

THE IRISH JOURNALIST



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Michelle Stanistreet, General Secretary, with RTÉ journalists and branch activists at the launch of the Save RTÉ campaign. From left, John Kilraine, Paul Reynolds, Michelle Stanistreet, Emma O'Kelly, Robert Short, Ciara Ni Bhroin, Fran McNulty. Photo: Maxwell.

Pensions gap, a crisis for all ages

By Séamus Dooley, Irish Secretary

As voters prepare to go to the polls on February 8th, the NUJ endorses the strong stand taken by the broader trade union movement against the increase in the State pension age to 67.

Through the Irish Congress of Trade Unions, we have long advocated a strategic approach to retirement policy in this country and we welcome the cross party consensus on the need to address the gap between the traditional retirement age of 65 and the Department of Social Protection pension scheme.

While many of the policies are vague there is at least a belated awareness that we are facing a pensions crisis.

We support the Stop 67 campaign launched by SIPTU in the run-up to the General Election.

This is not an issue for one group of workers and we must reject the notion that the current campaign is of interest only to retired or soon to retire workers. Pension fairness is a matter for workers of all ages and their families.

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EDITOR'S NOTE

A full programme for the IEC

In this special edition we focus on the outcome of BDC 2019 and on developments in RTÉ, against the backdrop of major concerns for the future of public broadcasting in Ireland.

The BDC in November approved a range of motions under the theme, "Defending Journalism in a Time of Crisis".

The 10 motions Conference considered were published in the Winter 2019 issue of *The Irish Journalist*, which is available at the NUJ website at <https://www.nuj.org.uk/documents/the-irish-journalist-winter-2019/>.

Conference adopted most of all 10 motions with one exception: By a vote of 5-4, they defeated a sub-section of a motion that called for a cost-benefit analysis of the continued publication of *The Journalist* and a feasibility study on replacing it with a daily online publication.

Among the issues addressed by adopted motions were the need to recover pay and

pension ground lost in the financial collapse of 2007-2008; calling on the IEC to seek ICTU backing for a campaign to highlight the practice of management refusing to recognise unions, including naming and shaming; addressing precarious and low-income jobs in online publishing, social media and similar sectors; establishing and promoting a charitable fund to commemorate Lyra McKee's life and work; a strategic campaign in third-level journalism as part of a long-term strategy to recruit new members; and organising training for NUJ members around personal safety in conflict zones, public order situations and other scenarios where they might be at risk, as well as specialist support.

The *Irish Journalist* will report progress on these motions and other IEC work over the coming term.

Carolyn Farrar, editor

Pensions gap, a crisis for all ages

Continued from page 1

For the NUJ the debate takes place against the backdrop of a significant victory by union member Anne Roper in her equality case against RTÉ arising from her enforced retirement at 65.

While RTÉ is appealing the outcome of the Workplace Relations Commission case to the Labour Court Anne Roper's case serves to underline the plight of many workers forced to retire on a poor occupational pension and debarred from claiming the State pension for 12 months. (See related story, p11)

The two options the Department of Employment Affairs and Social Protection have put forward for these workers are to claim Jobseeker's Benefit, at €45 per week lower than the pension rate, or to look for alternative employment.

Retired workers are required to apply for the Job Seekers allowance and must submit themselves to a process of interview with Department staff who are required to engage in the charade of searching for retraining and employment opportunities for those who in many cases wish to retire and cannot afford to do so or to remain in their chosen career.

The ICTU has long voiced concern for workers unfit or financially compelled to continue working beyond 65 years as a result of the abolished State Pension

(transition) from 2014 and the planned increases to the State pension qualifying age to 67 years from next January and to 68 years in 2028.

Through General Secretary Patricia King, Congress has been highlighting the need to address the issue of pension poverty and to simultaneously develop coherent policies which allow for extended working lives while preserving opportunities for career development of younger workers.

As Dr. Laura Bambrick, Social Policy Officer ICTU told *The Irish Times*: "This is the biggest ever cut to the social safety net for working people, which will push many into poverty in retirement."

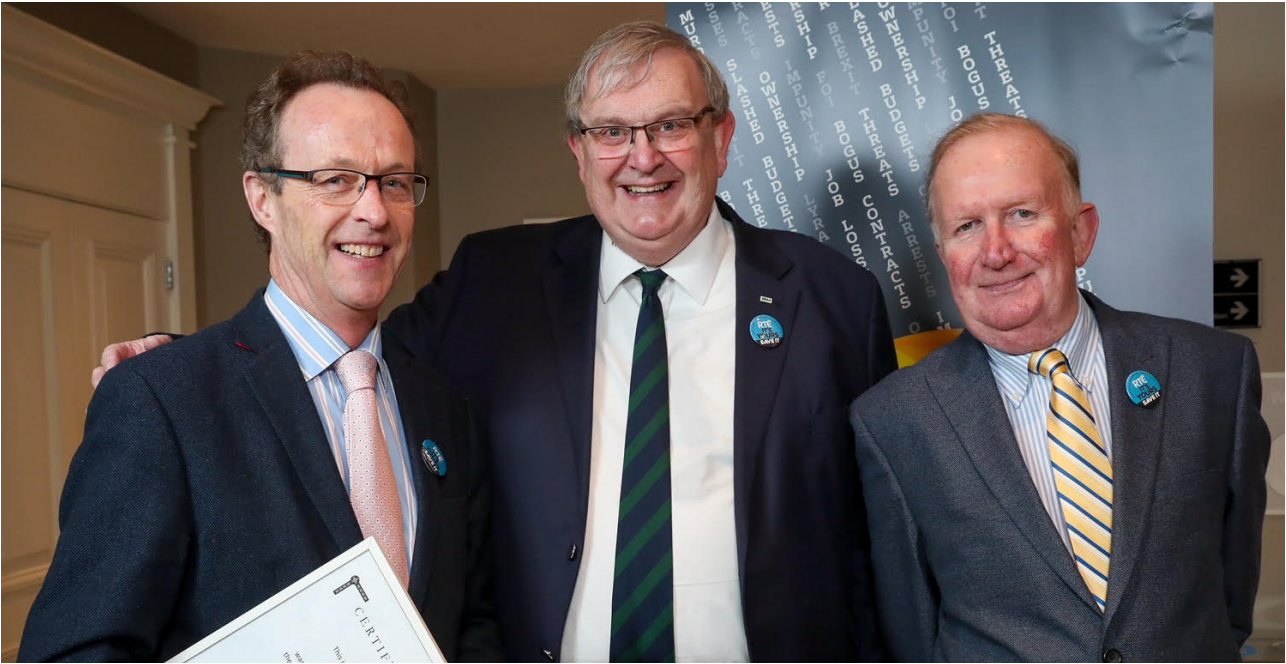
"Claims that the age increase is being done, and cannot be undone, out of concern for the future sustainability of the State pension ring hollow considering that this Government failed to deliver on their promised review of PRSI contribution rates by the end of 2018. Their focus is wholly on what is coming out of the Social Insurance Fund while ignoring what is being put in and from whom," Dr Bambrick added.

