A close look at the election

THE QUESTION before the July meeting of London Freelance Branch was: what trends can we identify in media coverage of the election campaign? Tim Gopsill – our Branch Secretary and also editor of Free Press (www.cpbf.org.uk/freepress) introduced our speaker.

Tim noted that the reason our other hoped-for speaker couldn’t make it was “a symptom of the world we find ourselves in”: Eleanor Penny and everyone else at Novara Media was “in the office fighting a Twitterstorm”. Novara, Tim observed, “are part of a big change that has happened in this election... if the spell of the right-wing popular press has not been broken, it’s at least been called out.”

We were able to welcome Professor Dominic Wring who, with a team at Loughborough University, has closely monitored coverage of elections and a referendum for a quarter century. He was “pleased to be speaking to fellow trade unionists” – he’s active in the University and Colleges Union.

Loughborough is one of the UK universities that closely monitor the media. In 1992 the Guardian commissioned a report on what was going on, what was reported, what wasn’t, and wanted to know how “presidentialised” campaigning was becoming. The team did reports on the 2015 general election and on what turned out to be the Brexit referendum. Their summary of the 2017 election was that it was “a two-horse race with no winner”. What was striking was the dominance of two parties and the diminution of the Scottish National Party, UKIP and the Lib Dems: we have “not seen such a binary campaign since the Blair era.”

Since 2015, Dominic agreed, such outlets as Novara and The Canary have given “insurgents” in the Labour Party a voice. Research showed that those over 47 were more likely to vote Tory.

Has age replaced class as a pivotal demographic in political terms, Dominic mused. He observed that the readership of the traditional popular newspapers – the “tabloids” – is largely people in their 50s and 60s. The centre-right newspapers still obviously reach a critical mass of voters.

The team tallied positive, negative and neutral stories about parties and their leaders. Dominic showed a chart of such stories, weighted by the newspapers’ circulations. This showed “mostly a story of papers attacking Labour and ignoring the others” – except in week three of the campaign, with the Tories’ “demelia tax” debacle the likely cause of a small net negativity for the Tories and the heat taken off Labour.

It’s maybe not surprising that the Financial Times was broadly neutral. It is perhaps more surprising that the Daily Star was “the most neutral”.

In response to questions from the audience we learned that, compared to the 2015 election, what changed this year “was a lack of positivity toward the Tories,” while in the 1983 election, Labour leader “Michael Foot did rallies like Corbyn’s and lost.” Coverage has changed as a result of a hung Parliament: journalists “visibly moved” by the Grenfell Tower disaster seemed to have “relative freedom to editorialize.”

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The Freelance

We are sending this issue of the newsletter of London Freelance Branch to all Journalist readers, not least because many of you who are not Branch members will want to see our very brief guide to copyright and the personal liability insurance offer negotiated for members by the NUJ’s Freelance Office.

If you want to receive monthly email updates from the Freelance, visit www.londonfreelance.org/linkup – and do visit www.londonfreelance.org/if to read longer and updated versions of most of these stories.
Prepare for a long struggle against the Murdoch bid for Sky

THE BATTLE to stop the Murdoch family controlling even more of British media looks a long slog, as culture secretary Karen Bradley ponders a report from the regulator Ofcom advising her not to accept the new bid from 21st Century Fox to buy up the whole of Sky TV.

Instead Ofcom says she should send it to the Competition and Markets Authority (CMA) to look at the effect on media plurality of Murdoch control of Sky, the UK’s biggest broadcaster, and its biggest newspaper group.

A CMA investigation will take six months, and Bradley could not even decide whether to refer the case to it before Parliament’s summer recess began on 21 July. A CMA referral in September would mean no outcome until Summer 2018.

It’s looking like a re-run of the last time the Murdochs tried to buy Sky, in 2010-11, when an active campaign, supported by the NUJ, kept the issue going for more than a year; until the bid collapsed when the phone-hacking scandal blew up.

The election result has had a big impact: Theresa May’s wobbly government dare not risk a deal with Murdoch; the political storm would be too violent. The campaign is again making it difficult, and again the NUJ is backing it. LFB has donated £500 to the Campaign for Press and Broadcasting Freedom which is organising campaign materials and events.

