

You don't ask, you don't get

A BRANCH member recently started to get a regular writing work with a well-known high-brow magazine run by an independent publisher. There was no contract for the first article except for a confirmation email from the editor, and payment by cheque was trouble-free.

When the author received the proofs for their next article to look at before they went to press, however, they came with a "standard" contract to sign, stating that the author surrendered copyright in all media for "the duration". As the duration wasn't stated, the freelance

emailed the editorial assistant who'd forwarded the contract, asking what they meant by "the duration": did they mean First British Serial rights? This query was an opening gambit whose purpose was to find out how sorted, and how difficult, the publisher was likely to be, and to get a feeling whether there was any chance of getting away with saying, no, you don't get all rights, I keep copyright.

Imagine the surprise of said freelance when a reply followed shortly afterwards, offering as an alternative a license to publish, explicitly stating that the author retained copyright.

The freelance hadn't even said they wouldn't accept an apparent all rights grab, they'd just enquired what exactly the publisher was asking them for.

Back in the 1990s, a freelance reportedly got a succession of three different contracts, each nicer than the last, as a result of querying the contract that Condé Nast had sent them.

Is this rarer in today's accountant- and lawyer-driven media groups? Let us know. It clearly remains important always to question contracts and not just throw your hands up in surrender.

Media for all?

The Campaign for Press and Broadcasting Freedom is holding a conference entitled "Media for all? The challenge of convergence" in London on **Saturday 31 October**.

Workshop topics include: the decline of commercial public sector broadcasting; gaps in reporting; marginalising different viewpoints; politics and the media online; the government's Digital Futures policy; threats to local and regional media; European media rules; and alternative media and economic models. To book, see www.cpbfb.org.uk

A lone stand against rights grabs

A FREELANCE reports that they've just had an exchange with Lonely Planet about rights to freelance articles. The editor, although nice about it, couldn't have been blunter: they want 'em. All of 'em.

The explanation given is that the company needs to be able to repurpose stuff to survive. And the best way to do that, of course, is to repurpose stuff without having to pay the creators. Who doesn't like a bargain?

The freelance writer in question offered to draw up a contract that would protect their brand by re-

stricting their own re-use of a work and give Lonely Planet the option to negotiate for secondary uses. But no: They want to own the work. That way they can use it in another magazine. Or in a Lonely Planet guide book. Or on a T-shirt. Or, if they're really lucky, sell it to a national tourist office to use as a visitor brochure for a fee many times what they paid the writer. (That one actually happened a while ago at a US magazine.)

Our correspondent told us they "didn't quite expect such bullying from the Beeb [BBC Worldwide,

who own Lonely Planet]. Reminds me of when *National Geographic* did the same... organisations you'd think would be a bit different."

The writer who freelances for Lonely Planet concluded that "the bottom line from the editor seems to be:

"We understand that some writers don't like it, but enough give us what we want so that we don't have to deal with people like you. So has it always been among freelancers, and despite my best efforts here and yours there, thus will it always be, I fear."

From staff to freelance: making the switch

FREE sandwiches proved a potent inducement for the 42 freelances and would-be freelances who turned up at an evening meeting, titled *From Staff to Freelance: Making the Switch*, organised by London Freelance Branch on 27 July.

Half-a-dozen speakers, billed as inexpert experts, answered questions ranging from "Should I form a company?" (answer: probably not) to "What should I put in an email pitch?" (answer: just enough to intrigue an editor).

Pierre Vicary and Tom Randall provided a broadcasting perspective; Martin Cloake spoke up for subs and other casuals; Phil Sutcliffe, who initiated the plan for the evening, and Humphrey Evans distilled the essence of the *Getting Started* as a Freelance course; and national Freelance Organiser John Toner explained what the union can do for those new to freelancing.

Behind the evening lay the realisation that many staff journalists are being made redundant or losing their jobs and that quite a few will be turning to freelancing. London Freelance Branch felt an introduc-

tory evening would help people deal with the culture shock involved and would show that the NUJ was there to help them when they needed it.

Altogether the evening, held at NUJ head office, seemed to do the job. One participant, Jane Tchan, later commented: "It was a very useful and informative meeting where there was a pooling of experiences and open discussion on some of the best ways and options available to those considering becoming a freelance. I certainly learnt a few new extra tricks to deploy when next negotiating a contract and how to avoid some common pitfalls which could damage future opportunities." London Freelance can congratulate itself.

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- If you want solid guidance, the NUJ runs day-long *Getting Started* as a Freelance courses, £80 to members; and *Pitch & Deal*, £90. *Getting Started* runs on 25 September and 6 November; *Pitch & Deal* on 23 September and 7 November. Visit www.nujtraining.org.uk for details.

Say it loud: the union and the Branch can help.

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