The collapse of the much-criticised social partnership model destroyed the architecture of engagement on social and economic issues.

The Anne Roper case is a cause for celebration but it is also a reminder that government, employers and unions need to develop a national policy which deals with every aspect of pensions and retirement.

In the meantime, the plan to increase the pension age must be scrapped and forced retirement at 65 must end.

RTÉ: IT'S YOURS, SAVE IT!



RTÉ veterans and former union activists Joe Little, left, and Brendan Wright, right, with NEC member and ex colleague Michael Fisher, after they received their life membership certificates. Pic: Maxwell.

NUJ's multifaceted battle to save RTÉ

The National Union of Journalists is engaged in a multifaceted battle to save RTÉ and indeed the future of public service broadcasting in Ireland.

As The Irish Journalist was going to press, talks continued between the Group of Unions and RTÉ on proposals for major cost-cutting and organisation restructuring put forward by management.

The talks are being chaired by independent facilitator Kevin Duffy, former chair of the Labour Court. The NUJ delegation includes Dublin branch chair Emma O'Kelly; sub branch chair Paul Murphy; Fran McNulty, vice chair, TUG; Cearbhaill Ó Siocháin, secretary, TUG; and Séamus Dooley, Irish Secretary.

The future of RTÉ was foremost in the mind of many delegates as they gathered for the Irish delegate conference and since then the Group of Unions and the ICTU have been seeking to put the case for greater government support for public service broadcasting.

Taoiseach Leo Varadkar has appointed a commission on the future of public service broadcasting in Ireland, with the President of Dublin City University, Professor Brian MacCraith, as chair.

The other members of the commission have not been announced and the ICTU Executive Council has supported a call by Séamus Dooley that there should be trade union representation on the commission.

The NUJ has long called for the establishment of a commission on the future of the media in Ireland and Séamus called the Varadkar initiative "a missed opportunity."

He said: "We welcome any attempt to strategically review public service broadcasting but it should not be done in this manner. Successive governments have failed to support public service broadcasting and a reaction to the financial crisis is not an adequate or visionary response."

In a statement, Séamus said a commission limited to public service broadcasting would be a "missed opportunity for a strategic review of all aspects of the media in Ireland".

He said: "The NUJ cautiously welcomes the idea of a commission and would welcome clarification of the terms of reference and membership. For many years this union has been calling for a commission on the future of the media - print, broadcast and digital - covering all aspects of ownership, control, market dominance, employment standards and measures to address the lack of diversity and representation of many groups. While action to address the future of public service broadcasting is welcome, there is a compelling case for a wider commission. There is no reason why such a commission could not be established with a broad remit but examining public service broadcasting in the first instance.

"Any examination of broadcasting in Ireland should consider what is expected of public service broadcasting but there is also a need to examine how all media organisations granted licences operate. For instance, it is impossible to talk about broadcasting in Ireland today without considering the policy of Communicorp in banning selected journalists and representatives of certain media organisations."

RTÉ: IT'S YOURS, SAVE IT!

Conference support for public service broadcasting

Strong calls for government action to protect public service broadcasting were made at the biennial delegate conference. Delegates unanimously backed a motion tabled by the Irish Executive Council and moved by the Irish Secretary.

Dublin branch chair Emma O'Kelly, former RTÉ reporter Michael Fisher and IFJ delegate Ronan Brady were among those who spoke on the late notice motion while in her address Michelle Stanistreet, General Secretary drew parallels between the plight of RTÉ and the BBC. As part of the conference the IEC launched stage one of its campaign aimed at highlighting the financial crisis at RTÉ.

The motion noted the crisis at RTÉ and declared: This Delegate Conference reaffirms its support for a Government Commission on the Future of the Media in Ireland. The erosion of public service broadcasting poses a threat to democracy and diminishes the cultural fabric of this country.

Conference notes that in October 2018 the Broadcasting Authority of Ireland recommended that, at a minimum, RTÉ should receive an increase of €30m in its annual allocation, with immediate effect, in order to address the serious financial situation at the organisation. This recommendation, supported by independent research, has not been implemented.

Against this backdrop the RTÉ Executive Board is seeking to impose a range of cost reducing measures. Employees in RTÉ, who have not received a pay increase in over a decade, will not accept

