

MARKET Newsletter

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FROM AMATEUR TO AWARD WINNING PROFESSIONAL

After 20 years as an amateur photographer, member Tony May decided to take the plunge and turn professional, winning a prestigious award along the way. Profile, page 8



PEOPLE AT WORK AND PLAY

While *Coarse Fisherman* is looking for pictures of people enjoying their hobby, *People Management* – which has a new editor and picture editor this month – is looking for stock images of people at work. Just two of the markets looking for pictures in this month's Market Update, page 10

New police guidelines on street photography

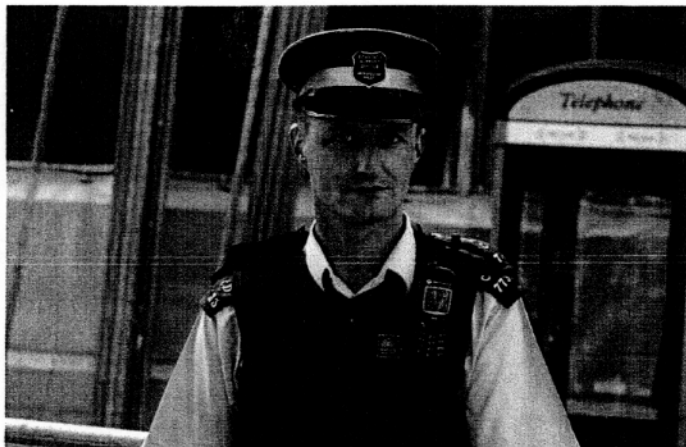
The new guidelines for police officers mentioned in our news pages last month have now been issued and are available for download from the website of the **National Policing Improvement Agency**.

The guidelines, drawn up in conjunction with the Association of Chief Police Officers, are specific to stop and search powers under the Terrorism Act.

Officers are firstly reminded that stop and search powers under the Act are exceptional and should only be used in specific circumstances.

In the section of greatest relevance to photographers (section 2.8) it is made clear that photography is a perfectly legal activity and that it should only be questioned where there is a "reasonable" suspicion that terrorist activity may be taking place:

"The Terrorism Act 2000 does not prohibit people from taking photographs or digital images



New guidelines also apply to PCSOs. Photo © Steve McManus

in an area where an authority under section 44 is in place. Officers should not prevent people taking photographs unless they are in an area where photography is prevented by other legislation.

"If officers reasonably suspect that photographs are being taken as part of hostile terrorist reconnaissance, a search under section 43 of the Terrorism Act 2000 or an arrest should be considered. Film and memory cards may be seized as part of the search, but officers do not have a legal power to delete images or destroy film.

Although images may be viewed as part of a search, to preserve evidence when cameras or other devices are seized, officers should not normally attempt to examine them. Cameras and other devices should be left in the state they were found and forwarded to appropriately trained staff for forensic examination. The person being searched should never be asked or allowed to turn the device on or off because of the danger of evidence being lost or damaged."

To download the guidelines go to www.npia.police.uk/en/11700.htm

New trends in stock imagery

What changes in stock photography might an economic recession bring?

Some picture agencies believe they have identified specific trends that are already taking place and likely to grow in importance in the immediate future.

One trend that has been identified by the **Reflex Stock** picture agency is that they are seeing a noticeable decrease in requests for images of youth and an increasing demand for images depicting "maturity, wisdom, level-headedness and self reliance".

Says head of picture research **Joanne Tunwell**: "Organisations need to reflect developments in the changed economy and are looking for new imagery to help them do this."

Similarly, **Corbis** sees a "back to basics" trend, reflecting a shift in consumer culture "to one that is more focused on personal values and the environment."

The agency's latest research suggests that there is a growing requirement for images that focus on simple pleasures and responsible living, depicting "family, good health, friends, meaningful experiences and a clean environment".

CAMPAIGN FOR PHOTOGRAPHERS' RIGHTS

A TESTING TIME FOR PRIVACY

As we finally see positive moves to redress the balance of photographer's rights to take picture in public places – at least in respect of the police and terrorism law – a more restrictive climate is growing in that other contentious arena, privacy.

We report this month the settlement agreed with actress Sienna Miller by top celebrity picture agency Big Pictures. Just as we reported last month the House of Lords refusal to hear the agency's appeal against the final decision against them in the JK Rowling privacy case.

According to Desmond Browne QC, chair of the Bar Council, the law of privacy is likely to continue expanding as the media faces escalating claims for damages and tougher judgements in the courts.

Speaking as Madonna began action for £5m in damages from the *Mail on Sunday* following the publication of private photographs of her wedding, Mr Browne said that the press could no longer continue "riding roughshod over privacy rights".

"If newspapers are going to intrude on privacy without giving notice, they ought only to do so at peril of being milked for exemplary damages."

He also hit back at *Daily Mail* editor-in-chief, Paul Dacre, who recently accused one leading judge, Mr Justice Eady, of single-handedly attempting to establish a new law of privacy.

"Parliament did the legislating in the Human Rights Act and the judges have to balance this in accordance with the Strasbourg case law, which they are obliged to follow."

Mr Browne added that the law should

protect behaviour which some might not regard as conventional, such as the sexual escapades of Formula One chief Max Mosley.

It was Mr Justice Eady who awarded £60,000, the highest amount ever awarded for breach of privacy, to Mr Mosley after the *News of the World* published details and images of his sex life.

And it is Mr Justice Eady who will preside over Madonna's claim, one of several high-profile cases that will come before the High Court this year.

But the most significant recent privacy case remains that of author JK Rowling, which is all the more important since it was in relation to photographs taken in a public place, and of a child.

JK Rowling's solicitor, Keith Schilling, whose firm is seen as "making the running" in expanding privacy law, said that the result was "a major development in the law of privacy in this country".

Maybe so, and if the aim is to protect the rights of children to a private life, and the rights of adults to a personal life, then there is perhaps little to object to.

But it seems more likely that it will be used more by wealthy celebrities to prevent the publication of anything that does not reflect their preferred image of themselves.

These high-profile claims for massive damages, perhaps for no more than a single photograph taken openly in a public place, may only lead to more aggression against photographers by a general public who increasingly view their own "privacy rights" in the same way.

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