

NUJ submission to the UK government's Late Payments: Tackling Poor Payment Practices consultation

October 2025

About the NUJ

The National Union of Journalists (NUJ) is the voice for journalism and journalists in the UK and Ireland. It was founded in 1907 and has more than 22,000 members working in broadcasting, newspapers, news agencies, magazines, book publishing, public relations, photography, videography and digital media.

The NUJ has represented freelance journalists throughout its existence and currently has approximately 4,000 in membership. The union has a Freelance Council that meets regularly to consider issues that impact on freelance journalists' working lives.

The NUJ is affiliated to the Trades Union Congress (TUC). The NUJ is not affiliated to any political party.

Introduction

Freelance journalists have played a significant role in the UK media industry at least since the emergence of modern national newspapers in the 1870s. According to the Labour Force Survey 2024, 39% of journalists are self-employed, meaning that there are currently 32,565 freelance journalists at work in this country¹.

In 2015, Deloitte reported that the news media contributed £5.2million gross value added to the UK economy². The UK media is also considerably larger than those in comparable countries. It earns 50% more than the media in France, and 15% more than the industry in Germany, despite France having a comparable population and Germany one that is significantly greater³.

Research by the Authors' Licensing and Collecting Society in 2024, however, shows that freelance journalists' median earnings are just £17,000 per annum – a figure that puts their hourly pay below the minimum wage⁴. Other studies suggest a slightly higher figure, but none are greater than UK median earnings.

This situation is the result of a number of factors. The most significant of these is the behaviour of major news platforms towards their freelance contributors. Although not the subject of this consultation, the rates paid by news platforms are emblematic of the way that freelances are treated. In the last 25 years, rates across the board have hardly changed, or have fallen in absolute as well as relative terms.

¹ Cited in Journalists At Work 2025 pub. NCTJ <https://www.nctj.com/wp-content/uploads/2024/09/Journalists-at-Work-2024.pdf>

² https://newsmediauk.org/wp-content/uploads/2022/10/Final_Report_News_Media_Economic_Impact_Study.pdf

³ https://www.adlittle.com/sites/default/files/viewpoints/ADL_FlowOfFundsFrance_english.pdf

⁴ <https://www.alcs.co.uk/news/a-fairer-future-for-freelance-journalists/>

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But it is also because of a number of business practices operated by the major news media that have a dramatic impact on the ability of freelances to earn. These are: payment on publication, kill fees, implicit contracts, and enforced 'self billing'. Taken together, they amount to a shocking abuse of economic power by major companies that deploy their market position to save tiny amounts of money, at the expense of the most vulnerable components of their supply chain.

The economic state of the news media

The news media has experienced significant change in recent decades (as it has throughout its history). In some cases, this has resulted in significant economic challenges. As an industry, however, profits continue to be made. In the year to June 2024, for example, News Group Newspapers (The Times and The Sun) recorded a profit of £296m⁵. In February 2025 DMGT (The Daily Mail and Mail on Sunday) reported operating profits up 34% year on year to £53m⁶. In 2024, the Financial Times made profits of £7.3m⁷. The Guardian reports revenue growth of 6.7% and an imminent return to profit⁸.

It is also worth noting that many news platforms continue to substantially benefit from the removal of VAT from their digital products. This was an appropriate measure when it was introduced in May 2020 during the Covid crisis. Today, it is a significant economic benefit to many news platforms that is granted to media companies without reciprocal obligations.

The economic situation of freelance journalists

The term 'freelance journalist' covers many varied types of workers, ranging from those who work daily from the offices of major news platforms to others who self-publish video content on sites such as Instagram and TikTok or earn directly from their readers via platforms such as Substack. The majority, however, earn their living mostly or wholly from national news media, newspapers, magazines, broadcasters and online publishers.

Among this group, certain business practices have become prevalent that would be unimaginable in any other sector. This is possible because of the radical disparity between the freelance contributors and those who commission them. When freelances object, it is usually easy to stop commissioning them and to find a replacement journalist. The fear of this happening prevents most freelances from

⁵https://pressgazette.co.uk/media_business/losses-shrink-at-the-sun-as-times-reports-60m-profit/

⁶ https://pressgazette.co.uk/media_business/digital-advertising-and-cost-cuts-fuel-growing-profits-at-mail-titles/

⁷ [https://pressgazette.co.uk/media_business/financial-times-reports-global-revenue-boost-to-540m-for-](https://pressgazette.co.uk/media_business/financial-times-reports-global-revenue-boost-to-540m-for-2024/#:~:text=UK%20accounts%20for%20Financial%20Times,investment%20in%2030%20extra%20employees.)