LFB joint secretary Tim Gopsill, editor of the CPBF journal Free Press, said: “We stopped them before and we will do it again. Sky controlled by the Murdochs would be like Fox TV in America, just crude right-wing propaganda, with the likelihood it would drag down standards across the industry.”
Do nine kinds of journalism

THE FREELANCE Salon in July inspired journalists to be fearless and have fun, it seems. Our first speaker, David Quantick, admitted “I’ve done lots of things and the only thing they have in common is me doing them.” He studied law and “discovered I had no aptitude”. He took a Civil Service exam and nearly failed.

He wrote to the New Musical Express, “then a famous music paper”. He had no contacts and no CV except for a short story published in London listings weekly City Limits. But at the time music journalism “was like writing the whole internet every week – you had 60 pages to fill, so sometimes we filled them with random stuff…” I started writing music reviews in the form of comedy sketches.”

From that he got work on hit satirical puppet show Spitting Image. Back at the NME David’s column with Stephen Wells led to fortuitous networking which in turn led to his current gig as head writer on BBC children’s cartoon Dangeroomouse.

Diversification helps: “There’s no reason why you can’t do nine kinds of journalism… if you have a talent for financial journalism, should you not ever do a crossword?” And: keep trying things. “I didn’t know I had an aptitude for Twitter until I went on it.” He now uses Twitter “as a showcase for jokes”.

Remona Aly is a journalist, commentator and broadcaster. She is the creative self-employed. Louise noted “stuff in the last budget” but June’s election means we “need a reset” but June’s election means we have to do everything – commissioning to proofreading.”

Then Remona had a bereavement and left. “Two days later I had a call from a company that wanted me to head a faith-based PR campaign”. She “had not done PR before but took it, because it was promoting universal values we all share.” At the same time Remona met the Guardian’s Head of Diversity “and he said, ‘pitch me’. I did a bit on hijabi headbanders.” Her role on the Guardian leads to a “burden of representation” – standing in for an entire community. “Often when there have been terrorist attacks I get asked to talk on the TV.” That’s a responsibility – “you will get an appearance fee if you ask.” Networking “somehow” got Remona into radio too, on the Chris Evans Breakfast Show. “If people have met you and trust you, if you build relationships, it can lead to work.”

A win for Irish freelances

Following a long campaign by the NUJ in Ireland the Competition Amendment Act has been passed in that country. It provides that collective bargaining and agreements covering independent freelance workers – with particular mention of journalists – shall be legal. Congratulations, especially to Irish Secretary Séamus Dooley.

Making Tax Awful scheme postponed

TAX WAS the theme of July’s LFB meeting. Our speakers were financial journalist and NUJ trainer Louise Bolotin and Alex Redmond, a partner in Artisan Accounts, accountants to the creative self-employed. Louise noted “stuff in the last budget” including changes to National Insurance (NI) contributions, “a raid on our income”. Chancellor Philip Hammond announced that Class 4 NI contributions for the self-employed would rise from 9 per cent to 10 per cent from April 2018, with a further rise to 11 per cent the following tax year.

After an outcry over the proposal breaking manifesto commitments it was shelved. Hammond pledged “no increase in NI rates in this Parliament” but June’s election means we now have a new one.

Louise updated us on Making Tax Digital (MTD), a plan to get everyone with their own business to file tax returns “quarterly”. Louise said Her Majesty’s Revenue and Customs (HMRC) were still “going ahead with implementation”.

On 13 July, however, the Minister announced that no-one will have to use MTD for income tax before 2020 at the earliest. This confirmed the view that the MTD plan “looks like it’s been scrubbed on the back of a beemat”. They’ve “only just started putting out to tender” the software that was to have been required so “imagine the number of bugs”.

Alex reported that if you’re staff on PAYE you pay Class 1 NI contributions. Freelances pay either Class 2, Class 3 or Class 4. Up to now, explained Louise, we’ve mostly paid Class 2, £2.85 a week. But on your January tax bill there won’t be any more Class 2s. These will be abolished as of April 2018. You’ll be charged mainly Class 4s. If you make a profit of over £8164 a year, that’s 9.75 per cent of your profits.

