A free for all?

Findings from a survey of freelance newspaper and magazine journalists
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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
Participants
Freelance magazine and newspaper journalists were surveyed

1,250

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

18

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

51%

Main bread-winners
Nearly half are the main bread-winners in their household

49%

Earned lower than £8,200
Per year from their freelance writing

58%

Earned insufficient
Over three-quarters said they didn’t earn enough to support themselves

77%
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

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.

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).
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.
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.