

Snapping or writing on coppers to be a crime?

RESEARCHING the details of individual police officers or members of Her Majesty's armed forces may soon become an imprisonable offence, under the Terrorism Act 2008, which received Royal Assent in November.

The new law's clause 102 states that "a person commits an offence who (a) elicits or attempts to elicit information about an individual who is or has been (i) a member of Her Majesty's forces, (ii) a member of any of the intelligence services, or (iii) a constable [a "constable" being the legal term for all police officers] or (b) publishes or communicates any such information."

It's not at all clear whether "attempts to elicit information" include photographing police officers on

duty, and the new legislation would seem to effectively knock on the head or at least obstruct an awful lot of investigative journalism or documentary photography and video.

Citizens who are subject to police searches are entitled to ask for a record of the search. If they are then handed a completed search docket with the arresting officer's name filled in illegibly, (we've heard this happens a lot) would they then be breaking the law if they asked an officer to confirm their name? Former MI5 operative Annie Machon spoke at a fringe meeting of the 2007 NUJ conference: would asking her questions at such a meeting now land you in prison?

It appears that the above clause 102 will "come into force on such

day as may be appointed by order of the Secretary of State". Often this means when police have been trained up in the application of these clauses, which would mean the measure would come into effect soon. Other similar restrictive clauses in policing legislation passed in the 1980s are still waiting to be put into effect, so the clause apparently forbidding the photographing of police may remain a potential threat still waiting for a very long time to be used. We've no way of knowing yet what the fate of the clause on "eliciting information" from police, spooks or military clause will be. Watch this space for developments and, most probably, test cases.

© Matt Salusbury

Not backing Bauer

THE NUJ has denounced Bauer Publishing for implying that the Union has endorsed the Publishing Agreement it "offers" freelance contributors.

In a letter to its contributors, Bauer claims: "We sought the advice of the NUJ" But Freelance Organiser John Toner says this is a complete fabrication: "The very suggestion that Bauer somehow sought advice from the NUJ is laughable. If only! The fact is, I contacted Bauer in July to object to the terms of the Publishing Agreement. Although they amended two of the clauses, I left them in no doubt that we still object to much of the rest of the contract."

At the time, Toner said the contract was "one of the most outrageous" he had ever seen (see August *Freelance*): "How they could interpret that as some sort of endorsement is beyond me." Toner has written to Bauer's MD David Goodchild, objecting to the disingenuous reference to the NUJ in the company's letter. "I have repeated my offer to meet the company to discuss the Agreement," he says: "If Bauer really wants the NUJ's advice, I am more than happy to provide it."

● Contributors to Bauer publications may like to visit www.londonfreelance.org/ShadyBauer – originally named as a quiet place to reflect, in email discussion...

Freelance activists train for free

FREELANCE NUJ members who feel they want to do more and become more involved, but do not know where to start, should take a serious look at the free NUJ Training course for freelance officers scheduled for two days in early in 2009. I went to its first outing in Birmingham in November.

It was very well organised and brought together a group of people from all the professional areas that make up the NUJ. Experience levels ranged from practically none – me – to considerable – everyone else. From the start, it was clear that everyone was ready to communicate, which broke down any barriers that might have existed.

At times we were divided into smaller, ad hoc groups, in which we were given situations to solve. We got to know what our role as a freelance officer (or activist) was; what facilities and support were available, how to answer members' questions, and how to develop our networks and approach legal, contractual and personal problems. We tried to establish where we felt more help and information was needed. We were

encouraged to identify our own problem areas and, through the diversity of the group, were helped to evaluate and understand the needs of the people we represented. It was a great lesson in listening.

Our discussions throughout the course work gave each one of us the chance to listen to new ideas and different viewpoints on what problems confronted other people, how they resolved situations and what their hopes were for the future.

What I gained from the course was an exchange of ideas, an openness and a readiness to share. My colleagues, now friends, encouraged me and I was able to discuss ideas and needs openly with those members with more experience. It left me feeling I had learned a lot and wanting more.

© Teresa Robins



Freelances on the course

Photo © Sid Frisby, www.sidfrisby.com

Guardian imagery licence

ONCE AGAIN the *Guardian* has assured the NUJ representatives that the standard licence for images is open to negotiation. Managing editor Chris Elliott told the NUJ team they are not insisting on compulsory syndication: "We absolutely say people can vary the terms." The NUJ Freelance Office is to draft a form of words that, it is hoped, will be incorporated into the licence to confirm its negotiable nature.

The meeting was arranged at the NUJ's request to discuss not only the imagery licence, but also many

issues arising from the Guardian Freelance Charter. These include: freelances having to claim expenses within one month; non-exclusive syndication rights for the period of copyright; and use of blog copy in the print *Guardian* without payment.

The NUJ also objected again to the standard licence for video, audio and audiovisual contributions, which is an assignment of copyright. A further meeting is expected in the New Year.

© John Toner
Freelance Organiser