Louise also related how some self-employed folk had had their Class 3 National Insurance contributions erroneously overwritten by the software of various different government databases, affecting pension entitlement – see www.londonfreelance.org.uk/704nich.html

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INSURANCE from page 1

for material published, for example, in newspapers, magazines, business publications, books, on websites (both yours and other people’s), blogs, and social media including Twitter and Facebook.

As an NUJ member you get cover for all the material you have had published since the first day of your current continuous NUJ Membership and also free Public Liability Insurance with a limit of liability of £1 million.

Public Liability and Products Liability Insurance: Public Liability Insurance is offered with a choice of limits of liability of £1 million, £2 million, £5 million or £10 million. PL Insurance covers you if you accidentally injure someone or damage someone else’s property, and is essential for any self-employed person or business.

“Image-makers” Professional Indemnity Insurance covers you for claims resulting from photo, video or film images if, for example, you fail to produce work to a professional standard for a client, or breach someone else’s copyright, confidentiality or privacy.

Owners Liability Insurance is a further option. Household Insurance is also available.

Contact Imaging Insurance (a trading name of Vantage Insurance Services) at 01277 243 016 / info@imagininginsurance.co.uk or visit www.imagininginsurance.co.uk

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A win for Irish freelances

The Freelance is constantly updated online, and there are longer versions of most of these items: see www.londonfreelance.org.uk – and also look at the vast amount of updated advice at www.londonfreelance.org/feesguide. Extra stories online include:

• Our analysis of the Taylor Review on precarious workers;
• Time to re-think the re-write in the age of on-line rip-offs;
• The Freelance at Bylinefest – a ‘riot of independent journalism’;
• Our President’s Platform – Tim Dawson’s column, including the fight for a free media dividing the OSCE – see www.londonfreelance.org/president;
• And do take a look at www.freelancedirectory.org – your best way to find a professional NUJ freelance.
S
o you’ve understood the ba-

A briefing for members of the NUJ: updated August 2017

sics of copyright in your own

We licence you to reproduce this freely for trade union purposes

work: see What you should

‘QUOTING’

know about copyright, overleaf.

Now you want to know when it’s

OK to use other people’s work.

Maybe you’ve just been com-

missioned for a rush “cuttings job”

biography. Of course we couldn’t

possibly recommend anything oth-

er than thorough original research

talking to sources directly…

but these things happen. And the

rules setting out what you can

and cannot do are surrounded by

enough urban legends to build an

edifice of ghost law.

We have highlighted some of

the terms you may come across in

discussion: see the link at the foot

of the page for a glossary.

Copyright exists in words and

pictures and sounds – not in

facts or ideas, but in their expres-

sion. So it is in general OK to read

a source document, understand it,

and write what it says but in en-

tirely different words.

There are no “magic numbers”.

There is no rule about quoting

23 words for journalism, or any

specific amount.

All this briefing has to say about

“quoting” pictures is: always get a

licence. The law changed on 1 Oc-
tober 2014, but no-one knows

what this change means yet.

Copyright in interviews likely

belongs to the person who spoke.

But if you point a micro-

phone at someone and they an-

swer your questions without de-

mur, they give you a licence to use

their words. Before you use direct

quotes from an interview some-

one else did, you need their per-

mission and you need to know that

the interviewee did not prohibit

the use you plan (so they didn’t say

“no way is this going in the Stun!”). Don’t be bullied. Spin doctors

and PRs for music and film

stars may sometimes make threat-

ening noises about something be-

ing absolutely protected by copy-

right when they’re desperate to

suppress it. UK law is clear that if

what their client/puppet said is a

matter of genuine public concern,

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MANY OF the problems that freelance journalists face involve copyright. Some of these problems stem from editors and publishers being frightened that copyright is complicated, or believing myths about it.

It is not complicated: everything you need to understand is here, unless your question resembles “I did some work in 1955…”

Note that these notes apply to the UK only. They now cover small changes in UK law in 2014. Irish law is similar, but check. The law in joined-up Europe is very different, and much friendlier to authors. Again, check.

Why would you want to understand these principles? Because doing so can increase your income: by a third, one survey said.

We have highlighted some of the non-obvious terms clients and contracts may use: see the link at the foot of the page for an expanded glossary.