[2024/#:~:text=UK%20accounts%20for%20Financial%20Times,investment%20in%2030%20extra%20employees.](https://pressgazette.co.uk/media_business/financial-times-reports-global-revenue-boost-to-540m-for-2024/#:~:text=UK%20accounts%20for%20Financial%20Times,investment%20in%2030%20extra%20employees.)

⁸ https://pressgazette.co.uk/media_business/guardian-grows-revenue-and-reduces-losses-for-year-to-march-2025/

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objecting. Indeed, even when freelancers do object, they often find that the editors who are their direct contacts do not have the authority to vary the terms on which they commission.

A number of specific practices, most of them unique to the news media industry, are the devices by which news platforms suppress the income of contributors. Individual contributors often feel powerless to resist these practices because they fear that 'rocking the boat' will put at risk future commissions or invitations to work. Some publishers allow this atmosphere of fear to spread unspoken. Others issue specific threats to freelancers, telling them if you don't like it, you don't have to work here.

Abusive practices

Payment on publication

This sounds innocuous, however, it has the result of delaying payment to some contributors, mostly writers, for months, and even years. A publication commissions work in the usual way and sets a deadline. The journalist produces the work to schedule, then the publication sits on the work. Sometimes this is because an intended slot is used for something else – assembling a topical news product happens in a fast-changing environment. Sometimes it happens because editors consider it useful to have a stock of stories in hand that can be slotted in at short notice, when the need arises. Both situations are perfectly understandable, but it is patently unfair for freelance contributors to have to massage the cashflow of far larger economic entities. For a freelance journalist, payment for a single piece might represent the bulk of their income in any given month. Wholly unpredictable delays in being paid results in significant economic hardship.

Kill Fees

A news platform commissions a piece of work, agreeing a fee. It is supplied to deadline and is of appropriate quality. The news agenda shifts, and the commissioned piece is no longer useable. Some publications simply pay nothing. Others offer a 'kill fee' of perhaps half or a quarter of the originally agreed fee. This is patently unfair.

Self-billing

The usual practice in business is that the supplier of goods or services renders an invoice for work completed. This is then paid. In much of the news media this is not what happens. Where 'self-billing' occurs, contributors are commissioned, usually with the agreement of a fee verbally or by email. Once that contribution is published, the commissioning editor sends a schedule of payments to the finance department, or the managing editor. In many instances this works well – but not all. Commissioning editors often find themselves facing budgetary pressure. A common way to deal with this is to suppress payments occasionally. It is almost impossible for contributors to object when this happens.

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Implicit contracts

Some news platforms issue contributors with actual contracts that they require them to sign. These generally reflect the radical power imbalance between large companies and sole traders. News platforms take all the contributors' rights in their work and will often require journalists to offer broad indemnities for eventualities that are beyond their reasonable responsibility or ability to meet potential costs. More common is for news platforms to issue no contracts at all, but when challenged, refer contributors to documents deep in their websites, or even unwritten 'industry standards'. These nearly always involve contributors being forced to give up all, or nearly, all their rights in their work and agreeing to the kind of payment terms mentioned elsewhere in this submission.

Issues with non-media bodies

A separate set of issues affects freelance journalists undertaking work for public bodies, charities, and non-governmental organisations. Many bodies of this kind are inexperienced in commissioning relatively modest pieces of work from media professionals. They apply the same requirements to commissions valued at a few hundred pounds as they would to far greater pieces of work. As a result, photographers, for example, most of whom are sole traders are sometimes required to display sheafs of 'policies' in the same way that a building contractor might. This might include evidence of how they measure their impact on climate impact, modern slavery, and equal opportunities (among other things).

This creates an administrative burden that is wholly out of proportion to the work required.

Such issues could be much improved by the Small Business Commissioner issuing guidelines for commissioning work, setting out tiered levels of compliance based on the value of work. Doing so would help both self-employed media professionals and those for whom they work.

