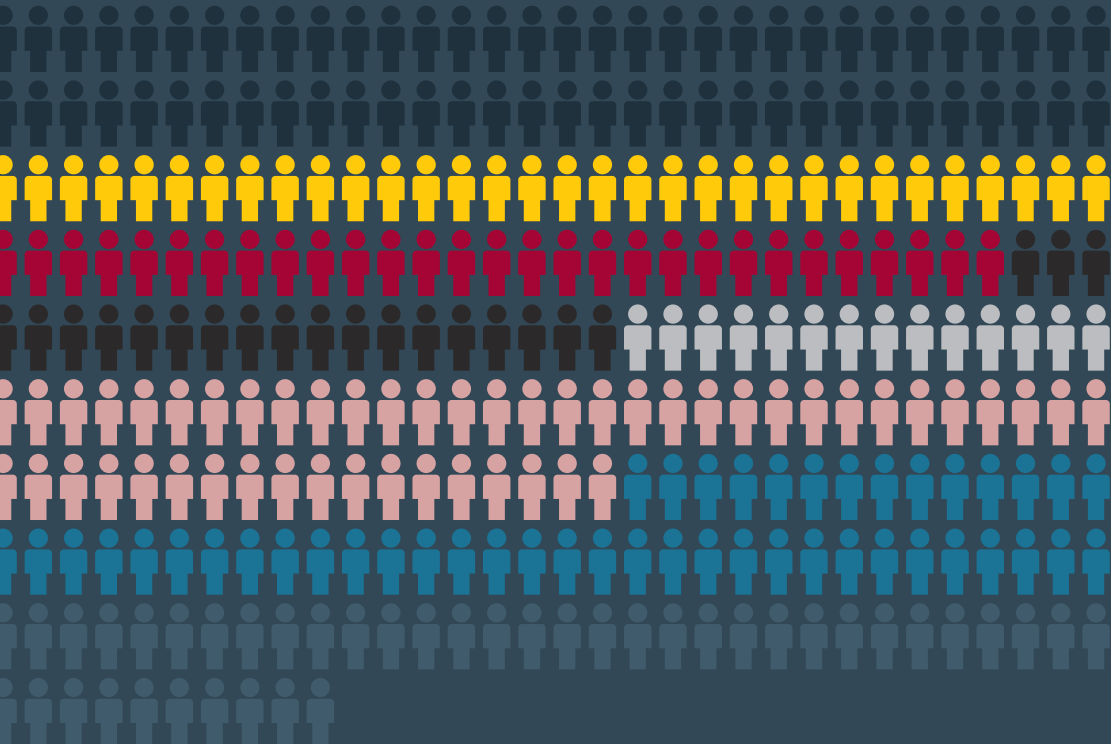


A free for all?

Findings from a survey of freelance newspaper and magazine journalists



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authors' rights

ALCS

Findings from a survey of freelance newspaper and magazine journalists

In late 2013 the Authors' Licensing and Collecting Society (ALCS) commissioned Loughborough University to carry out a survey among more than 1,250 freelance newspaper and magazine journalists to find out more about their income, working practices and the rights that they hold in the articles they are commissioned to write*.

Freelancers and their economic status

The writers surveyed are self-employed and are commissioned to write articles for newspapers and magazines on an individual basis. These are not 'staff' journalists who would be paid a salary to write specifically for one publication under agreed contractual terms.

The responses showed that the freelance journalists surveyed are typically well established contributors to the industry (writing for an average of 18 years), fairly distributed in gender and 49% of the respondents were the main breadwinner in their households.

However, 77% said their income was not sufficient to support themselves and their dependents (the majority actually earned less than £8,200 per annum) and 78% of the respondents had second jobs.

Industry figures for the UK newspaper and magazine publishing sector estimate annual revenues of £11bn.**

* *Valuing the Rights of Freelance Journalists*, Melanie Ramdarshan-Bold, Loughborough University, March 2014.