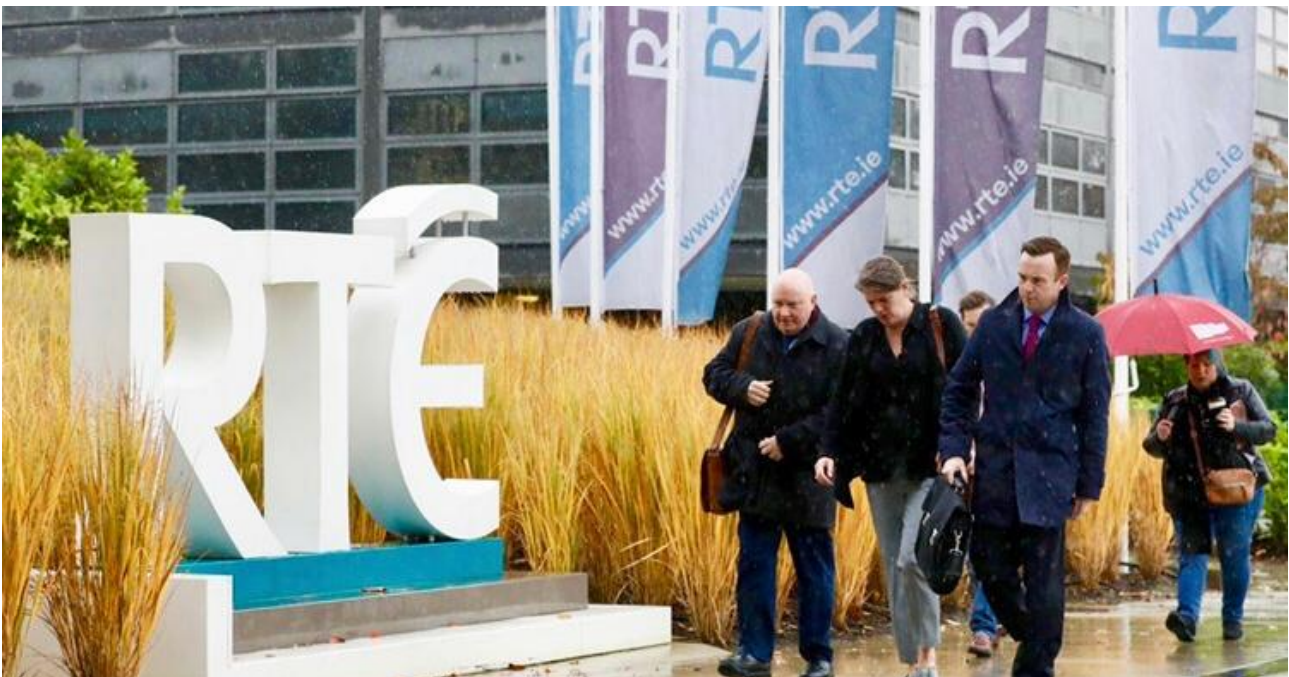
responsibility for a crisis brought about by inadequate State funding and corporate mismanagement of resources. The proposals announced in November 2019 serve to undermine key elements of public service broadcasting in Ireland.

Conference notes that NUJ members employed at RTÉ have embraced technological change. The false narrative that the current crisis is a result of outdated work practises ignores the collaborative manner in which the NUJ has approached major changes throughout the organisation.

This BDC affirms its support for the stand taken by the RTÉ sub branch of Dublin Broadcasting branch, the branch itself and the RTÉ Trade Union Group that all changes must be negotiated having due regard to collective agreements, the internal industrial mechanisms within RTÉ, including the Industrial Relations Tribunal and the principle that redundancies must be voluntary.

This BDC affirms its opposition to enforced cuts in wages and terms and condition of employment and to measures undermining the position of vulnerable freelance workers employed across the organisation.

BDC calls upon NUJ members to support the political lobbying campaign aimed at securing improved State funding for Public Service Broadcasting and instructs the Irish Executive Council to work with the RTÉ Trade Union Group, sister unions and the ICTU to create great public awareness of the consequences of the political failure to properly fund RTÉ.



Irish Secretary Séamus Dooley, left, with RTÉ Trade Union group officers Shirley Bradshaw, (SIPTU), chair, and Fran McNulty (NUJ), vice chair, as they arrive for the opening of the RTÉ negotiations. The talks continue under the direction of Kevin Duffy, former chair, Labour Court. In the background is Cearbhall Ó Síocháin, secretary, TUG, (obscured) and Karen O'Loughlin, divisional organiser, SIPTU. Photo: Rollingnews.ie.

RTÉ: IT'S YOURS, SAVE IT!

Dooley says RTÉ cannot pin the blame on workers



RTÉ presenter Sinead Kennedy lends her support to the campaign with Michelle Stanistreet and Séamus Dooley. Photo: Maxwell.

The Irish Secretary of the NUJ, Séamus Dooley, has strongly defended working practices by journalists in RTÉ and has described as “tired tropes” the demands for work practice changes in the organisation, as part of restructuring.

He told BDC delegates: “The NUJ has never been found wanting when it comes to embracing technological change and in this regard I want to deal with one of the tired tropes which have been trotted out over the past week by the Chair and by members of the Executive Board.

“The term ‘work practice’ changes has been thrown around with the clear implication that trade unions have been a barrier to change,” he said. “Let me clarify that this union has cooperated with every proposal for work practice change tabled by management.

“We make no apologies for defending the interests of our members and will continue to do so. We will continue to negotiate through our collective agreements and we will not be railroaded into accepting changes in terms and conditions of employment.

“As a union we have negotiated work practice changes at local level in RTÉ, constructively and through dialogue. You can count on one hand the number of times we have had to seek the assistance of the Industrial Relations Tribunal, RTÉ’s internal disputes mechanism. Inevitably where disputes have arisen they have been motivated by concerns for the protection of editorial standards and the service to listeners and viewers.”

In proposing the emergency motion, he said RTÉ is “operating on the edge” because of the

failure of successive governments to honour their public service broadcasting obligations. “Even if workers were to accept every pay cut and cost reduction proposed by management, RTÉ could not survive without Government action.”

He told delegates: “There is also a management crisis in RTÉ and as trade unionists we cannot accept responsibilities for the organisation’s failure to address many of the problems which have confronted the organisation. As part of the RTÉ Trade Union Group we accepted a framework document, Guiding Principles, which allows RTÉ management to table proposals for change, an opportunity which has not been utilised by the organisation.

“We have been down this road before,” he said. “As a union we opposed the closure of the RTÉ London office and the withdrawal of the post of London correspondent. Who now can say that we were wrong in our prediction that this was a wrong decision?”

“We as a union will not ask our members to carry the can for government or management’s failure. Even if we accepted every cost cutting measure thrown at us it would not be enough to solve the problems if the Government continues to ignore the fundamental crisis.”