What you own is the expression: the actual arrangement of words in the article, or objects and people in the photo, or whatever. There is no copyright in facts or in ideas. If an editor or producer commissions you to produce work based on a particular idea, in law this has no effect on your ownership of the work. You make it, you own it. For exceptions that allow some uses despite this, see over.

Standard practice is that what you sell to an editor or producer is a licence — that is, your permission to use your work, once, in one territory, in one medium. Examples are First British Serial Rights, World Wide Web Reprint Rights… or Japanese (second edition) translation rights.

Publishers and producers are vigorously trying to get freelances to assign our rights — for no extra money.

“Assign” is jargon for “sell outright”. This means that they want the freehold in your work, for the price of a month’s rent.

Publishers with smarter lawyers may generously allow you to keep copyright in your work, then demand a licence to do anything with it, anywhere, forever. This means that they want a 999-year lease, for the price of a month’s rent.

Often, they don’t pay their lawyers enough to think about what they actually need. So the lawyers do what lawyers do when they’re confused: they put in everything, including but not necessarily limited to the kitchen sink. Or, ironically, they “borrow” the text of someone else’s contract, often one intended for consultancy.

Some freelances ask why they shouldn’t hand over their reviews for What Fridge? Some writers do accept that web republication is part of the deal for use of their words.

But we ask: why is the publisher going to all this trouble to get the right to re-use your work for free? If you license only first-use rights you can get extra money — perhaps from syndication in translation to Quel réfrigérateur?

And you can get money from secondary use of your work for example when colleges, libraries and businesses photocopy it. To do this, UK freelances need to register with ALCS (for writers) or DACS (for photographers, illustrators, etc.). This is free to NUJ members. See the link below to sign up for each online.

One reason for the publishers’ rights grabs is that they want to put stuff on the Web, and sell content to database archives. The Web often is, and databases clearly are, separate editions, with separate income to the publisher. Why not negotiate separate payments for these uses? Databases syndicate your work to individual readers. If they pay $3 for a single article, shouldn’t you get a share?

Some publishers complain they’re spending money to give work away on the Web: but they want you to assign rights so they can keep all the proceeds from advertising and from future pay-per-view schemes — as well as from old-fashioned syndication.

So wherever possible, do not assign your rights. Ask the editor or producer what they actually want to do with your work. Negotiate a specific payment for each use. See the Freelance Fees Guide.

Are you a NUJ member finding unauthorised use of your work, contact the Freelance Office for help objecting in writing and taking it further if need be. If a stiff letter doesn’t do the trick, the Freelance Office can help members use a Small Claims Court that was set up after an NUJ campaign and can deal with copyright claims up to £10,000, at reasonable cost.

There is a guide to tracking down online pirates in the online Freelance Fees Guide.

The moral rights are the right to a by-line or credit — to be identified — and the right to object to distortion of your work — to defend its integrity. In UK law, you do not have either of these moral rights in work which appears in newspapers or magazines, nor in work which reports “current events” anywhere.

Publishers often demand you waive — that is, give up — moral rights anyway, maybe in case the law changes later. Resist this.

You do have moral rights in, for example, a book — so long as it contains the magic phrase “Moral Rights Asserted”.

Remember: you still initially own everything you produce as a freelance, even if you don’t have moral rights. The moral rights are separate from the economic rights.

You do not own work which you produce under a contract of employment (as against a freelance or casual contract). There are no moral rights in work done “in the course of employment” in the UK.
Take time off, income diversification, trauma

How to stay in the UK – update

Older readers may remember “holidays”. Those of you who receive holiday pay for your regular shifts do so on the understanding that you were originally expected to somehow manage to take some time off.

Earn money by diversifying – that’s provisionally the theme of the LFB meeting on Monday 11 September. We will have a panel of speakers on how to make money in ways you might not have thought of – possibly including things ranging from copywriting to speechifying.

Our speakers will be Gadjet Show presenter Georgie Barratt – an expert on spotting trends you need to know about to survive as a journalist in the fast-moving digital media universe – and Jackie Barrie, who runs training courses in commercial copywriting, a lucrative line of work for some.

Protecting yourself against trauma while covering conflicts is on the agenda at the Monday 9 October Branch meeting. We will hear from Gavin Rees, head of the Dart Centre Europe and from Molly Clarke, who is head of communications at the Rory Peck Trust.