Case studies

Credit where its due

"I write consumer features, mostly for national newspapers. Some articles are half a day's work, others can take days and involve significant travel. Much of my work is not paid for months and months after it is completed. Stories that I wrote in November 2024 were not paid until October 2025. This is because commissioning editors like to have a stock of useable material. This is understandable, but why should the most vulnerable person in the supply chain bear the cost? In the last year, one paper made me wait five months to pay a £15,000 invoice, that's a huge

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chunk of my income in limbo. I also have no control over what I am paid. The convention is that you leave the fee to the paper, who settle up via 'self billing'. Occasionally it's a pleasant surprise, but usually not. I should make a fuss, but you worry that if you do, you won't work again."

Your fees are killing me

"I wrote a feature for a major tabloid newspaper. It involved three case studies, all of whom had to come to London to be photographed. I supplied my copy and coordinated the case studies. Everyone was happy with the story, but for reasons beyond my control, it was not used. The paper told me that although the photographer and make-up artist would be paid, I would not, because the piece had not been used. I argued my corner, but the paper was adamant. Fortunately, the NUJ intervened on my behalf, and the paper eventually agreed to pay me a 'kill fee' of half the agreed sum. Their senior staff seemed perfectly comfortable arguing that it was 'industry standard practice' not to pay a journalist in such circumstances."

Terrible implications

"A friend in Australia emailed me to say that I had an article in his daily paper. I had never sold a story outside the UK, so was surprised. With a bit of probing, I realised that it was a story that I wrote for a British newspaper. I called that paper to ask what had happened. They explained that they had a syndication agreement with several papers around the world. I said that I had not agreed to syndication, and even included in at the end of my copy the words 'first British rights only'. The paper pointed to a set of terms deep inside their website that they had never mentioned to me before. 'If you submit articles to us, you are accepting our terms by implication' they told me. I didn't even receive a syndication fee because the paper appears to offer its entire stock of copy on a kind of subscription system."

Responses in the format of the consultation

Name: Tim Dawson, on behalf of the National Union of Journalists (UK and Ireland). **Capacity:** trades union.

4. If responding on behalf of a representative body please make it clear who the organisation represents and, where applicable, how the members' views were assembled.

The National Union of Journalists is a trades union, comprised of more than 22,000 members, of whom around 4,000 make their living as freelance journalists. The responses that follow are based on pre-existing policy agreed at our biannual Delegate Meetings, as well as specific consideration of the issues raised in this

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consultation at our Freelance Council meeting in September 2025. Meetings of our freelance branches in London and Edinburgh, as well as several geographic branches have debated the issue and adopted policy since the consultation was announced. Those policies are reflected in the following response. **5. Size of business:** see above.

6. Name of business / organisation / representative body. The National Union of Journalists (Britain and Ireland). **7. Region:** UK

8. Sector: News media

Q9a To what extent do you agree that Audit Committees, where companies have them, should provide commentary and make recommendations to company directors before data is submitted to Government and included in Directors reports?

Strongly agree – It would be useful for all directors to know how media companies treat their smallest suppliers. Where companies are publicly listed, it would also be helpful if such information were included in their statutory annual reports.

Q9b To what extent do you agree that the Small Business Commissioner should write to audit committees and company board, where companies have them, when undertaking payment performance reporting assurance and when investigating any other matter relating to a companies 'payment practices?

Strongly agree. Freelance journalists, as some of the smaller 'suppliers' to news platforms, almost always feel utterly powerless in their dealings with organisations that, in many cases, exercise significant control over their lives. Any kind of external scrutiny of the operation of business terms on freelance journalists would redress this balance, at least a little.

Q9c Are there any potential unintended consequences or considerations that could happen if this measure was introduced?

No, I can't think of any.

Q9d Please explain the reasons for your answer to question 9c.

N/A

Q10a To what extent do you agree that limiting UK payment terms to 60 days at a maximum will be effective in addressing the stated problem of long payment times?

Somewhat agree.

Q10b Please explain the reasons for your answer to question 10a

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The issue for many freelance journalists goes beyond ordinary payment intervals. Publications that 'pay on publication' often don't pay for commissioned work until months after it is completed. Also, the operation of 'kill fees' (a part payment when commissioned work is deemed to meet its brief but is not used for some reason beyond the control of the contributor) undermines the essential principle of paying for goods ordered.

Q10c Are there any potential unintended consequences or considerations that should be taken into account for the introduction of this measure?