The Irish Secretary said: “The NUJ stands ready to enter into meaningful negotiations and all we ask of RTÉ representatives, at executive and board level, is that the good faith shown by this union - and our sister unions, is recognised.”



Defending journalism means fighting enemies of freedom

NUJ members must protest the right to freedom of expression by fighting the enemies of free speech, the Irish Secretary told delegates to the Biennial Delegate Conference.

Moving his report, Séamus Dooley, Irish Secretary, said the theme of the conference, Defending Journalism in Times of Crisis, was multifaceted and reflected the important role played by journalists in protecting democracy.

He told delegates: “Defending journalism is our mission. It is the reason why we exist. We are the National Union of Journalists and in defending journalists we serve not just the interest of our members – though I make no apologies for doing so – but also the public interest.

“It is our function to speak truth to power, to challenge those in authority and to protect the most vulnerable.

“Journalism is under attack in the UK and in the United States. I am proud of the way in which day in,

day out, our union has stood up against those who seek to thwart journalists as we go about our daily business.

“Under the enormous shadow cast by Johnson and Trump, and with the rise of right-wing groups across Europe, it is vital that we continue to fight for freedom of expression, for freedom of information, for access to government records, for an end to secrecy in public administration, for the right to do our job without harassment, fear or intimidation.

“We in Ireland cannot be complacent. The minority voices who target migrants and sully the name of asylum seekers have a vision which is not the vision of the National Union of Journalists.

“Those who advocate an Ireland for the Irish, a closing of minds and borders, are adept at using social media to attack the most vulnerable and to promote their reactionary agenda. As journalists we have a duty to report accurately and comprehensively the activities of these groups.”



Michael Foley, vice chair, Ethics Council, warns of the need to verify claims on social media. Photo: Derek Speirs

IRISH BIENNIAL DELEGATE CONFERENCE 2019



From left, Seamus Dooley, Bernie Mullen, Michelle Stanistreet and Gerry Carson and (right) the cartoon drawn for Gerry and Bernie by Graeme Keyes, NUJ member and freelance cartoonist. Photo: Maxwell

Thanking Gerry and Bernie for their service

Outgoing joint IEC cathoirligh, Gerry Carson and Bernie Mullen, were described by Irish Secretary Séamus Dooley as “a great double act”, at a presentation following the Life Members event in

November.

Gerry and Bernie were each presented with a cartoon of them by Graeme Keyes, NUJ member and freelance cartoonist.

Séamus said the memento was intended to remind Gerry and Bernie “of your consistent work, nimble movements, and the way in which you have dominated the floor over the last four years in Gerry’s case and two years for Bernie”.

BAI is still considering ban complaint

BAI Chief Executive Michael O’Keefe has advised the NUJ that the Compliance Committee is still considering correspondence from both the NUJ and The Currency news service regarding the imposition of a ban by Communicorp management on selected journalists being interviewed on its radio stations, including Newstalk and Today FM.

Communicorp has lifted the ban on journalists associated with The Currency from being interviewed but a ban on Irish Times journalists remains in place. The Compliance Committee had advised that because the ban was lifted it was not proposed to deal with complaints alleging breaches of the BAI code.

In a letter to Mr O’Keefe, Séamus Dooley, Irish Secretary, said the lifting of the ban was in effect an acknowledgement by Communicorp of commercial interference in editorial independence.

Mr O’Keefe accepted requests from Mr Tom Lyons, chief executive, The Currency, and the NUJ that the Compliance Committee should reconsider its decision not to pursue its investigation. One breach had been acknowledged and another is still in operation.

In his letter Séamus said both bans conflict with the core objectives of the BAI Codes since a producer or

presenter cannot provide “independent and informed journalism” if there is a directive which restricts those whom they may or may not invite to provide facts or opinion, based not on editorial grounds but on commercial considerations.

Séamus told the Irish delegate conference in November that the NUJ would prefer if Newstalk and Today FM hired and paid freelance journalists, but if this was not going to happen editorial decisions should be taken on editorial grounds.

O’Brien libel defeat was good news

The outcome of libel action taken by Denis O’Brien against the Sunday Business Post was good news for Irish journalism, the Irish Secretary told delegates.

Séamus Dooley said the case was “a vicious attempt not just to shut down two brave journalists but to undermine the very existence of the Sunday Business Post.”

He said: “In an otherwise dark period, the loss of that court case by O’Brien and his subsequent, unrelated departure from Independent News and Media Plc was good news. The NUJ was opposed to media dominance by any share holder and does not believe that concentration of ownership is good for democracy.”



IRISH BIENNIAL DELEGATE CONFERENCE 2019

NUJ honours Life Members

The NUJ celebrated its newest life members on Friday, November 15th, at an event on the eve of the Biennial Delegates Conference, paying tribute to activists and members whose time with the union spanned at least 40 – and in one case, 60 – years.

“You are an inspiration to all of us,” Séamus Dooley, Irish Secretary, told the Life Members.

Ray Burke, a veteran of The Irish Press and of RTÉ, thanked the NUJ on behalf of the honourees and also addressed the importance of RTÉ as a national public broadcaster.

For RTÉ to be diminished in any way will affect every citizen in the country, Ray said.

“It’s most important that RTÉ continues to be able to cover the courts, cover politics, local and national,” he said. “If RTÉ isn’t going to do it, who’s going to do it?”

Tony Mulvey of the Irish South West branch was honoured for 60 years as an NUJ member. Tony, who began working as a journalist in 1959, brought with



Tony Mulvey with his own membership card and that of his father from 1943. Photo: Maxwell.

him his membership card as well as his father’s membership card from 1943.

The Spring 2019 issue of *The Irish Journalist* includes a feature on Tony Mulvey, following an Irish South West branch event marking his retirement from The Clare Champion. The Winter 2019 issue ran a story naming all of the new Life Members of the NUJ. Both issues are available for download from the NUJ website, nuj.org.uk.

Officers for new IEC

The Biennial Delegates Conference in November elected the IEC officers for the 2019-2021 term.

