

NUJ member takes Brexit to task

MORE DETAIL is emerging on Brexit and how it will affect the NUJ's members who are EU nationals in the UK and our UK national members in the EU. An NUJ member in the Netherlands has gone to court to get yet more clarity.

The European Commission has agreed a timetable for the implementation of "transitional arrangements" after the UK formally leaves the EU (on March 29 2019). The transitional arrangements will end on 31 December 2020, the end of the EU's budgetary period, ending speculation that they might last a few months longer.

In March the EU's chief negotiator Michel Barnier said these arrangements were conditional on the UK "accepting the jurisdiction of the European Court of Justice (ECJ) and continuing to allow free movement of people to settle and work until the end of the period".

It has been confirmed that "new arrivals" from the EU, settling in the UK for the first time during the transition period ending in late 2020, will enjoy the same rights as EU citizens already in the UK. This is helpful to those EU nationals already in the UK who need to travel back and forth to other EU countries and who might not have much by way of evidence of their original arrival. (They didn't need any when they did arrive.)

Barnier's statement aimed to re-

assure "the 4.5 million citizens, British and European, who are concerned about and worried by Brexit. Citizens, since day one, have been our priority".

He also reminded the UK that "nothing is agreed until everything is agreed". That means that the EU could still reject a final Brexit deal with the UK over EU citizens' rights. The European Parliament has already pledged to "continue fighting" for the rights of EU nationals and UK nationals in Europe. It still threatens to veto the deal in an expected early 2019 vote.

A judge at a court in Amsterdam has referred to the Court of Justice of the European Union a case brought by five UK national expatriates living in the Netherlands – including Guy Thornton, a member of NUJ Netherlands Branch. They asked the court to rule on whether Brexit would mean they automatically lost their rights as European citizens or whether they would retain them and, if so, under what circumstances.

The Amsterdam court asked the CJEU (commonly called the European Court of Justice) for an opinion. The CJEU has not yet announced whether it has decided to give one. If there is a ruling on this – which may not be for a couple of years – it will have implications for EU nationals



A pro-Europe rally in London, summer 2017.

Image © **Matt Salusbury**

everywhere, since the Court's judgments will affect UK jurisprudence until 2027 at least.

Free advice services for EU nationals in the UK – linked from www.londonfreelance.org/fl/1804brex.html – are starting up. The Facebook group UKCEN allows members to post questions to immigration lawyers for free. The Here for Good service offers free advice for EU nationals in the UK.

London Mayor Sadiq Khan has proposed setting up a web portal for Londoners who are EU nationals to access help on getting "settled status" in the UK. See page 6 for details of a related LFB meeting in June.

© **Matt Salusbury**

A member-led union goes through the motions

SOUTHPORT, Lancashire, was again the venue for the NUJ's festival of democracy and assertion that we are a member-led union – Delegate Meeting (DM). This happens every second year.

The biggest upset was that DM narrowly failed to give the required two-thirds majority to increase members' subscriptions, causing some concern among those who have to work out how to pay for services to members.

Probably the most heated debate on a call for the union to ballot members on setting up a "political fund". Proponents argued that under trade union legislation the lack of one meant that the union was forbidden from political activity in the run-up to an election.

Delegate Chris Wheel declared that the motion was "a smoke-screen" for an ambition to get the union to support a candidate or a party in an election. General Secretary Michelle Stanistreet recalled that the NUJ is among the most effective of trades unions in political lobbying: the lack of a fund does not make one jot of difference to that.

If we spent £25k or more on a ballot we'd still only get permission to ask members to give to such a fund. "If you want a union that gives journalists and journalism a voice, please vote no. If passed, it would lead to less discussion not more."

Delegate Barry White, summing up for the motion "said this is not a back door method of getting funding for political parties". A speaker from South Yorkshire Branch attracted heckling on asking "does anyone here believe the BBC is impartial"? The amendment they were promoting, proposing that a fund would indeed allow members to "decide whether to support or affiliate to political parties", was defeated: the motion was sent to the National Executive Committee (NEC).

There was also some controversy over a substantial pay rise negotiated in collective bargaining for the General Secretary, which served to correct a situation in which a female general secretary was being paid less than a male assistant general secretary. The NEC produced an explanation to DM – Nottingham Branch suggested that it could perhaps

have emailed such a document to all members at the time; and another member wished they hadn't first read of it in *Private Eye*. The Head Office staff chapel urged that the motion be "remitted" – sent to the NEC for its consideration without a vote at DM – but NEC could not accept that because it had already decided to oppose the motion criticising the move, which was defeated.

All the motions that London Freelance Branch put forward were passed. They covered: clarifying dealings between Head Office and lay activists' initiatives; opposing the calamitous effects of government "universal credit" policies on low-paid members and those with disabilities; nuclear disarmament (we're for it); work following up on our conference on precarious workers; work on copyright and unfair contracts; contacting members who lapse; supporting members who suffer trauma at work; ensuring that training is available for those working in hazardous environments; and work to support members threatened by the UK leaving the EU.

© **Mike Holderness**

Watch for data protection update

As you may have noticed, the General Data Protection Regulation comes into force on 25 May. In a nutshell: your obligations concerning your work as a journalist are much as they were, but they have sharper teeth. Watch for updates to www.londonfreelance.org/fl/dataprot.html as we get answers to questions raised by members.