

# Victory for Irish freelances

WHAT A contrast to the feverish political dramas unfolding in the UK! On 6 July across the Irish Sea, Parliament's second chamber, the *Seanad*, gave its approval, at committee stage, to the Competition Amendment Bill. The *Seanad*, the upper chamber in Ireland's parliament, did not divide on the legislation and the Irish trade union movement secured the support of all the political parties.

This makes it almost certain that a pernicious 2004 ruling by the Irish Competition Authority will no longer prevent unions providing rudimentary support for freelance members. It should allow the NUJ as well as representatives of musicians and actors to publish fees guides to try and enforce the very lowest rates that skilled creative workers should accept.

The Irish Government has signalled that it will table technical amendments at Report stage – and then it goes to the *Dáil*. But there is every reason to believe there will be consensus on the nature of the amendments and both the NUJ and the Services Industrial Professional and Technical Union (SIPTU) will be working with the politicians on this.

NUJ's Irish Secretary, Séamus Dooley's briefing on the Competition Amendment Bill (at [www.londonfreelance.org/fl/1607prez3.html](http://www.londonfreelance.org/fl/1607prez3.html)) modestly leaves unsaid the extraordinary work that has brought Ireland's legislators to this point.

From the moment this ruling was handed down, the affected unions did their utmost to unpick its consequences. Legal opinions were sought. Lobbying commenced. International allies were brought on board. In 2006, Michael D Higgins, today Ireland's president, introduced a Private Member's Bill to return to freelance workers the rights they were denied. It failed. A further attempt in 2012 also faltered when the Troika

(EU, European Central Bank and the International Monetary Fund) were invoked to deny the unions.

Throughout, the NUJ and others maintained the pressure: charming, arguing and arm-twisting in equal measure.

Ireland's Minister for Jobs Mary Mitchell O'Connor (of the *Fine Gael* party) signalled her Government's acceptance of the Bill. "The whole house can agree to the principle of protection for vulnerable freelance workers", she said, agreeing a slot in Government time when the Bill could be heard.

Preceding her contribution, a range of senators from across Irish life praised for freelances, and the importance of their being represented by unions.

Ivana Bacik, introducing her Bill said it was needed to ensure "the right of collective bargaining for vulnerable workers who are freelance, particularly those in the arts, creative and media sectors." Setting a minimum floor for fees will impact on the incomes and lives of thousands of freelance workers.

*Sinn Féin* senator Paul Gavan acknowledged that the trades unions "have done a hell of a job running a concerted campaign over a number of years to build the case for justice".

The Government's amendments will require scrutiny: the Bill's application could fall short of trades unions' aspirations and employers may prove dogged in continuing to refuse our rights.

Here in the UK, the very idea that the UK's parliaments might give such consideration to our issues, much less debate so sympathetically about freelance concerns, has the quality of a fairy tale.

For so dire a situation as was faced in Ireland to be reversed, however, should stand as inspiration to all of us who campaign for fair treat-

ment for freelances. Determination, tenacity and imagination has driven the campaign for Irish freelance rights. Within a year, real changes in freelance workers' lives should become evident.

The lobbying and letter-writing that have propelled this campaign is the stuff of politics that links citizen actions with outcomes that will improve scores of journalists' lives. For everyone who despairs of politics, it should be a clarion call. Raise issues during elections, tell legislators what you think of their actions and write to government ministers. Immediate results are few, but with time, discipline and determination, our demands will prove irresistible.

© Tim Dawson



Senator Ivana Bacik introducing her Bill  
Image © *Seanad Éireann*

## President's platform

The *Freelance* is pleased to offer Tim Dawson the chance to document his experiences as President of the NUJ. Go to [www.londonfreelance.org/president](http://www.londonfreelance.org/president) for more, including:

- **View from the top** at the International Federation of Journalists' Congress – 22/06/16
- **Music-hall operatives; a lament** for sister union BECTU's merger – 09/06/16

## All Vice and no virtue in unfair contract

IT IS BAD enough when a publisher wants all rights to use your work through technologies yet to be discovered in all universes yet to be invented for less than they should pay for one use. *Photo District News* reports a response to its appeal for examples of unfair contracts, from a website in the Vice group. In 2013 Rupert Murdoch paid \$70m for a 5% stake in the Vice group, valuing the company at more than \$1bn back then (and maybe \$4 billion now).

The contract includes: "Photographer grants, transfers and assigns to Vice, its agents, assigns, licensees and

successors, in perpetuity ..." and so distressingly familiar on. But then: "Photographer hereby expressly releases and indemnifies Vice, its agents, assigns, employees, licensees and successors from and against any and all claims, liabilities, demands, actions, causes of action, cost and expenses, whether at law or in equity, which a third party may have or may in the future have for invasion of privacy, commercial exploitation, false light, copyright or trademark infringement, libel, defamation, or any other cause of action arising out of the exploitation of the Pho-

tographs or any part thereof or by reason of Photographer's breach of any representations, warranties or agreements contained herein. Photographer acknowledges that Vice is relying upon the rights granted to it hereunder in entering into this Agreement."

The company did not answer the photographer's questions about the contract, so they declined.

It appears to the *Freelance* that the contract would make the photographer liable for any damage done to Vice's reputation by abuse of their images... and worse: see page 4.

## More online

Please visit the *Freelance* website at [www.londonfreelance.org/fl](http://www.londonfreelance.org/fl) for frequent updates – including a report from Richenda Powers of a conference on "precarious work" – that would be us, then.