

# NUJ logs anti-terror abuses

The NUJ's submission to the Rapid Review by Lord Ken Macdonald QC of counter-terrorism powers is now out, and it's worth taking the time to read it: [www.londonfreelance.org/fl/1011poli.pdf](http://www.londonfreelance.org/fl/1011poli.pdf)

The submission lists numerous cases of spuriously applied "counter-terrorism" powers being used on journalists at work, especially photographers. The more bizarre incidents include Stephen Clarke, arrested and held in Manchester on suspicion of photographing sewer-gratings. (His DNA was retained by police.) And architectural photographer Grant Smith was stopped by

police under Section 44 of the Terrorism Act three times in three weeks, mostly for photographing London buildings designed by his architect clients.

The NUJ concludes: "There is a disparity between the framework provided by legislation, policy and guidance when compared to the operational practice of police officers."

That this review is happening is itself encouraging. Also encouraging was the Metropolitan Police's invitation to the Freelance Office to attend the officers' "public order" policing briefing ahead of the events around the September papal visit to

London. This was *not* the briefing for the press, but the operational run-through for the inspectors and sergeants commanding constables on the ground.

Freelance Organiser John Toner and LFB Chair Dave Rotchelle were among the NUJ delegation. Dave reports that it was made abundantly clear to officers during the briefing that it was not their business to obstruct photographers.

Please report any incidents of police obstructing you in your work – or being helpful – via the policing incident report form at [www.londonfreelance.org/policing](http://www.londonfreelance.org/policing).

## BBC strike – not yet...

NUJ members who are employees of the BBC – and members of two other BBC unions, BECTU and Unite – voted for strike action to stop what the unions termed a "robbery" of their pensions. However, after an 11th-hour improved offer from the BBC on 1 October, the announced strikes are postponed and there is a consultative ballot, which closes on 28 October. Freelancers who find themselves unavailable for work at the BBC on any strike day, and who suffer hardship as a consequence, should contact the BBC NUJ chapel. LFB at its last meeting voted a donation to the hardship fund.

## Freedom of Information: think like a bureaucrat

THE FREEDOM of Information Act (FOIA) was examined in October's LFB meeting. Maurice Frankel, who worked for many years through the Campaign for Freedom of Information to achieve FOIA, was our speaker, along with Mark Watts of the FOIA Centre. To remind us how powerful FOIA can be, Maurice related some stories from recent weeks only made possible by FOIA.

Action Against Medical Accidents (AVMA) used it to obtain data on routine National Patient Safety Agency alerts to NHS bodies, which have to reply showing how they've acted. An NHS trust in Coventry failed to comply with nearly three-quarters. AVMA knew the system and how it worked, and targeted their FOIA request at the point in a bureaucratic process where they knew it would have most impact.

The secret, says Maurice, is not to think like a journalist but to think like a bureaucrat. In this case "journalist-type" FOIA requests would have been a waste of time. You have to find out how the system works, and use this knowledge to blow it open. Citing a recent disclosure showing how "brazen" the Housing Corporation was in finding ways to withhold information, Mark Watts says journalists still need inside sources to do a FOIA story: the ap-

plicant only got the documents because a mole in the Housing Corporation knew they existed.

The downside of FOIA is delay, says Maurice. A quarter of complaints about a public body withholding data go to an Information Commissioner's Office (ICO) decision within two to three years. It's often a year before the ICO opens a file on the case. But Christopher Graham, the current Information Commissioner, has made the backlog a priority, and this is improving.

Data, when eventually produced, often comes with a claim of copyright – it cannot be reproduced without permission, "for which a fee may be charged". Such threats have accompanied disclosures on how many parking tickets a borough has issued. But any damages awarded would be equal to the commercial value of the work: a public body that strives *not* to disclose information is unlikely to sell it elsewhere, so they could have a tough job proving "injury" from publication.

Maurice notes that some government departments have decided voluntarily to issue "open government licences", permitting in advance publishing of FOIA disclosures on condition that they're reported accurately, and the publisher doesn't claim to act on that body's behalf.

Mark Watts said that new governments embrace freedom of information as an opportunity to reveal their predecessors' "glorious screw-ups". The ConDem coalition are talking about extending FOIA to



cover at least eight more bodies, including Network Rail. But Mark warns that governments tire of FOIA when they realise it exposes their own "corruption and foibles". In Tony Blair's recent autobiography, he calls himself a "nincompoop" for allowing FOIA to get onto the statute book.

There's a much longer version of this article online, with links.

© Matt Salusbury

Maurice Frankel of the Campaign for Freedom of Information  
Photo © Matt Salusbury

## Value the arts

The arts are not only a source of revenue for journalists – whether as critics or as photographers – but an essential part of civilisation: unless, that is, you're a Cabinet minister, opposed to civilisation on principle because, according to the fundamentalist free-marketeer, it's evil to carry out any activity for any motive other than shareholder return. Assuming you're not, please sign up at [www.ivaluethearts.org.uk](http://www.ivaluethearts.org.uk)

## Defend Public Lending Right!

The government has announced as part of its "bonfire of the quangos" that the wonderfully efficient and actually very good value for money Public Lending Right office in Stockton-on-Tees is to cease operating as an autonomous body, and will likely be merged into the Arts Council. It is doubtful whether the move will result in any real efficiency savings. PLR Registrar Dr Jim Parker and his staff of twelve are always

quickly reachable by phone, and have long provided an excellent service for authors. Of the £7.58 million in grants it received in 2009-10, it distributed £6.76 million to authors. Many authors rely on the PLR payments that they receive when their books are borrowed from public libraries. Payments will continue, although details of the PLR office's transfer are still unclear. Authors can sign up for PLR at

[www.plr.uk.com](http://www.plr.uk.com) The government has since announced that PLR funding will be cut to £6.956 million in 2014 – 6.6 per cent in cash terms and who knows how much after inflation. Please write to your MP protesting the plans to abolish the Public Lending Right body.

See the ALCS site via [maureen-plr.notlong.com](http://maureen-plr.notlong.com) for extracts of a spirited speech by author Maureen Duffy in defence of PLR.