

Police and media reviewed

THE NUJ has just sent in its submission to the College of Policing consultation on police-media relations, which recently ended.

Of particular importance – in the light of the controversial investigation into Cliff Richard (a singer) and the filming of the police raid on his home by the BBC from a helicopter following a police tip-off – is suspect anonymity. The consultation proposes that “the police will not name those arrested, or suspected of a crime, save in exceptional circumstances where there is a legitimate policing purpose to do so.”

The consultation covers issues around dealing with working journalists covering events at which police are present. Specific points include police cordons and “taking the media on police operations”, and ensuring this is done “in a manner which avoids favouritism.” Best practice around “media briefings” is also included.

The NUJ submission noted that most journalists in local media have a good relationship with the police. It challenged the guideline stating

that “in most cases” communication with the police should go via “press officers or police corporate communications departments.” The Union noted that these have in recent years been filled from the world of PR and marketing and therefore tend to have an agenda of “positive promotion.” Having to go through the press office would also hinder journalists working to a tight deadline.

Also noted in the NUJ submission was that it the consultation propos-

als had very little to say on using social media, increasingly the preferred means of “getting the police message out”.

It further noted a “long history of mistrust” between police and journalists, with six NUJ members currently in legal action after

it was discovered their “lawful journalistic” activities were the subject of intelligence-gathering by the Met.

The NUJ submission is at www.nuj.org.uk/news/nuj-calls-for-greater-openness-between-the-police-and-press/

Watch this space for any guidelines or recommendations emerging from this consultation. Details are linked from www.londonfreelance.org/fl/1607cop.html.

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geted, there “must have been some undercover police” around the NUJ. But we “don’t have – by definition – the evidence” of any such activity. Six Data Protection Act requests by journalists revealed that police had “gathered intelligence on them”: the NUJ put this argument in an oral submission to the Inquiry last October, but, as Mike explained, the Chair ruled “there was no evidence of spying (by undercover) on the NUJ in particular. The Chair will keep it under review.”

Passengers detained on the Fairford coaches (including some working journalists) brought a Judicial Review and sued the Met and other police forces deployed in the operation. The plaintiffs won and got com-

pensation. It came to light that there may have been at least two undercover cops in the operation. One is supposed to have been part of the group that organised the coaches. Another, suspected by other police of being predisposed to violence, turned out to have been an alleged undercover all along. This fact was kept secret from campaigners’ lawyers during civil proceedings, and also kept secret from some of the uniformed police, for the best part of ten years.

On some of those coaches, there were freelance journalists who had an NUJ Press Card, reporting on the journey to the Fairford protests. The “right of a journalist to faithfully report” was denied. While “those journalists do not have a seat at the

table” via the NUJ, there may yet be an opportunity to “pick up the offer to keep this under review.”

Article 10 of the Human Rights Act, freedom of expression and Article 11, right to protest and freedom of assembly, formed the basis of the successful Judicial Review of police conduct at Fairford. Mike emphasised that “what the journalists did on the Fairford coaches is completely legal,” they were newsgathering. Watch this space.

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bosses to “take back control” over us – unless, that is, it is after all possible to have a Norway-style fudge involving access to the single market and continued application of EU rules, or something even closer.

Would the bosses attack the EU Working Time Directive, which among other things gives freelancers who work shifts the right to paid time off? Or that giving agency workers rights similar to those of employees they work alongside? Or rules on authors’ rights – given that newspaper owners would love to move to fullblown US-style corporate copyright law, in which all our-

lovely “content” belongs to them?

Things that are very unlikely to change include payments from ALCS and DACS for photocopying and so forth done overseas. You are entitled to these under the laws of those countries, and they are administered by direct agreement between collecting societies. In principle a UK government outside the EU could remove regulation of collecting societies: but that’s hardly likely to be a priority in the long queue of things to “deregulate” over many years.

The many citizens of other EU member states working in the UK as freelance journalists – who include NUJ members – will continue to

have exactly the same rights to live and work in the UK. These won’t change until there is actual legislation passed in the UK, if any.

In the next few years it’s less legal changes than the spirit of the thing that’s worrying. Will it get harder in practice to enforce EU-related rights that are still the letter of the law? Mention to colleagues that now is a very good time to join a trade union and work together in mutual defence.

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- For a review that explains some of the actual policy relationship between the EU and UK government see www.londonfreelance.org/fl/1607eu.html

Police and press coming into contact, London 2013

Photo: ©

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Human rights confusion

One of the many areas of deliberate confusion propagated in the Brexit campaign was the role of the European Court of Human Rights (ECHR). NUJ members who have successfully defended freedoms there include Bill Goodwin, on the right to protect sources, and Pennie Quinton, on detention without cause. The ECHR is not a European Union institution: it is administered by the Council of Europe, which has 47 member states – and its early proponents included Winston Churchill. When she was Home Secretary, Theresa May nevertheless proposed that the UK withdraw from the ECHR, annoyed that it had overruled her. Now she is Prime Minister, May seems to have dropped this, and tried, and failed, to delete from the Web the speech in which she most recently suggested it.