

Dec 2011

LEVESON

LFB meetings
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Seasonal
Branch party
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What rules now?

ON THE DAY the Leveson Inquiry hearings on the ethics and practice of the Press (www.levesoninquiry.org.uk/hearings) opened, the November meeting of London Freelance Branch was all about press regulation. Just before the meeting, one of our speakers – Mark Lewis, lawyer for the Milly Dowler family and other *News of the World* phone-hacking victims – was himself identified as a target of *NotW* surveillance.

Clearly, politically, Something Must Be Done about regulation: the game now is to ensure that it is, at worst, not damaging. Professor Natalie Fenton, co-director of the Centre for the Study of Global Media and Democracy, outlined plans she is working on with the NUJ and others.

Mark began by countering accusations from *Spectator* columnist Rod Liddle that he is a “horrible little man,” by standing up to demonstrate that “I may be horrible but I’m not little, so Liddle should have got his facts right!” Mark believes phone-hacking could be morally justified, to “second source” a story with a clear public interest. However, with *NotW* phone hacking, “there isn’t any public interest defence”: it was “used for lazy journalism, cheap shots”.

Mark added that “If we regulated ourselves, we would have ethical journalism, what code would allow that?” As an “outsider to your organisation”, Mark expressed agreement with NUJ proposals for a conscience clause to protect journalists who come under pressure to take part in unethical media practices. In his own profession, the Law Society strikes off unethical lawyers: press regulation should take the form of self-regulation with “a statutory back-up.”

Regulations should start with “some sort of concept of morality, some sort of journalistic ethics.” He



Mark Lewis – photo © Hazel Dunlop

added: “You’re the Fourth Estate, you’re exposing other people’s corruption, you should be able to expose your own corruption.”

Natalie Fenton said the Leveson Inquiry means “we have a historic moment to make a difference,” to “transform the media world for the future, these moments come along very rarely.”

While the likes of the Society of Editors fear that “any form of regulation is one step away from Zimbabwe”, Natalie says what’s being proposed is more of a “regulatory back-stop.” Some of the more sensible proposals, according to Natalie, including journalists – nominated by unions – and lay people – by civil society organisations – sitting on the board of whatever replaces the Press Complaints Commission. (There are journalists on Ireland’s Press Complaints Council, which functions much better.)

The successor body to the PCC could appoint a News Ombudsman who could demand a right of

reply. It could be backed up by “news tribunals” – as accessible as employment tribunals. There should be a “15 per cent rule” – any owner with a stake of 15 per cent or more in a designated media sector would be subject to a public interest test for mergers and take-overs.

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● NUJ General Secretary Michelle Stanistreet gave evidence to Leveson on 16 November: see online for links. She reminded the inquiry that “the reason why we’re all here today is because of excellent, dogged investigative journalism which brought this scandal to light”; argued for a “conscience clause” protecting journalists who refuse to break the Code of Conduct; and announced that the NUJ is working with the Inquiry so that members who need to can speak out about their workplaces anonymously, to protect against finding themselves suddenly unwanted after the Inquiry. If you have a contribution to make, email leveson@nuj.org.uk as soon as possible.

Fashion victims fight back

CO-OPTATION is the sincerest form of flattery, and the London Freelance Branch campaign to get media interns the payment they’re due – following a landmark victory by sister media union BECTU – has been flattered. The most important development is the revelation by Shiv Malik in the *Guardian* that Her Majesty’s Revenue and Customs (HMRC) plans to raid fashion companies who engage interns but fail to pay them at least minimum wage, as the law requires. This is significant because HMRC is responsible for enforcing minimum wage law – and can do so six years after the intern-

ship ends. Those who take the Industrial Tribunal route must file a claim within three months; your union can be thoroughly involved in the process. HMRC’s action follows BECTU supporting film runner Onur Özkol in taking a claim through HMRC – though the union has no formal part in such cases (*August Freelance*).

In other news, a survey by Interns Anonymous found that half of 647 have already done at least two internships. More than eight out of ten said their internships had gone on for more than a month, with 12 per cent of those surveyed saying they had recently finished an internship of

six months or more. Over a quarter received no expenses at all. Many said their work placement had been arranged by their university tutors (unpaid internships are still legal for students in full-time education) and only one in ten were aware they had a right to National Minimum Wage for work placements after their courses had finished.

One respondent said: “I asked if I could be paid... I was told there was no money in the budget for this, which seemed contrary to what I was used to hearing openly stated within the office – that the organisation was flush with money.”