

Please write to your MP now on copyright

THE NUJ is renewing the plea for members to write to their MPs stressing the importance of decent copyright laws to the economy – and in particular a part of the economy of their constituency, i.e. yours. There's an outline letter linked via www.londonfreelance.org/fl/1210copy.html

Personalising your message and printing it to post to your MP is more effective than an unaltered cut-and-paste email or letter, especially when, as now, it addresses specific pending legislation rather than just discussing open-ended policy matters. Please email a copy of your letter to us at editor@londonfreelance.org

That specific context is the UK government having another go at copyright law, through the aptly-named ERR ("Enterprise and Regulatory Reform") Bill. This seeks to:

- give government to power to change "exceptions" to copyright – uses of your work which don't need your permission – without it going before Parliament (Clause 57);

- set up a mechanism for "extended collective licensing" – for example, your work included in a BBC programme, or appearing in a book in the British Library, could be made available on payment to a collecting society but without asking you; and
- establish mechanisms for licensing "orphan works" whose author or performer cannot be located.

The NUJ is actively lobbying to minimise the damage that these proposals could cause you. As Chair of NUJ Copyright Committee and of the Creators' Rights Alliance I met Business Secretary Vince Cable on 18 September, alongside publishing and collecting-society interests, on Clause 57. The civil servants of the Intellectual Property (IPO) eventually stated that the Clause aims to allow them to change the exceptions while maintaining the levels of criminal penalties for breaches of copyright. They can already make all the changes allowed in European Union law, without any Parliamentary debate, under the European

Communities Act 1972 – but, they are advised, this requires reducing the penalties to the minimum level set out by the EU. The government amended Clause 57 on 17 October, clarifying that it cannot do anything not allowed under EU law.

We expect the ERR Bill to be debated in the House of Lords on 14 November and to go into Lords Committee in early January. We are talking with members of the House about amendments such as giving creators a proper, enforceable right to be identified. Then we need to ensure that MPs don't overturn any good amendments from the Lords.

There is a further confusion with the news that the government plans to introduce an exception to copyright for non-profit uses by libraries and public service broadcasters – following an EU Directive passed on 4 October. Watch this space.

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Our 12 November meeting will discuss this, in Parliament: see page 6

Getting Started course returns

The popular Getting Started as a Freelance course will return on **Friday 16 November**. The companion Pitch & Deal course will be rerunning, too, early in the new year on **Friday 18 January**. General Secretary Michelle Stanistreet recently met LFB member and Getting Started tutor Humphrey Evans, national freelance organiser John Toner and assistant organiser Pamela Morton: she said that she is firmly behind keeping the two courses running. She plans for the actual arrangements to be carried out by the General Federation of Trade Unions, already charged with running the NUJ's trade union courses, teaching people the ins and outs of representing members in workplaces. The two courses for freelances, Getting Started and P&D, help people understand how to represent themselves in negotiations where no collective NUJ representation is possible. The Getting Started course will cost NUJ members £60 and the P&D course £70. These charges for members are heftily reduced from previous prices. For non-member and special student prices see this story online; and to book a place on either course email training@nuj.org.uk

Delegate meeting report

THE NUJ's policy-making "Delegate Meeting" (DM, its conference) in Newcastle on 5-7 October opened with General Secretary Michelle Stanistreet speaking on the Union's funding crisis and its Recovery Plan. The Union's actuaries predict that a valuation of the pension fund for union staff will report a shortfall of £2M to £4M in the Spring. There will be difficult talks with staff over a "sustainable pension scheme".

Other DM resolutions were in response to the crisis around the Union's finances. A motion was passed increasing subscriptions by 5 per cent. Most of Saturday morning was taken up with discussion of the financial situation, culminating in a vote (79:63) to censure the National Executive. Concern over a payment to the previous General Secretary, including that raised in a motion from LFB, was answered with a statement clarifying the details of the payment.

The role of Google in undermining journalists' and other creators'

rights to get paid for our work was a constant theme of DM's first morning. DM passed a London Freelance Branch (LFB) motion which welcomes new alliances to defend authors' rights, particularly that with consumer groups and calling for more work to educate citizens on their rights in what they create.

The Branch agreed to "remit" its motion calling for the union to support independent research on the impact of government policy proposals, on the basis of a National Executive Committee statement of support for the principle.

Following card votes, proposals for Councils to represent photographers and members over 60 (the latter an LFB motion) were both passed. An LFB motion arguing the case for a Dead Members' Section was ruled out of order. And LFB's motion calling for a working party to investigate the strengths, weaknesses, opportunities and threats facing the NUJ in the face of media change was defeated.

A move to reduce the number of members of larger delegations, such as LFB's, was defeated 93:92 on a card vote. Following a close vote, DM will now take place every two years, making it a BDM. The *Freelance* anticipates with some trepidation a Biennial Delegates' Special Meeting.

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- There's a longer report online.



NUJ Delegate Meeting heard from Frances O'Grady, General Secretary-elect of the Trades Union Congress, about the importance of the TUC campaign for "A Future that Works" and the demonstration on 20 October, which the NUJ asked members to support.

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Protect sources – support Ed and Anthony

BACK ON 6 July the United States First Circuit court of appeal in Boston, Massachusetts, ruled that Boston College must hand interviews over to the Police Service of Northern Ireland (PSNI). On 1 October United States Supreme Court Justice Stephen Breyer granted a "stay" on the handover – now extended until 16 November, and likely until the Supreme Court decides whether

er to hold a full hearing on the case.

The interviews were carried out by Ed Moloney and Anthony McIntyre for the Belfast Project – on condition that they be sealed until the death of the interviewees. The PSNI seeks the interviews to further investigation of disappearances during the Troubles in Northern Ireland.

Not only does the July ruling challenge the confidentiality of sources:

it affects the safety of the interviewers and surviving interviewees. And, beyond journalism, it casts serious doubt on future oral history projects and academic research more widely.

The Union's 2012 Delegate Meeting on 6 October passed a strong motion of support for Ed and Anthony and the principle that confidential sources must be protected.