

# Why are we talking about copyright again?

THE *Freelance's* own Mike Holdness opened May's LFB copyright debate in the House of Commons (as chair of the Creative Rights Alliance, CRA), asking: "Why are we here talking about copyright again?" The answer: the Prime Minister went to see a famous search engine in California, and on his return announced a review of copyright along US-style "fair use" lines: see page 1 for our report on the Hargreaves review of intellectual property, published after May's meeting. It rejected "fair use".

We also need a level playing field in negotiations. Current law is based on "the fiction that I sit across a table from Rupert Murdoch". UK law recognises it is appropriate to regulate contracts "where there is a vast disparity of power." Mike concluded: "without that support, and us getting a fair share, the creative economy is over. So give us some money."

Ivan Lewis MP (Lab, Bury South,) Shadow Culture Secretary said "the creative industry" will be increasingly important as we try to "rebalance the economy" to reduce dependence on financial services. However, many are signalling that UK Creative Plc "is in peril", with technology moving on

copyright "faster than legislators can handle," making enforcement harder. "If copyright continues to be stolen," he concluded, "it will have a serious impact on our economy."

Author, broadcaster and CRA president Joan Smith noted "the puzzling disappearance of the creator – people assume photos just appear." Joan also noted that people "want photographers to risk their lives in Afghanistan" but "won't pay something like a pound towards them" by buying newspapers rather than read them online for free. She ended with a call to "ensure we are not the forgotten people of culture any more." (The CRA manifesto is at [www.cramanifesto.notlong.com](http://www.cramanifesto.notlong.com))

Gwen Thomas of the Association of Photographers reported an increase in moral rights waivers, rights grabs and "all rights plus indemnity" contracts. Gwen added that our moral rights legislation has no teeth and is "way behind the rest of the EU". UK publishers tell us they need the power of the moral rights wavier, so it's strange that countries like Germany with strong contract law "have a healthy publishing sector." Gwen proposed legislation to

"punish those stripping out meta-data".

Nicola Solomon, the new General Secretary of the Society of Authors, said it's currently too expensive for creators to enforce copyright law. The reformed Intellectual Property County Court will still risk large costs to individual claimants. And "a sanction isn't a sanction" if the offender only faces a take-down and coughing up about what a legitimate licence for the work would have cost.

Our host John Whittingdale MP (Con, Maldon) who is Culture Media and Sport Select Committee chair, noted that "industries depend on enforcement of copyright." There were calls for more education on copyright. Nicola said: "if people don't have the basic knowledge of copyright they can't be expected to respect it." John said, "the challenge is to change the minds of the next generation on copyright".

There's a longer report online.

© Matt Salusbury



Shadow Culture Secretary Ivan Lewis (top, standing) with Mike Holdness (foreground) and LFB Chair Dave Rotchelle, who later presented Heather Brooke (lower left) with an NUJ Gold Badge at the House of Commons meeting for her work on freedom of information. Her original FOIA request triggered the Parliamentary expenses scandal, so the venue for the presentation seemed appropriate.

Photos © Matt Salusbury, Tony Rizzo

## Work-a-thon

THERE may still be time to register for the "Work-a-Thon for the Self-Employed", an attempt to set a world record for the most self-employed people working together (on their individual projects) in the same place over the course of a 9-to-5 day. It also aims to combat the isolation of working alone and its supporters include the Writers' Guild.

Work-a-thon entails turning up with your usual work kit and doing a seven-hour shift alongside several hundred others doing the same. It's at Toynbee Studios, 28 Commercial St, Aldgate, London E1 6AB (Tube Aldgate East). You'll need to register ([info@selfemployed.me.uk](mailto:info@selfemployed.me.uk)) and commit to working a full 9-5 day shift at the venue on the day, which is Monday 13 June. Details: <http://selfemployed.me.uk/about.html>



**Phog flashmob:** around 50 photographers marked World Press Freedom Day (5 May) with an "I'm a Photographer, Not a Terrorist" (PHNAT) flashmob outside London's City Hall to denounce arbitrary restrictions on their work in a city where private security guards enforce bans on photography in many public spaces. The organisers delivered a letter to Mayor of London Boris Johnson, demanding action on creeping restrictions on press freedom. This may arrive in time for you to attend PHNAT's pamphlet launch party on Tuesday 14 June: see <http://photographernotaterrorist.org>.

Video still © <http://jasonparkinson.wordpress.com>

## Unpaid bloggers sue Huff Post for \$105m

BLOGGERS are suing Arianna Huffington and America Online for \$105 million, reckoning their unpaid work generated a third of the \$315 million for which the former sold the *Huffington Post* to the latter.

Prominent among those launching the "class action" on behalf of 9000 *Huffington Post* contributors is Jonathan Tasini – lead plaintiff against

the *New York Times* in a case that led to a settlement offer for a net \$11 million. A note of caution, though: the Tasini -v- *Times* case has been to the US Supreme Court twice since 1995 and the settlement is still not settled, with some objectors saying it's not nearly enough.

Those objectors' latest move is to point out to the courts the

similarities between the Tasini settlement and the Google Books settlement, rejected by Judge Denny Chin in New York on 22 March.

The US Newspaper Guild, the union that represents staff journalists, joined in the call for an "oh-no-this-is-not-a-strike, Your Honor" action, it being pretty much illegal for freelancers to strike in the US.

### And on page 5...

Recent online-only *Freelance* stories that you may have missed include:

- Charles Atangana – journalist who fled persecution in Cameroon – wins right to remain in UK
- Two hours is a long time in photojournalism – AOL and grabbing off the interwebs
- Twitpic partly withdraws right grab, European Federation campaigns against them
- Spotting 'shopping – AFP's photo solution
- Frilans kalkulator – Norway's version of the Rate for the Job

All these and more can be found on the *Freelance* page – [www.londonfreelance.org/fl](http://www.londonfreelance.org/fl)