LONDON FREELANCE Branch member Tim Dawson has a regular column in the Freelance online, including reports from gigs he attends in his capacity as NUJ President. See www.londonfreelance.org/president for the complete stories. Here are some highlights:

**Trades Union Congress**

Tim reports from the recent Trades Union Congress (TUC) conference in Brighton. He looks at the paradox of soaring Labour Party membership figures at a time when union membership continues to decline. He describes TUC general secretary Frances O’Grady as “the movement’s most dependable wit” and brings in evidence her imagining the Cabinet as a disruptive class taking advantage of a hapless supply teacher. Theresa May’s approach to Brexit was “more like a letter to Santa than a negotiating strategy”.

Another highlights of Tim’s report is the Musicians’ Union General Secretary’s description of premonitions of post-Brexit travel abroad for gigs – with a very unusual request from a member that requires a working knowledge of beasts of the Pleistocene epoch. Tim gave a speech to TUC on Qatar, in which “the NUJ has a particular interest because we have a collective agreement with Al Jazeera’s London newsroom, alongside members of Bectu. This is the only collective bargaining agreement that exists with Al Jazeera.” Of course the station is based in and funded by Qatar, which is under pressure from Saudi Arabia and others to silence it – and needs to look to its own human rights record.

Let fairness drive out fakes

Tim surveys the scene of work rights of freelancers and “false free-

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**The future of copyright (still) in Europe**

THE EUROPEAN Union is debating a Directive to make changes to the law on copyright and authors’ rights. It contains some good things, such as a requirement that those who use writers’ and image-makers’ and other creators’ work must account regularly and transparently for how that work is used. The most controversial has been over a proposal that a way must be found to make internet service providers pay newspapers for the “content” they use to attract users and make profits.

Last month the Freelance received a leak of a “compromise position” to be debated at the Council of the European Union. The Council is where EU member states – still including the UK – meet. In parallel, the European Parliament will start debating nearly 1000 amendments to the Draft Directive this month. So this document is only a draft and only an indication of what position one of the institutions of the EU may take – but the Council is where that famous “veto” is exercised.

The good news is that the leaked document makes various rather sensible suggestions for amendment that would, at first glance, make the “transparency” proposals work considerably better.

The worrying part is a suggestion to insist that book publishers should be entitled to a share of Public Lending Right. PLR in the UK is a payment to compensate authors for the loss of sales due to their books being loaned by libraries. It is independent of copyright: for example payment is due to the authors (including illustrators and photographers) even if they assigned copyright to a publisher. Public Lending Remuneration in Ireland is similar.

If book publishers had a right to a share, and unless governments’ PLR budgets were increased to match, if passed it would result in a reduction in authors’ income in many countries, for example Ireland. Many journalists, of course, have work published in books and benefit from PLR payments.

This proposal appears to be a drafting accident and authors’ rights campaigners have hopes that it can be corrected. For some gory details, including how the equivalent to PLR works in Germany and Austria, see www.londonfreelance.org/feesguide.html.

On the idea of ensuring that newspaper publishers should get money, the EU Council is not united. One proposal tidies up the earlier plan that press publishers should have a “neighbouring right” – that is, a right that sits alongside authors’ copyright, as does for example the right of a music studio or record company in master tapes. Whether this is workable at all in the face of a monopoly that can simply say “if you say we have to pay to scrape up news headlines we’ll just not index papers’ web sites” – see news.google.es – remains to be seen.

An alternative option instead proposes a “legal presumption” that the newspaper publisher is the person entitled to sue for unauthorised copying of the works contained in the newspaper. We are still struggling to work out how this would work, if at all.

Does any of this mean anything for journalists in the UK, you may ask, amid the cloud of confusion that is Brexit? If a Directive is finalised before March 2019, current indications are that it will be passed into UK law automatically. Even if that doesn’t happen, it will set the stage for any future legislation in a gloriously isolated UK. Through the European Federation of Journalists your union continues to work to make it as positive as possible.

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