

We're not terrorists

The Metropolitan Police has amended inaccuracies in its guidelines to officers regarding the policing of photography in public places, following pressure from the National Union of Journalists.

The original guidelines issued in July had been attacked by the NUJ as "hugely misleading" for stating that under Section 43 of the Terrorism Act 2000 police and community support officers had the right to demand to see photographs held in mobile phones and digital cameras.

"To suggest that police have the power to see anyone's photos is not just hugely misleading, it's factually wrong", said NUJ Legal Officer Roy Mincoff. The revised guidelines clarify that officers can only inspect such photographs under section 43 if the photographer is actually suspected of being a terrorist, and that a court order may be needed to view journalistic materials, such as digital photographs or notebooks. See www.met.police.uk/about/photography.htm

The Home Office have since issued a written circular detailing police powers under sections 43 and 44 of the Terrorism Act 2000, following correspondence with NUJ General Secretary Jeremy Dear. The new circular clarifies that neither section permits police officers to prohibit photography by either the press or members of the public: www.photo-terror.notlong.com

"Hopefully officers will read these guidelines, but it remains to be seen what effect they will actually have for photographers on the street" said NUJ member Jonathan Warren, co-founder of photographers' campaign group "I'm a Photographer, Not a Terrorist."

The revisions follow a similar

statement in June from Lord Carlile QC who warned that Section 58A of the Counter-Terrorism Act should not be used to prohibit day-to-day photography of police officers. The wording of the section prevents photography of police officers only if the photographs could be useful to terrorists.

Section 43 of the Terrorism Act can be used where a police officer "has a reasonable suspicion" that someone is a terrorist, and allows them to stop, search and seize cameras, film or memory cards where such a suspicion exists, and where the seized items are believed to contain evidence. However, officers do not have the power to delete images, and are advised not to examine cameras seized, in order "to preserve evidence".

Photographers can be stopped and searched by uniformed police officers under section 44 of the Terrorism Act if they are in an "authorised area", and police officers do not require a reasonable suspicion of being a terrorist.

While the City of London and Metropolitan Police areas are known to be designated "authorised areas", other police forces have refused to reveal the location of other authorised areas following the Freedom of Information requests. In

May, the Home Office rejected on the grounds of "national security" a Freedom of Information request by the *British Journal of Photography* asking for details of all other areas subject to section 44 orders. A request by *Amateur Photographer* magazine was refused on the grounds that it would be prohibitively expensive to grant it.

"I'm a Photographer, Not a Terrorist", whose founders include many NUJ photographers, has begun compiling a map of areas in which photography is known to have been restricted under anti-terrorism law and local bylaws: see progress so far at www.PhotographerNotaTerrorist.org/map

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Insert protest here



Living their values? By the time this reaches you, there will already have been an NUJ demonstration outside the *Guardian's* offices in King's Cross (above). The 1 September demo was in response to a Guardian News & Media (GNM) announcement that they'll stop paying photographers for re-use of pictures. Contract photographers working with the *Guardian* are discussing the possibility of balloting for industrial action on this issue. For more on issues facing journalists who work for the *Guardian* – including a collective grievance submitted to GNM management that was immediately rejected – see www.londonfreelance.org/fl/0908gmg2.html – and London Freelance Branch has set up an email group to enable freelancers to share experiences of dealing with Guardian management. You can ask to join by going to www.londonfreelance.org/guardian

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Diversify or die?

MANY freelancers – even with decades of experience – have found they have to diversify into unexpected areas to keep earning a living. One such is Pete Jenkins, with 25 years of photographic experience behind him. How does he adapt to changing markets?

Realising back in 2004 that "newspapers were not going to last forever", Pete made a point of widening his remit. "Look at what the marketplace is currently producing and compare it to what you do and what you are capable of", advises

Pete. He now writes on the business of photography for specialist magazines. "I have frequently done work with magazines in the past, based on my specialisation – sport. *Amateur Photographer* was a regular client taking pieces on basketball photography and suchlike.

"I also ended up taking amateurs with me to events and tried some hands-on teaching paid for by the magazine." What kicked off this new avenue of work was the change in editors, and it's worth keeping track

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