** IBISWorld Market Research Reports, Nov 2013



1,250



Participants

Freelance magazine and newspaper journalists were surveyed

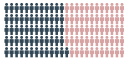


18



Years writing

The average number of years the participants have been contributing to the industry

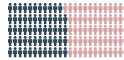


51%



Men and women

Almost equal numbers of those taking part were men and women writers



49%



Main bread-winners

Nearly half are the main bread-winners in their household



58%



Earned lower than £8,200

Per year from their freelance writing



77%



Earned insufficient

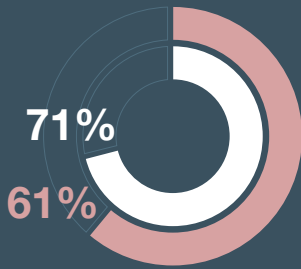
Over three-quarters said they didn't earn enough to support themselves

Are writers fairly rewarded?



Freelance journalists agree a fee for publication of the articles they write and receive a payment.

The majority of respondents felt that the initial fee did not fairly compensate them for the work undertaken in producing the article.

Furthermore there is a significant lack of transparency about the monetary value freelance journalists receive from any subsequent uses of their work.



Working without a contract

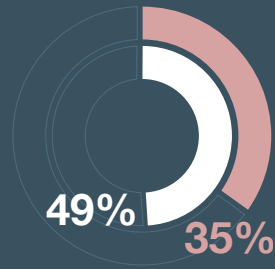
-  Newspaper freelance journalist
-  Magazine freelance journalist

Working *without* a contract



This survey identified that overall **71%** of newspaper freelance journalists and **61%** of magazine freelance journalists had worked without a contract for most or all of their commissions over the last five years and that **90%** of newspaper and **91%** of magazine freelance journalists had, in the past, written without a contract for some of them.

What this means

In the absence of a written contract, publishers only acquire the right to publish the work. **Copyright remains with the journalist** meaning that they have the right to license any further uses of their work.



Journalists retaining copyright

-  Newspaper freelance journalist
-  Magazine freelance journalist

Working *with* a contract

Contracts offered to journalists often include clauses requiring assignment of copyright. The survey showed that **20%** of newspaper freelancers have refused to sign a contract that asked them to assign their copyright compared with **37%** of magazine freelance journalists. Of those who had signed contracts, **49%** of newspaper freelance journalists retained copyright compared with **35%** of magazine freelance journalists.

Contracts may also deal with syndication (*the right for another publisher to publish the work*) and sub-licensing (*the right for third parties to copy and re-use the work, such as media monitoring agencies sending 'cuttings' to their clients*).

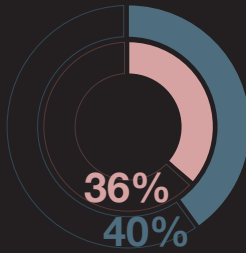
Working in the dark?

Syndication and sub-licensing of works

The results of the survey reveal considerable ambiguity and lack of transparency around the exercise of syndication and sub-licensing rights.

Syndication

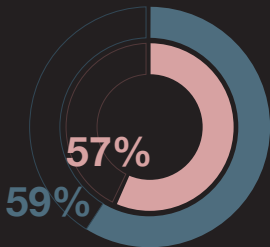
(The right for another publisher to publish the work)



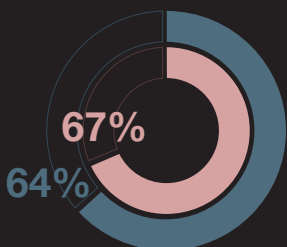
36% of newspaper freelance journalists and **40%** of magazine freelance journalists weren't aware if their contracts allowed their publisher to syndicate their work to other publications.

Sub-licensing


(The right for third parties to copy and re-use the work, such as media monitoring agencies sending 'cuttings' to their clients)



57% of newspaper and **59%** of magazine freelance journalists said that their publishers did not inform them of any sub-licensing decisions that had been made.



67% of newspaper and **64%** of magazine freelance journalists weren't aware if their contracts allowed their publisher to sub-licence their work to other publications.

