US creators seek small claims procedure

CREATORS in the US are campaigning for a law to allow them to effectively enforce their copyright. The “CASE Act” before the US House of Representatives and Senate would set up a “Copyright Claims Board, which “shall serve as an alternative forum in which parties may voluntarily seek to resolve certain copyright claims.”

As photography blog petapixel.com observes, “the problem with the current copyright legal system in the US is that the vast majority of infringements against photographers are of relatively lower value (e.g. less than $3000) while the majority of lawyers dealing with infringements would only take on cases with relatively larger potential payouts (e.g. over $30,000).”

The Act would allow writers and photographers to claim for actual damages – or for “statutory damages” of not more than $15,000 for each work infringed. It does appear that authors – including photographers – who are based outside the US would be able to use it, if they register their works there. A full-fat US court can award up to $150,000 in statutory damages per work if the infringement is found to be “wilful.”

US podcasting renaissance

PODCASTING is back! Speaking at the July LFB meeting was Lily Ames (@LilyAmes), who earns a living podcasting. She set up the UK Audio Network email list for those working in audio – podcasting in particular. The podcasting industry has become “huge... this year it’s exploded,” reports Lily.The New York Times podcast The Daily is the newspaper group’s biggest single revenue stream. Now 85 per cent of advertising agencies have podcast in their strategy. Netflix has just announced a stream of podcasts of directors’ commentary to join its existing podcast strands.

University departments are entering podcasting, observed LFB Chair Pennie Quinton. They see podcasts as an effective way of sharing the impact of their research to generate more funding.

Lily worked for Canadian broadcaster CBC until a “huge round of cuts”. Making use of her British passport, she came to London. While North America has a strong culture of email discussion, none existed when Lily arrived in London. “Frank conversations about money” for audio work were particularly lacking.

So from “my own need to get paid and to grow the industry,” Lily set up UK Audio Network. It’s “not just for freelancers”: it’s also “for commissioners, big outlets like Audible and Spotify,” together in one email network. It now has over 1000 people. UK Audio Network rules include no pitching, please. It tries really hard to get commissioning editors to be clear about how to pitch to them, says Lily. If people offer just £75 for a job, other list users will tell them, “you shouldn’t do that.”

Much of the work coming the way of freelances at short notice via UK Audio Network is along these lines: “Is anybody available to do a tape synch at London Fields tomorrow?”Sucj “tape synch” is the “unsexiest” category of audio work – “interview one guest, just hold the recorder.”

There are so many tape-synch gigs because podcasting is “very story-driven”: interviewees tell their stories in their homes or wherever they feel comfortable, not in a studio. Lily says you can survive on tape synch gigs – but that’s not a career.

Voice-activated speakers in the home, such as Amazon’s Alexa, will change audio and podcast work significantly, although it’s still hard to say how. Some are already asking whether journalists can play a role in providing content for distribution in the home via a smart speaker. And what about training? Lily recommends approaching someone who’s already producing podcasts and collaborating with them. The Transom website for podcasters includes a podcast on podcasting.

UK Audio Network’s recent rates card shows typical day rates are around £150. There’s more money to be had in consulting, finding a big client whose hand needs holding through the whole podcasting process – a university or a household name gallery, for example.

Success and profit in Dublin

The autumn 2019 Dublin Freelance Forum is on Monday 21 October and this year has the theme “the freelancers’ guide to success and profit.” Topics include getting commissions, payment, copyright, licensing, pitching ideas, negotiating rates, setting up an office, marketing, IT, developing your business and taking care of your health. It costs a tax-deductible €10: to book, see www.londonfreelance.org/fl/1908diff.html

Subs rise needed to secure our union’s future

THE NUJ faces a significant challenge at our next Delegate Meeting in April 2020. By then, subscription rates will not have risen for six years. In that period, inflation has pushed rates will not have risen for six years. The NEC is keen that as many members as possible consider these options and contribute to discussion. The plans are not set in stone and the more members who contribute ideas and views, the better.

The NEC paper is available at www.bit.ly/FinancePaper and the London Freelance Committee asks you to send your views to us at future@londonfreelance.org © Tim Dawson

More online

Do keep checking www.londonfreelance.org/fl for updates and expanded reports, including:

- Don’t fall for urban legends about Facebook and copyright;
- Afghanistan Media for Democracy conference report;
- NUJ condemns misleading government ads at TUC Disabled Workers’ Conference;
- Photographers warned not to sign unfair contracts for covering Ariana Grande concerts;
- Updates on the new EU copyright law and Google’s moves to undermine it.