NUJ briefing: Counter Terrorism and Border Security Bill

September 2018

The National Union of Journalists in the UK and Ireland (NUJ) remains concerned by proposals contained within the draft counter terrorism and border security bill – a number of clauses could gravely endanger legitimate, public interest, media reporting of terrorists and terrorism.

We are alarmed by the potential implications for investigative journalists; and by the lack of adequate safeguards for journalists and journalism on the face of the bill.

The NUJ is opposed to the measures in the bill that create harsher penalties and new offences that criminalise information-seeking and freedom of expression.

Clause 1: Expressions of support for a proscribed organisation

The draft clause lacks clarity in terms of definition and scope. It is unclear as to what type of expression would or would not be caught by this offence. Clause 1 could have a detrimental impact on freedom of expression. It is in the public interest to have public debates about proscription and de-proscription of organisations, and the clause as it stands could criminalise this debate.

Clause 2: Publication of images

To propose to criminalise the publication of images risks a detrimental impact on journalists, journalism and related historical archives. Again this clause lacks sufficient clarity as to what would be caught by this offence. The clause does not contain the necessary safeguards for legitimate public interest journalism.

Clause 3: Obtaining or viewing material over the internet

The NUJ remains concerned that this clause may capture legitimate journalistic research. Journalists are often required to view a range of material over the internet, and this clause does not provide any related exemptions or safeguards for journalists.

Prevent strategy

At the NUJ's conference in April 2018, the union agreed to call for the repeal of the UK Prevent strategy. The union therefore supports calls for an independent review of the strategy prior to any consideration to further extend the scheme.