The mission of the Dart Centre (www.dartcentre.org/europe) includes promoting “informed, innovative and ethical news reporting on violence, conflict and tragedy” and raising awareness of the impact of such coverage on journalists.

The Rory Peck Trust (www.rorypecktrust.org) provides support to freelance journalists and their families in times of crisis.

We anticipate hearing about the work of the Trust, and the safety training it offers, which is open to freelance members and non-members for non-commercial purposes, £10 for this much.

To non-members and for commercial purposes, £10 for this much.

This went to press on 26 July. Your deadline for the September online only issue is 21 August.

How to stay in the UK – update

WHAT’S HAPPENING with the status of our colleagues with a passport from another EU member state, hoping to live and work in the UK post-Brexit? The Home Office has published its “policy” document on the status of EU nationals. They will have to apply for “settled status” in the UK – apparently similar to the “bureau” status of EU nationals who have received in the UK five years and can apply for settled status. Those who have PR may have to go through the new “straightforward” procedure all over again.

It’s also promised that HMRC and Department of Work and Pensions data will be mobilised to save applicants the hassle of finding all those documents they never thought they would need. Such status EU nationals can bring in partners, subject to an apparent £18,600 income threshold. They will lose their right to vote in local elections.

This is subject to negotiation – the European Parliament is threatening to veto the final UK-EU exit deal over the issue of EU citizens’ rights. Michel Barnier, the EU’s chief negotiator, called for “more ambition, clarity and guarantees.”

The Federation highlights a “lack of understanding by policymakers” on freelance issues. For example there is no UK visa for freelances, while universities are ranked based on freelance issues. For example there is no UK visa for freelances, while universities are ranked based on “numbers of students in full-time courses”.

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LFB members and which has had good reviews from members.

LFB meetings are from 7pm to 9pm at Friends’ House, Euston Road NW1 (opposite Euston Station), which is accessible to people who use wheelchairs.

If you need the Branch to pay for care for a child or dependent so you can attend a meeting, contact a Branch officer.

For updates on meetings and for confirmation of themes and speakers for forthcoming meetings, see the Branch calendar web page www.londonfreelance.org/lfb/meetings and LFB’s Twitter feed www.twitter.com/NUJ_LFB

Can members who have difficulty reading the agenda on paper please contact us to get the agenda in electronic form ahead of the meeting?

For etiquette on recording or live-tweeting from LFB meetings, see www.londonfreelance.org/fl/1507film.html

RESEARCH

THE CREATIVE Industries Federation’s long-awaited report Creative Freelances was published as we went to press: www.tinyurl.com/creativefreelances Readers may recall the Freelance encouraging you back in March to contribute to what looked like a well-designed survey, with an unusual amount of free text to describe your own unique freelance situation. The report took testimony from 700 freelances from across the creative industries, in which they estimate that some 47 per cent of creatives are self-employed compared to just 15 per cent of all UK workers.

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GLENSOUND GSGC4 ISDN mixer for sports commentary or general reporter use. Lovely condition c/w carry case, new leads and headset mic. Bargain at £395: robunderwood80@gmail.com

BLOGGING COOPERATION: Stuart Forster, the travel journalist and blogger behind Go Eat Do (www.go-eat-do.com) is looking to cooperate with fellow bloggers to build traffic and reach. Contact stuart.forster@gmail.com

Legal helpline for NUJ members in emergency only: England and Wales 0800 587 7530 Scotland 0800 085 3425

Freelance office

John Toner / Pamela Morton 020 7843 3703 Membership via switchboard 020 7278 7916 email freelanceoffice@nuj.org.uk post 72 Acton Street, London W1X 9NB

FREELANCE

Training alert NUJ members can take free Federation of Entertainment Unions courses including finance for freelances; Instagram for beginners; and running social media campaigns: see www.feutraining.org/news/free-workshops NUJ Training Scotland runs courses on social media; feature writing and pitching; and Adobe Photoshop: see www.nujtrainingscotland.com. For NUJ Training Wales courses on mentoring and coaching, surviving and thriving as a freelance, strategic communication and theme-based events, see www.nujtrainingwales.org

For a two-day course on dealing with bullying, harassment and stress on 19-20 October at NUJ London HQ see www.nuj.org.uk/events/2017/10/19/

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