 **Newspaper** freelance journalist

 Magazine freelance journalist



13%



of respondents

had received income from
NLA Media Access

The issue

Freelance journalists typically retain the rights to license and get paid for further uses of their work as most retain their copyright, either through a lack of contract or through no assignment of copyright to the publisher in their contracts.

However, due to a lack of clear terms with their publishers, freelance journalists are still unlikely to receive value for their rights.

The survey demonstrates the disparity between rights owned and re-use revenue earned: only **13%** of respondents had ever received any income from NLA Media Access, the organisation who licenses media monitoring agencies and businesses to copy and reuse newspapers and now a significant number of magazines, in the UK.

Building a brighter future

To enable them to sustain their irreplaceable contribution to this key sector of the creative industries, freelance journalists should be commissioned on terms that deal clearly with rights and include fair provisions covering payments for all uses of their work.

The current situation lacks clarity, certainty and fairness.

A desirable outcome would see collaborative industry initiatives to develop best practice standards providing for clear, equitable terms on rights and payments for freelance contributors.

Such initiatives have the full support of ALCS, the National Union of Journalists, Society of Authors and the Writers' Guild of Great Britain.

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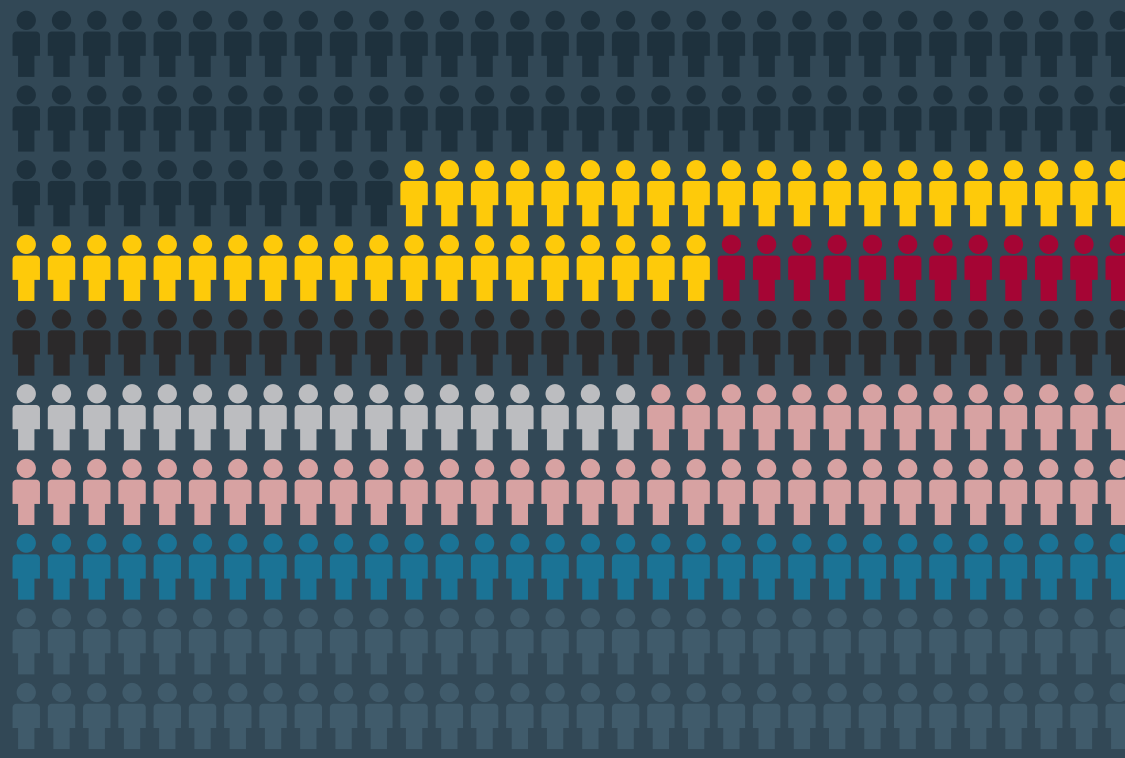
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