

NUJ members challenge 'domestic extremist' surveillance database

NUJ MEMBER freelances have discovered dozens of police "intelligence reports" on their activities as journalists, on a database of domestic extremist, with one NUJ member who covers protests being labelled "XLW" (Extreme Left Wing.) Photographer Jess Hurd and video journalist Jason N Parkinson, both of NUJ London Photographers' Branch, are two of the six NUJ members who are bringing a judicial review over police surveillance on them at work. They gave some background to their case at a meeting of the Haldane Society of Socialist Lawyers at the end of January. Also speaking was their barrister, Shamik Dutta of law firm Bhatt Murphy.

Jess and Jason became aware in the noughties that whenever they covered protests, uniformed police would always be there, often with police photographers, videoing and photographing them and taking notes on their movements. Worse, they would be regularly stopped and searched, often after showing their Press Cards, and in some cases assaulted, kettled, detained, arrested and prevented from filing in time.

Jason was told while entering one of the Climate Camps that he was being searched because of the "possibility" that he might be bringing weapons, or tools to commit criminal damage, into the camp. On one occasion, in the woods round the back of the EDO arms factory near Brighton, a police officer told Jason –

off the record – that he was being targeted for surveillance, which he thought was wrong, and for which he personally apologised.

After a lot of work over a very long time, supported by the NUJ, Jess and Jason started getting their files from the police. Jason's report had pages and pages of extracts from over 141 intelligence reports on events he'd covered as a member of the press. Some reports were redacted, suggesting that some of the "third parties" Jess and Jason had talked to would also show up on the same database. There were records of Jason's social media activity – his Twitter account and his post on an NUJ Facebook page.

While the colour of Jason's shoelaces and the style of Jess's glasses was recorded in often sarcastic detail, both Jess and Jason's files had some obvious omissions, suggesting police had more they weren't releasing. These omissions included occasions on which they had been wrongfully detained and subsequently given an apology by the police.

Shamik began the meeting by asking, "Are you a domestic extremist?" The surprising answer was that it doesn't really matter whether you are or you aren't. The police now argue that they need to photograph and make notes on absolutely everybody on a demonstration, to distinguish the "peaceful protesters," and eliminate them from their enquiries. Shamik said that, as with the judg-

ment banning the blanket retention of DNA from suspects who were never charged, the courts are likely to take a very dim view of this.

Some targets of surveillance have managed to get assurances from the Met that their data (inaccurate, disproportionate, outdated or otherwise) has been deleted, but should we believe them? Shamik says that in this digital age, everything is backed up on mirror-drives somewhere, so it's never really deleted. In the event that the Supreme Court rules "do-

Comedian commentator Mark Thomas, who is part of the case against police surveillance, has agreed to speak at the London Freelance Branch meeting on Monday 13 April. See back page.



mestic extremist" data retention illegal, says Shamik, there has to be a serious discussion about how this data can be "put beyond use."

Along with Jess and Jason, the other NUJ members bringing the judicial review are Mark Thomas, Adrian Arbib, Times journalist Jules Mattson and David Hoffman.

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Jess Hurd (left, back to camera) at the 2010 I'm a Photographer, Not a Terrorist demo, of which she was one of the organisers

Image © Matt Salusbury

TTIP over the edge

WE JOURNALISTS need to write about TTIP and give it a good kicking. That was War On Want Executive Director John Hilary's message to the NUJ PR & Communications Branch December gathering.

First, he checked how many of had a clue what he was talking about. About two and a half of the 20 present professed knowledge anywhere on a scale from expertise to just being able to spell out "Transatlantic Trade and Investment Partnership".

It's a deal the European Commission and the USA are negotiating behind closed doors which, by Hilary's account, if concluded and ratified, could crush economic and political democracy beneath the weight of free-market moneybags.

Even so, "it's struggling to get coverage in the mainstream media," he said, although the negotiators' stated objective is to dig Europe and US out of present economic difficulties by lowering standards of regulated minimum pay and conditions for work-

ers, and of safety controls on food and medicines; pushing denationalisation in all spheres; and making those changes very hard to reverse. For instance, parts of the UK's National Health Service are privatised under the Health And Social Care Act. A subsequent government trying to renationalise could be sued by any multinational involved, not just for any current loss but for hypothetical loss of profits in the future.

So any government democratically elected on a "renationalisation" platform could find its plans and promises scuppered by corporate muscle backed up by a binding treaty.

Hilary did allow that this is happening to a degree already, with a Swedish nuclear power company suing Germany over their post-Fukushima nukes ban; Philip Morris suing Australia and Uruguay over anti-smoking regulations; and a French company suing Egypt over minimum-wage increases.

Asked about the effect on media,

he said that, so far, France had secured some protection by pressing for the continuation of the EU "exception culturelle" under TTIP (against UK and German opposition). If sustained, this could help guard non-commercial outlets such as the BBC against corporate litigation.

However, Hilary concluded with "the good news" – that "a fantastic resistance movement across the world, especially among trade unions" has begun (the latest UK TUC Congress passed a motion of opposition to TTIP), and that whatever the final draft of TTIP included it would have to come before the European Parliament and it could be defeated there if enough pressure is brought to bear on the social democratic bloc (to add to, in this case, aligned if not allied left and right opposition parties and groups).

Which is why the whole subject could be an open goal for some well-informed, investigative journalism...

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Check you've not paid twice!

Freelance Industrial Council chair Nick McGowan Lowe reports that at least six NUJ members have complained about issues with payment of their union subscriptions. Either they've been charged twice, or they had direct debits set up but money wasn't being debited from their account to the NUJ. Please check your bank statements to ensure that you've not been double-charged on a subscription payment, and that money is being deducted periodically as requested for subs. Report any subs payments issues to Membership immediately – at membership@nuj.org.uk or phone 020 7278 7916 and ask for Membership.