Siobhan Holliman and Dara Bradley (job share), both of the West of Ireland branch, were elected cathaoirleach; Carolyn Farrar of the Derry and North West branch was elected leas-chathaoirleach; and Cearbhall Ó Síocháin, full-time secretary of the RTÉ Group of Unions, was elected treasurer.

The membership of the 2019-2021 IEC, with photographs, was published in the Winter 2019 issue of *The Irish Journalist*, which is available for download from the NUJ website, at nuj.org.uk/documents/the-irish-journalist-winter-2019/.



Somali journalist Mohamed Abdi Gouled addresses the conference seminar. Pictured with Michael Fisher, NEC and Emma O’Kelly, Chair, Dublin broadcasting branch. Photo: Derek Speirs.

Award-winning NUJ member’s seminar on photography for Twitter and Instagram

NUJ members are being encouraged to register now for Dublin P&PR’s latest seminar, to be held on Tuesday, March 31st.

Photography Tips for Instagram and Twitter will be held in the Gresham Hotel in Dublin at 6.30 pm and will last about two hours. Guest speaker will be Bryan O’Brien, a photographer and video journalist with numerous awards under his belt.

Dublin P&PR Branch has said the seminar “is an absolute must for all members who utilise social media for themselves, a news organisation or client”. The seminar is free but those wishing to attend must register on Eventbrite as there are a limited number of places available. You must be a member of the NUJ to attend.

The March event is the latest in the branch’s recent seminars. In January, former RTÉ producer and communications consultant, Simon Devilly, delivered a timely seminar on how to cover an election count.

NUJ presents books of condolences for Lyra

Michelle Stanistreet, General Secretary, presented books of condolences from the NUJ for murdered journalist Lyra McKee to Lyra's partner, Sara Canning, at the Biennial Delegates Conference in Dublin in November.

Michelle said "the NUJ family", following Lyra's death, should consider what circumstances are necessary for more journalists like Lyra McKee to thrive.

"Journalism and the NUJ absolutely need more Lyras," the General Secretary said.

"So as her NUJ family at her death promises to do one thing, it should be to consider what circumstances are necessary for more like her to thrive," Michelle said. "Journalism and the NUJ absolutely need more Lyras."

In accepting the books, Sara thanked the NUJ and its members for their support for Lyra over the years.

"I'm massively appreciative of the support that she was given," Sara said. "I know it really helped in some



Sara Canning at BDC. Photo: Derek Speirs.

of the most troubling and challenging times that she faced as a journalist and just as a person. Because the bullying and the online backlash that you can receive when your views are put out there quite openly can be overwhelming and it can be terrifying."

The support Lyra received from the NUJ was amazing, Sara said, calling it a great reflection "of the value of the NUJ and of the family that you receive as an extension of being a member".

Dealing with hate speech: The BDC panel

Dr Karlin Lillington, contributor to *The Irish Times*, told the Biennial Delegate Conference that some solutions proposed to deal with online hate speech could affect journalists' work.

She pointed to suggestions that social media users should have to provide identification, rather than hiding behind anonymity. The primary and most vulnerable targets of hate speech internationally tend to be journalists, trade unionists, human rights defenders and pro-democracy activists, she said.

"The very activists who are often attacked need anonymity, especially outside of western democracies," she said. Journalists need anonymity, she said.

Dr Lillington was on a panel at Conference on hate speech with Sara Canning, partner of murdered journalist Lyra McKee; and General Secretary Michelle Stanistreet. RTÉ's Fran McNulty hosted the discussion, which also involved questions and comments from members in the audience.

Dr Lillington also said she believed social media companies should be taxed, with proceeds going to public service broadcasting and other news

organisations.

Sara Canning said Lyra had been subject to a "sustained bullying campaign on social media", in what she described as "a really, really traumatic time for her".

She said, "It's frightening for anyone, but when the police don't really take it seriously because it's online that's when things get really scary."

Michelle Stanistreet said the very nature of journalists' jobs today means there is an expectation from employers that they will be active on social media. This has added a different type of stress in many ways, whether from online bullying or anxiety, she said.

The General Secretary said: "I think as a union it's very much about trying to approach it in a problem-solving way." She said it was important that the NUJ raise awareness of the issue but also to make employers take on their responsibilities on the matter.

She said the NUJ was also working on things like a "digital safety tool kit", involving practical things people can do to protect themselves.

Rejuvenated chapel lodges first pay claim in over a decade at INM

The rejuvenated chapel at Independent News and Media has lodged the first pay claim at the media group in over 10 years.

The NUJ submission was based on the Irish Congress of Trade Unions' Private Sector Committee's recommendation for 2020 pay claims, which said they should be between 3.5 and 4.5 per cent. The claim, which was submitted recently, was retrospective to the start of this year.

Employees at the Sunday Independent, Irish Independent, Herald and Sunday World took pay freezes and cuts of between 2.5 per cent and 10 per cent in 2009, as the recession was in full effect. The current claim is therefore the first step in rolling back those cuts; repairing some of the additional damage done to salaries by inflation over the last decade; and attempting to future-proof salaries against cost of living increases.

NUJ chapel reps accompanied Irish Organiser, Ian

McGuinness, and Irish Office official, George Kiely, to the negotiations. It was pointed out at the meeting that NUJ members had also worked with a significant amount of changes in recent years.

Ian McGuinness said: "This is a profitable company that has undergone a huge raft of changes in the past 10 years. Our members have done everything that has been asked of them – and more. All of those changes happened in the shadow of pay freezes, pay cuts, inflationary pressures and a reduction in staffing numbers. Now is the time for the company to show their appreciation for the NUJ members, whose commitment to their journalism has been unwavering."

George Kiely added: "We now have eight reps and counting in INM, and the rejuvenated chapel structures are boosting confidence and determination. These talks are a golden opportunity for the new owners to boost morale and show how much they value their hard-working journalists."

Lodge a pay claim now!

Journalists are being encouraged by the NUJ's Irish Office to seek its assistance in lodging pay claims for 2020.

