

Authors' rights for all!

THE NUJ is slaving to get a submission in to the review of copyright law announced in December – having been granted a whole three days extra time, until 4 March. Alarmingly, commentators, and even members of the inquiry team, continue to talk about a change in UK law to allow “fair use” of your copyright works.

As we see it, “fair use” in US law is a general principle: which sounds fine until you realise that this means others will use your works claiming “fair use”, but neither of you know whether it is “fair use” until you’ve taken them to court. The UK’s law on “fair dealing” is a set of explicit, defined permitted uses, such as making Braille copies or archiving in libraries, and as such complies with international and European law.

Meanwhile in Europe, a *Comité des sages* – translated as a “reflection group” but literally “committee of wise ones” has reported on copy-

right law and digital libraries. You can read the whole 45 pages via www.sages.notlong.com

They start with what seems more than the obligatory nod to the importance of authors’ rights: their goals include: “To make sure that the creators and all those working to produce and broadcast their work can enjoy the fruits of their labours and that creativity can blossom without hindrance.”

The catch is that the *Comité* proposes that “some form of registration should be considered as a precondition for a full exercise of rights.” They realise that this would require a change in the international law of the Berne Convention, which would take decades even if it were possible.

The European Federation of Journalists met with Michel Barnier, head of the EU civil service department responsible for authors’ rights, on 24 January. He opened by assuring the

representatives that he was determined to protect authors’ rights and particularly those of journalists, given our essential role in underpinning and holding to account democracy itself. So that rather pre-empted the presentation. The EFJ will be pointing out, among more detailed points, that registration is incompatible with the new reality that authors’ rights are now clearly necessary to every citizen who posts their work online, which is probably most people now.

Meanwhile, UK communications regulator OFCOM announced on 1 February that it will review the part of the Digital Economy Act 2010 that allows for cutting off websites facilitating so-called “piracy” of copyright works. And the application by internet service providers TalkTalk and BT for judicial review of the whole set of “anti-piracy” provisions was scheduled to be heard on 22 March.

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Newsquest news

Journalists working for the Newsquest’s group’s local papers in Brighton, Southampton and Darlington held strikes in January as part of their ongoing dispute over wage freezes, redundancies, and – in the case of the Brighton *Argus* – plans to move the subbing operation to Southampton. With many freelancers who work for these newspapers suffering financial hardship as a result of the strike, London Freelance Branch has voted to donate £150 to each of the hardship funds of the NUJ Chapels (work-place-based units of organisation) at these three titles.

Newsquest, X-Factor violinists, your MP

PLEASE write to your MP asking them to sign an Early Day Motion (EDM) urging Newsquest to negotiate with the NUJ and to protect jobs and invest in journalism – see www.edmnewsquest.notlong.com. And please also ask them to support John McDonnell MP’s EDM on discrimination against trade union X-Factor violinists (see www.londonfreelance.org/fil/1101edm.html), and write to them about Charles’ Atangana’s case while you’re at it. MPs of the NUJ’s Parliamentary Group have advised members that if your MP has already signed up to an EDM – a petitions by MPs, of which government is usually forced to take notice when 100 MPs have signed up – it’s still helpful to write to them congratulating them and expressing support, so they know they’re not working in complete isolation. www.theyworkforyou.com will tell you who your MP is and which EDMs they’ve signed up to.

FA Photographers’ Licensing Scheme

THE NUJ is considering the potential for a complaint over the football Premier League licensing scheme.

The licenses are issued (or denied) to photographers covering Premier League matches by Football DATA CO Ltd, which acts as agent for the Premier League. To make a case we need to produce evidence of the extent of the problem. If we can collect enough evidence, we would then raise a complaint with the Office of Fair Trading.

Photographers whose applications have been rejected should answer the questions at www.londonfreelance.org/premierleague: your responses will be forwarded to the Freelance Office.



Celebrating fans of a Premier League club: we believe no license is required, as the photo doesn’t show a Premier League match in progress.

Photo © Julio Etchart www.julioetchart.com

Who’ll touch the Sky?

THE CAMPAIGN to get at least an investigation of whether it’s a good idea for the Murdoch family to own Sky outright continues its roller-coaster ride. The communications regulator OFCOM has recommended to Culture Secretary Jeremy Hunt that the Murdochs’ News Corporation buying the 61 per cent of it does not already own could threaten media plurality. So he should order a six-month investigation. Sky is now making so much that the price of the

stake rises every week.

Jeremy Cough has delayed his decision, giving the Murdochs time to come up with a face-saving formula: maybe selling Sky News – a problem, given how it is subsidised by Sky – or an independent editorial board. That worked so well with the *Times*, didn’t it?

As the *Freelance* went to press, Rupert Murdoch’s intervention didn’t seem to have dampened down opposition. Firing another alleged

phone-tapper and a couple of offensive football commentators hadn’t done the trick. Concern continues over the closeness of contacts between government and News Corporation: did the Prime Minister, for example, in fact dine with Murdoch executive Rebecca Brooks over Christmas? The online group 38 Degrees delivered around 40,000 signatures to Hunt pointing out that he is not impartial, and you can still sign at www.38degrees.org.uk

INTERNS from p1

to £237 for a 40-hour working week. You can claim this via an Employment Tribunal within three months of ending an internship, and there’s a six-year limit for claims made via the County Court.

Contact Cashback for Interns by email: interns@londonfreelance.org. And you can hear the Paid not Played choir of interns sing one of their laments on intern slavery at www.vimeo.com/18620365. As we go to press, we’ve heard that the

High Pay Commission – recently set up to investigate the reasons for the pay gap between high earners and the poor – withdrew its advert for an unpaid intern after the Graduate Fog blog contacted it to point out the irony of this.

OUP Academic

The Academic Division of Oxford University Press (OUP) has issued a contract to freelancers. It contains an assignment of copyright and an indemnity clause, with a deadline – which will probably have passed by the time you read this – for freelancers to sign or they will not be offered any more work. All freelancers who have received the contract please contact the Freelance Office to discuss a response.