

The Pitch & Deal Show

OUR SIMULATED freelancer asked our pretend *Wall Street Journal* commissioning editor: "What are you offering?"

"£525"

"That's fine"

"Noooooooooooooooo!" was the reaction of our roleplay facilitators, Phil and Humphrey. "Don't say 'OK'... Always ask for more."

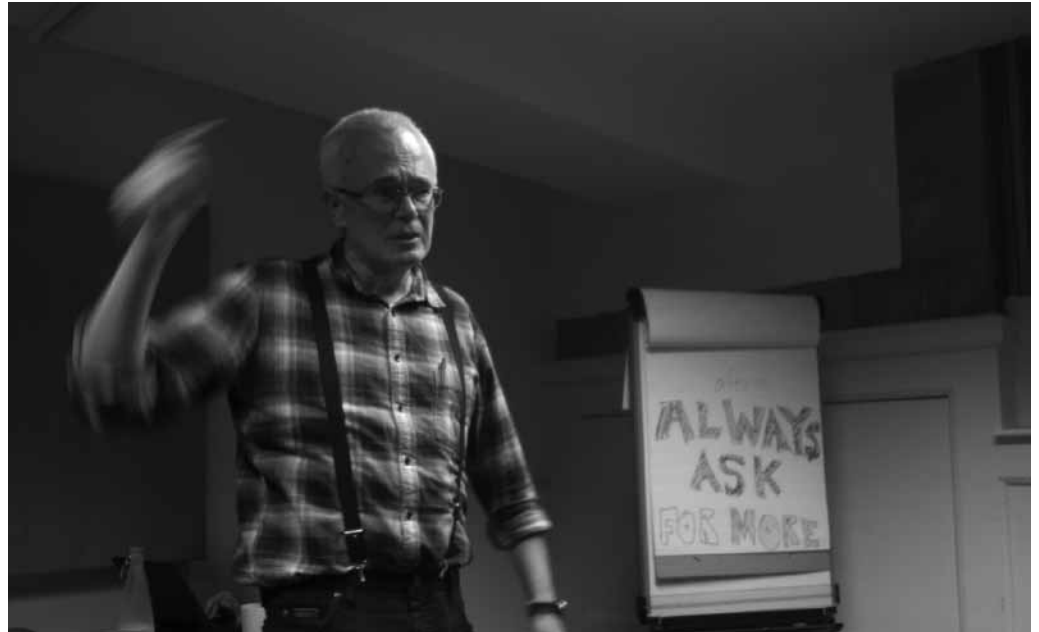
The all-singing, all-dancing Pitch & Deal Show came to London Freelance Branch's October meeting. LFB's own veteran NUJ Training tutors Humphrey Evans and Phil Sutcliffe brought us a flavour of their Pitch & Deal (P&D) course on negotiating. As Phil noted, "Their loving you won't pay the bills."

There followed a P&D roleplay (see above) with Humphrey facilitating, and two roleplaying Branch members – Anna (portraying a finance writer for print) and Emily Wrightman, roleplaying a WSJ commissioning editor.

Be prepared. Use LFB's Rate for the Job pages – www.londonfreelance.org/rates – to find out how much actual freelances have recently been paid for similar work for similar clients.

You need at this point to ask how much they're paying. You might need to introduce it and be less direct. Consider using a bridging phrase, like "we need to talk about money," said Humphrey.

"What are you offering?" That's the phrase Phil and Humphrey recommend. "We've done this for a very long time, we've not found



Pitch & Deal co-tutor Phil Sutcliffe in full flow, with "Always Ask For More" sign in background

Photo: © Matt Salusbury

anything better," said Humphrey. He and Phil feel the "What are you offering?" phrase is better, "because it leaves it open to negotiation".

Way, way back somewhere in his 34 years of freelancing, Phil was once offered £100, and then "gruellingly went through all the interviews" he'd have to do – and put this up to £250. He hasn't pulled it off such a rise since the 1980s.

Or there's the "comparison with the competition" tactic: "So-and-so paid me..."; or the counter-rate: "can you round that up to £600?" Or the "my normal rate is..." gambit. We are, Phil reminds us, after

"any increase you can get!" The P&D team lament, "we're so nice", but as Phil pointed out of putting your rates up " "business people do do that, we forget".

If you've emailed it, you have a record. Once you have agreed a rate on the phone, immediately send an email, to check that they understood the same as you.

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• There's a longer version of this report online. Watch NUJ professional training, the *Freelance* and the LFB Twitter feed for details of P&D, Getting Started... and other NUJ training courses.

Pitching, retiring, surviving Xmas

SADLY, THE Pitch & Deal course on negotiating for freelances on 15 November was the last delivered by its co-tutor Humphrey Evans. At 70, he is retiring, and the Branch thanks him for all the hard work he and his fellow tutor and fellow LFB member Phil Sutcliffe have put in, kickstarting the whole NUJ Training operation. Watch the LFB website and www.nuj.org.uk/work/training for news of these courses, which continue. Another commendable Humphrey Evans initiative is his guide to freelances on "How to survive Xmas": www.londonfreelance.org/fl/survive.html. We hereby solicit up-to-the-minute freelance Xmas survival tips from our readers.

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The internet and the law: take care out there

BLOGGERS beware. Dave Osler, finance editor for *Lloyds List*, told The Internet and the Law conference in October of his three-year legal battle, being sued for libel in 2008. The conference was organised by the NUJ New Media Industrial Council and the Media Reform Coalition.

Osler, the author of a witty political blog, was sued by Johnna Kaschke, who was then a Respect councillor in Tower Hamlets (she is now a Conservative councillor). Kaschke objected to Osler's recounting that she had been wrongfully arrested by the German police in 1975. She also objected to comments about her that had been left on the blog.

Osler offered her a right of reply and took down the offending blog. Kaschke continued to pursue her case, costing Osler thousands of pounds before it was eventually struck out by the High Court on the

grounds of "abuse of process".

Without solicitor Robert Dougans and barrister William McCormick representing him pro bono, Osler's costs would, he said, have been much greater.

Since the Osler case, the Defamation Act has promised to improve matters for journalists. Mark Scodie of law firm Bates Wells and Braithwaite told the conference. The new law introduces a defence of "responsible publication on matters of public interest" and a defence of "innocent dissemination".

Scodie's advice to freelances was: be informed and understand libel laws; have a policy on how you deal with user-generated material (comments placed on blogs); avoid making statements of opinion based on unsubstantiated facts, identify potentially contentious material pre-publication and anticipate potential defences.

If you think you are in trouble, contact the Freelance Office during office hours and/or the Union's 24-hour emergency legal number. If you are seeking the services of a specialist lawyer other than those the Union normally use, you'll have to go through the NUJ to do this.

NUJ freelances are also advised to consider taking out Imaging Insurance's "Writer" insurance to cover themselves against libel actions (www.londonfreelance.org/fl/121insu.html).

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• The Minister, Lord McNally, announced on 19 November that the Defamation Act 2013 will come into force on 1 January 2014. Allegations that defamations occurred before that date will be tried under then-current law – so expect "old-style" cases to run well into 2016.



NUJ training tutor Humphrey Evans at the Pitch & Deal Show.

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