With a number of pay claims actively being progressed at employers north and south of the border, the union is encouraging chapels to seek the Irish Office's assistance in

lodging their claims for this year.

Those in workplaces with no chapel can also approach the office to seek assistance in establishing a chapel, as a precursor to lodging a pay claim.

The Irish Office can assist in researching and lodging the pay claim, negotiating on behalf of its members, taking claims to a third party, and advising on tactics.

Irish Organiser, Ian McGuinness, said: "We have a variety of employers in Ireland. They range from reasonable companies, to difficult employers who the union can nonetheless

deal with, through to the wholly unreasonable.

"The Irish Office officials and our lay reps at all levels are used to dealing with all these types of companies. We can't guarantee that we will get everything that our members want but we can guarantee that our officials and lay reps will do everything in their power to improve the terms and conditions of our members."

Anybody seeking assistance in lodging a pay claim on behalf of their members should email info@nuj.ie or phone the Irish Office on 01 8170340.

Register for training in collective negotiations

The third stage in the NUJ's suite of Reps' Training courses will take place in Dublin on Tuesday, May 5th and Wednesday, May 6th. The course will, among other things, deal with collective bargaining and negotiations.

Members who have done stages one and two of the Reps' Training courses should apply to attend the course. However, experienced reps at chapel, branch, IEC and NEC level are also eligible to attend in order to brush up on their skills.

Places on the course are limited and those seeking to reserve a place should email info@nuj.ie as soon as possible.

Further details, including the venue and relevant literature for the course, will be distributed closer to the event.





Kathryn Johnson, Belfast and District, and IEC member, makes her point at BDC. Photo: Derek Speirs.

RTÉ should accept Roper verdict and plan a fairer future for all

The decision of RTÉ to appeal the outcome of a case taken by NUJ member Anne Roper, who was awarded €100,000 for illegal discrimination on grounds of age having been forced to retire, has been described as “deeply regrettable” by the NUJ.

Anne a distinguished producer director, was awarded compensation on foot of a finding that RTÉ was guilty of discrimination, contrary to Section 79 of the Employment Equality Act.

A feminist with a strong track record in highlighting inequality, one of Anne’s most significant programmes was the acclaimed 2018 two-part series, “No Country for Women.”

The NUJ had sought, through internal procedures, to have her employment extended by 18 months but the employer insisted that she should retire at 65, even though her contract was silent on the issue of a retirement date.

Anne invoked the complex grievance procedures, which involved three hearings, at which she was represented by Séamus Dooley, Irish Secretary. RTÉ refused to allow her to continue in employment pending exhaustion of the grievance process, despite an application from the NUJ.

Ms Roper subsequently took a case to the Workplace Relations Commission under the Equality Act and decided to challenge the termination of her employment on grounds of age discrimination.

She was represented by Padraig Lyons BL, instructed by Claire Macken and Donal Spring of Donal Spring, Daniel Spring and Co, Solicitors.

The Irish Secretary gave evidence in her support and the determination was predicated on many of the failures highlighted in the internal process.

Reacting to the judgement, Séamus Dooley said the comprehensive determination identified the need for clear criteria in relation to longer working and transparency surrounding retirement.

He said: “We are disappointed that RTÉ has decided to appeal the determination. Our member has had to suffer a highly unsatisfactory internal process and a very stressful WRC hearing, followed by a long wait for the adjudication. This appeal adds further stress to the individual but will also delay the implementation of a consistent, coherent and transparent retirement policy in RTÉ predicated on the principles and fairness.

“The Adjudication Officer’s determination sets out useful precepts and it would have been preferable if RTÉ had accepted the findings and addressed the shortcomings identified in this case. Ms Roper and the legal team deserve credit for the manner in which this case has been pursued. RTÉ should develop strategies for a fairer future for all workers and work with the Trade Union Group on addressing the complex issues which arise through changes in the State pension age and the now discredited enforced retirement age of 65.”

In her judgement, Catherine Byrne, WRC adjudication officer, rejected RTÉ’s claim that the forced retirement of Anne Roper was needed to achieve what the organisation described as “intergenerational fairness.”

She also found that while most people working in RTÉ retire at 65 there was a practice which allowed a significant number of employees to work beyond that age.

On RTÉ’s decision to appeal, Séamus Dooley said Anne Roper’s case has been prolonged and is now being drawn out by her former employer.

“The case was submitted on January 4th, 2019, the hearing took place on May 21st and July 10th. The determination was issued on December 18th, 2019. The consequences of a Labour Court appeal will be an added burden on Ms Roper, additional costs to RTÉ and continued uncertainty for those facing retirement.”

Seeking a crucial balance in addressing hate speech

By Michael Foley

Ireland's incitement to hatred legislation dates back to 1989.

Think about that for a second: It was the year the Berlin wall fell; there was still a Soviet Union, there was, of course, no Facebook or Twitter. There were only a handful of TV channels, and no streaming services. That was also the year when the first legal commercial radio went on air. The digital revolution had yet to arrive. Given that, one might say a review of the legislation is clearly an idea whose time has come.

In fact it came some years ago, in 2000, when the then-Minister announced that a review was actually taking place in the Department of Justice on the effectiveness of the legislation. The Department must have found it was effective because we heard nothing of that review. Since that date there have been five prosecutions under the Act. There were none prior to that.

The present Minister has called for another review, this time a bit more open. There will be a consultation process and interested parties are to submit proposals and contribute to a workshop, which presumably will help shape new legislation.

The NUJ has made its contribution and has tried to strike that crucial balance between the harm that can be done by hate speech and defending freedom of expression: "As a union representing media workers, we have a strong commitment to defending the right to freedom of expression and would always be alert to the danger of the unintended consequences of inhibiting or curtailing press freedom in a manner which could be detrimental to democracy."

Our submission defends the right to, and the protection of, robust political and social discourse with the need to promote respect for the dignity and autonomy of others. Any limitations to free speech are not about avoiding giving offence or curtailing the right to freely express an opinion, "but about seeking to prevent or to punish the abuse of the right to freedom of expression in a manner which has harmful consequences".

