a duty of care in warning
- Providing criteria against which to assess whether current social media protocols meet best practice from a legal perspective (Comment in agreement with end-user: Andrew Richards, NSW SES)