NUJ members challenge ‘domestic extremist’ surveillance database

NUJ MEMBERS have discovered dozens of police “intelligence reports” on their activities as journalists, on a database of domestic extremists, with a NUJ member who covers protests being labelled “XLW” (Extreme Left Wing). Photographer Jess Hurd and video journalist Jason N Parkinson, both of NUJ London Photographers’ Branch, are two of the six NUJ members who are bringing a judicial review over police surveillance on them at work. They gave some background to their case at a meeting of the Hal dane Society of Socialist Lawyers at the end of January. Also speaking was their barrister, Shamik Dutta of law firm Bhatt Murphy.

Jess and Jason became aware in the noughties that whenever they covered protests, uniformed police would always be there, often with police photographers, videoing and photographing them and taking notes on their movements. Worse, they would be regularly stopped and searched, often after showing their Press Cards, and in some cases assaulted, kettled, detained, arrested and prevented from filing in time.

Jason was told while entering one of the Climate Camps that he was being searched because of the “possibility” that he might be bringing weapons, or tools to commit criminal damage, into the camp. On one occasion, in the woods, the back of the EDO arms factory near Brighton, a police officer told Jason — off the record — that he was being targeted for surveillance, which he thought was wrong, and for which he personally apologised.

After a lot of work over a very long time, supported by the NUJ, Jess and Jason started getting their files from the police. Jason’s report had pages and pages of extracts from over 141 intelligence reports on events he’d covered as a member of the press. Some reports were redacted, suggesting that some of the “third parties” Jess and Jason had talked to would also show up on the same database. There were records of Jason’s social media activity — his Twitter account and his post on an NUJ Facebook page.

While the colour of Jason’s shoes and the style of Jess’s glasses was recorded in often sarcastic detail, both Jess and Jason’s files had some obvious omissions, suggesting police had more they weren’t releasing. These omissions included occasions on which they had been wrongfully detained and subsequently given an apology by the police.

Shamik began the meeting by asking, “Are you a domestic extremist?” The surprising answer was that it doesn’t really matter whether you are or you aren’t. The police now argue that they need to photograph and make notes on absolutely everybody on a demonstration, to distinguish the “peaceful protesters,” and eliminate them from their enquiries. Shamik said that, as with the judicial review move, “the good news” — that “a fantastic resistance movement across the world, especially among trade unions” has begun (the latest UK TUC Congress passed a motion of opposition to TTIP), and that whatever the final draft of TTIP included it would have to come before the European Parliament and it could be defeated there if enough pressure is brought to bear on the social democratic bloc (to add to, in this case, aligned if not allied left and right opposition parties and groups).

Which is why the whole subject could be an open goal for some well-informed, investigative journalism... he said that, so far, France had secured some protection by pressing for the continuation of the EU “exception culturelle” under TTIP (against UK and German opposition). If successful, this could help guard non-commercial outlets such as the BBC against corporate litigation.

However, Hilary concluded with “the good news” — that “a fantastic resistance movement across the world, especially among trade unions” has begun (the latest UK TUC Congress passed a motion of opposition to TTIP), and that whatever the final draft of TTIP included it would have to come before the European Parliament and it could be defeated there if enough pressure is brought to bear on the social democratic bloc (to add to, in this case, aligned if not allied left and right opposition parties and groups).

Some targets of surveillance have argued that they need to photograph and evidence their activities as “third parties,” Jess and Jason’s files had some obvious omissions, suggesting police had more they weren’t releasing. These omissions included occasions on which they had been wrongfully detained and subsequently given an apology by the police.

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