There is a self-interested reason why the NUJ should be involved in any discussion concerning hate speech. The International Federation of Journalists, to which we are a major affiliate, has been in the forefront of the Europe-wide 'Media Against Hate' campaign, which is seeking ways for the media to defend democracy against the growth of right-wing



Natasha Hirst, chair of the NUJ's equality council.

populist extremists. We also know that journalists are one of the groups often subject to hate speech online, more often than not women journalists.

The Guardian newspaper analysed its own comment section and found over a 10-year period that of the 10 most abused journalists, eight were women and the other two were black men. As Natasha Hirst, chair of the NUJ's equality council, said in a video on the NUJ website, it was hugely concerning that people were being targeted based on their identity, gender, race or disability.

The issue is one of censorship, but not as free speech libertarians might see it. Hate speech is itself a form of censorship, as its purpose is to silence those at whom it is directed. Whether through fear or actual harm, whether they are women journalists, ethnic, sexual or religious minorities, or people with disabilities, all can be silenced when they are the focus of hate speech.

The Human Rights and Equality Commission, in its submission to the consultation process, recommended support and training for journalists as to the nature and dynamic of hate speech. It also said that "where hateful material is published by the press, the Commission supports the swift imposition of remedial action such as the publication of a correction, clarification or apology, a right of reply, or the amendment or deletion of hateful content online".

Alongside the present consultation process of the legislation, journalists should also ensure our own codes and guidelines, as well as those of the Press Council and the BAI, are fit for purpose and that our members have internalised them.

The NUJ's submission does warn politicians that in finally confronting the failure of social media to address online abuse it does not compromise the rights of independent, ethical journalism. Journalism must not become "collateral damage in a belated attempt to enforce standards and compliance on social media conglomerates".

Michael Foley is vice chair of the Ethics Council, where he represents the Republic of Ireland.

OBITUARIES

President leads tributes to scholar

President Michael D Higgins led the tributes to NUJ life member Dr Brendan Ó Cathaoir (78) who died last month at the Blackrock Clinic, Dublin following a long illness.

Brendan was a former Irish Times journalist, historian, and a student of theology. A sub editor, he is remembered for his scholarship in editing the Famine Diaries, published in The Irish Times to mark the 150 anniversary of the Great Famine and subsequently as a book in 1998.

His biography, John Blake Dillon, Young Irelander, was published by Irish Academic Press in 1990. He also edited The Diary of Elizabeth Dillon, wife of John Dillon MP (son of John Blake Dillon) and a leading advocate of Irish Home Rule at Westminster for 40 years but was too ill to attend the launch last June.

In his review, Frank Callanan described the book as “a considerable editorial feat”.

“The diaries of Elizabeth Dillon are copious, running

to 38 journals, and have been rendered down by the editor without any loss of relevant political or social content.

“The editing, and annotations, reflect consummate skill and mastery of the materials of the journals, by the late Brendan Ó Cathaoir”.

In his tribute to Brendan, President Higgins said he “had a special talent for bringing the voices of the past to life for a wide audience, with great eye for detail and accuracy.” President Higgins also commented that at a time that Ireland will commemorate the centenaries of some very difficult chapters in our history, “Brendan Ó Cathaoir’s insights and analysis will be sorely missed.”

Brendan was a native of Springfield, Co Clare and lived for many years in Bray, Co Wicklow but remained loyal to his native county and is buried in Kilnaboy Cemetery, Clare. He is survived by his wife Eva (Natt), daughters Emer, Patrick and Katharina, and grandchildren, Oisín and Aisling.

Marian Finucane: a champion of journalism

The death of Marian Finucane came as a shock to family, friends, colleagues and listeners. For NUJ members, Marian’s death marked the loss of a champion of journalism and journalists.

In a tribute to Marian, Séamus Dooley, Assistant General Secretary, said: “Marian Finucane made an immense contribution to Irish broadcasting. A pioneering journalist she brought grace, skill, charm, curiosity and wisdom to her work but her outstanding

quality was empathy.

“Marian had a genuine interest in people, combined with an innate sense of fairness and social justice. As a journalist she blazed a trail for women in broadcasting and was unfailingly supportive of younger colleagues, especially women seeking to enter journalism.

“With her death Ireland has lost a unique voice which shall be missed.”

Tributes are paid to Tom Kelly

Warm tributes have been paid to former RTÉ journalist Tom Kelly (Tomás Ó Ceallaigh) following a short illness.

He had taken early retirement from RTÉ and was pursuing his love of travel when diagnosed with cancer.

Tom was former officer of the RTÉ Newsroom chapel and a champion of cycling who promoted the original Bike to Work scheme in RTÉ. He was a passionate campaigner for the rights of cyclists and an early advocate of workplace incentives to promote cycling.

During his career in RTÉ, Tom worked on a number of programmes, including Marketplace and Nationwide, and was an energetic and committed midlands correspondent from 1992 to 1996.

His successor as midlands correspondent, Ciaran Mullooly, described the news of his former colleague’s death as “shocking and sad”.

In a tweet Ciaran described Tom as “a real gentleman, a lover of the environment and the Irish language – and above all his bike!”

Press Ombudsman Peter Feeney tweeted: “Sad to hear of the death of Tom Kelly, former RTÉ Midland Correspondent. He started working with RTÉ in the mid-1980s as a reporter on the business programme Marketplace. Along with Bryan Dobson and Cathal Mac Coille he was a great advocate for cycling in Dublin.”

Announcing his death, Tom’s family said he had donated his body to UCD School of Medicine, a gesture typical of Tom’s generosity of spirit.

OBE for Br Brian

NUJ life member Fr Brian D'Arcy was presented with an OBE at a private ceremony hosted by Prince William in London recently.

The OBE was awarded in acknowledgement of his contribution to cross-community relations in Northern Ireland.

A member of Dublin freelance branch, Fr Brian was the first ordained priest to join the NUJ. He applied on joining the newly published Sunday World as a columnist. His application was supported by then Irish Organiser Jim Eadie and received considerable publicity at the time.

Jim commented that he was sure vows of poverty would be no barrier to paying his subs and his confidence was fully justified!

Incoming GPC elected

The incoming Irish Executive Council elected a new General Purposes Committee 2019 – 2021 at its first meeting in January.

There is one seat still vacant, to be elected from nominees from the broadcasting sector.

The new GPC includes Anton McCabe/ Ciarán Ó Maoláin (JS); Bernie Mullen/Gerry Carson (JS); Carol Byrne/ Norma Prendiville (JS); Carolyn Farrar; Cearbhall Ó Siocháin; Dara Bradley/Siobhan Holliman (JS); Gerry Curran/Michael Fisher (JS); Ian McGuinness; Lorna Siggins; Michelle Stanistreet; Noel Baker/Susan O'Shea (JS); Ronan Brady; and Séamus Dooley.

The membership of the 2019-2021 IEC, with photographs, was published in the Winter 2019 issue of The Irish Journalist, which is available for download from the NUJ website, at nuj.org.uk/documents/the-irish-journalist-winter-2019/.

Blasphemy law is removed from the statute books

Last month, with no furore, blasphemy was removed as a crime offence from the statute books in the Republic of Ireland. This follows the outcome of the referendum in October, which removed blasphemy from the Constitution.

Subsequently, legislation was introduced by Justice Minister Charlie Flanagan giving effect to the decision and signed into law over Christmas by President Michael D Higgins.

The Blasphemy (Abolition of Offences and Related Matters) Bill 2019 repeals sections 36 and 37 of the Defamation Act, which described the offence of blasphemy and removes references to blasphemy from the Censorship of Films Act.

Séamus Dooley, Irish

Secretary, welcomed the decision as “a significant and long overdue step”.

He said: “We opposed the inclusion of blasphemy in the Defamation Act by the then minister Dermot Ahern. The Constitutional amendment was important because it sent a clear signal about the nature of Irish democracy.

“Religious fundamentalists were able to point to Ireland’s law on blasphemy in defence of their own restrictive laws. This is no longer the case.

“It must be acknowledged that the Constitutional provision had no practical impact on the practice of Irish journalism and there are other reforms needed in relation to our libel regime but as a union which opposes criminal blasphemy we view this as a welcome development.”

Citizen’s Assembly focus on gender equality

The Citizen’s Assembly on gender equality has commenced its work and is now seeking public submissions.

Individual members may also wish to fill out the online questionnaire, which is based on terms of reference established by the Houses of the Oireachtas:

Theme 1: Gender norms and stereotypes; Theme 2: Work: gender discrimination and occupational segregation by gender and the gender pay gap; Theme 3: Care, paid and unpaid, as a social and family responsibility; and Theme

4: Women’s access to, and representation in public life and decision-making.

The IEC would welcome observations from branches and individual members. Please send these to info@nuj.ie, marked Gender Equality. Closing date 25th February.

The submission will be prepared in consultation with the Gender Council and the union’s Legal and Equality Officer.

For further details visit <https://www.citizensassembly.ie/en/what-we-do/public-consultation/>

MEP Mairead McGuinness to open next Freelance Forum

Bookings will open shortly for Dublin Freelance branch's next Freelance Forum, to be held on Monday March 23 in Buswell's Hotel in Dublin.

The forum will be opened by Mairead McGuinness MEP, First Vice President of the European Parliament and a former journalist who edited the Farming Independent.

She was chairing the parliament on the final day of British participation, when the Brexit Party staged a noisy intervention, waving flags and cheering. She clashed with party leader Nigel Farage and switched off his microphone as he spoke.

"Please sit down, resume your seats, put your flags away. You're leaving and take them with you if you are leaving now," McGuinness said as the cheering Brexit Party MEPs walked out. She will speak in Dublin next month on the challenges facing the media post-Brexit.

As the programme was being finalised, news

came that the Broadcasting Authority of Ireland had decided to renew its grant to Dublin Freelance for a further year. The grant supports two freelance forums, under the BAI sectoral funds heading, and the amount approved for 2020 is €5,000.

"This is excellent news," said branch treasurer Kieran Fagan. "The BAI support means that our admission fee, €10 for members, does not deter people from attending and we can pay the cost of city centre hotel."

The purpose of this day-long event is to bring freelance writers, photographers and broadcasters together and share knowledge about developments in the sector. A popular regular item is the 'what editors want' slot, in which those who commission freelances discuss their needs, and how the material should be offered and presented.

Further details will be available shortly. Visit the branch site, <http://dublinfreelance.org/> or follow them on Twitter, @DublinFreelance, for more information.

Minister Bruton brushes aside NUJ concerns over Iconic takeover

Concerns raised by the NUJ about the potential takeover of the Midland Tribune and Tullamore Tribune newspapers by Iconic were brushed aside by then-Minister of Communications, Richard Bruton.

The Competition and Consumer Protection Commission cleared the takeover last October by Form Press Publishing (Iconic), subject to binding commitments. Each proposed merger is then passed to the Minister for Communications if it gets over the CCPC hurdle.

Irish Secretary, Séamus Dooley, and Irish Organiser, Ian McGuinness, wrote to the minister in October to express the NUJ's concerns about media plurality, editorial independence and staffing levels at the papers.

The letter said the NUJ believed that if the merger was approved it should stipulate that the two newspapers would remain independent of each other and not be merged; the two papers should remain independent of other Iconic titles and not be merged

or pool personnel; the current staffing numbers should be retained; and the company should commit to positively and actively engaging with trade unions.

No response was received from the Minister, so the NUJ Irish Office was forced to write a second letter to the Minister in late November.

A response, dated December 2nd, then arrived, basically confirming that a decision had already been made to pass the takeover. It said: "My determination is that the proposed media merger will not be contrary to the public interest in protecting the plurality of media in the State."

The assessment report for the media merger has not yet been published but the NUJ will be analysing the document when it is put up on the Department of Communications' website.

The NUJ officials' October letter offered to provide any further information or meet with the Minister or his officials, if they thought it would be beneficial to the decision-making process. That offer was not taken up.