No

Q10d Please explain the reasons for your answer to question 10c.

Requiring news platforms to behave like any other business buying services from suppliers would be nothing other than a good thing.

Q10e What exemptions, if any, do you think should apply and why – for example, in specific sectors or in particular circumstances?

There should be no exemptions that would allow news platforms to behave like anything other than normal businesses.

Q11a To what extent do you agree that introducing a 30-day time limit on the ability for businesses to dispute invoices will be effective in addressing the stated problem of the deliberate disputing of invoices to extend payment times?

Somewhat agree

Q11b Please explain the reasons for your answer to 11a

Thirty days should provide a perfectly sufficient period in which invoice disputes can be settled. The long-standing convention of 30 days resolution times is based on doing business in the era when invoices and statements were dispatched by post. Electronic communication takes days out of this process, making 30 days a generous window for dispute resolution.

Q11c Are there any potential unintended consequences or considerations that should be taken into account for the introduction of this measure?

No

Q11d Please explain the reasons for your answer to question 11c.

N/A

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Q11e Are there more effective ways the Government could prevent frivolous disputing of invoices?

It could explore ways to ensure that the small claims process is as simple and inexpensive as possible. Ideally, it should be possible to seek redress in a dispute over contractual terms without requiring specialist professional advice. This is particularly important for claims of modest value.

Q12a To what extent do you agree that all qualifying contracts being subject to mandatory statutory interest on their late payments without exception will address the stated problem and help incentivise paying on time?

Somewhat agree

Q12b Please explain the reasons for your answer to question 12a

Interest and late payment penalties provide a modest incentive. Many businesses, however, pay late and gamble that only a small minority of suppliers will exercise their right to a late-payment penalty and interest. Typically, a freelance journalist or photographer will provide articles or pictures, the individual value of which is below £1,000. The cost in time and aggravation in taking legal action over a disputed payment, even including penalties and interest, generally outweighs their value. The penalties should be uprated to take account of inflation anyway, but they should also be pitched at a sum that is more likely to act as a disincentive.

Q12c Are there any potential unintended consequences or considerations that should be taken into account for the introduction of this measure?

No

Q12d Please explain the reasons for your answer to question 12c.

N/A

Q13a To what extent do you agree that requiring businesses that report under the Reporting on Payment Practices and Performance Regulations 2017 to report how much interest they owe and pay to their suppliers as a result of late payments will help incentivise reporting businesses to improve their payment practices?

Somewhat agree

Q13b Please explain the reasons for your answer to question 13a

Public scrutiny will help. It would need to be part of a package of measures, to properly improve the situation for those freelance journalists who depend on major news platforms for their living.

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Q13c Are there any potential unintended consequences or considerations that should be taken into account for the introduction of this measure?

No.

Q13d Please explain the reasons for your answer to question 13c.

N/A

Q14a To what extent do you agree that introducing financial penalties for large businesses persistently paying their suppliers late will address the stated issue and incentivise reporting businesses to pay on time?

Somewhat agree

Q14b Please explain the reasons for your answer to question 14a

Financial penalties will certainly help. To make a real difference, however, they would need to be part of a broader package of measures – outlawing ‘implicit contracts’, creating an inalienable right to invoice where a supplier chooses, and requiring payment on completion of work among other things.

Q14c Are there any potential unintended consequences or considerations that should be taken into account for the introduction of this measure?

No

Q14d Please explain the reasons for your answer to question 14c.

N/A

Q14e To what extent do you agree that linking financial penalties for consistently late-paying businesses to their unpaid statutory interest liabilities is a proportionate and effective approach?

Strongly agree.

Q14f Please explain the reasons for your answer to question 14e.

In industries where there is a significant imbalance of power between those whom commission and those who supply, the temptation for large organisations to ill-treat their suppliers is significant. Statutory protection for small suppliers in such circumstances is an appropriate safeguard to their entitlement to be treated fairly.

Q15a To what extent do you agree that the introduction of the new powers for the Small Business Commissioner will be effective in improving compliance and enforcement of new and existing regulations around payments?

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Strongly agree

Q15b Please explain the reasons for your answer to question 15a

Any external pressure that can be applied to those who treat small suppliers the worst has the potential to improve the situation. As things stand, large organisations have all the power. Challenging their poor behaviour takes up a disproportionate amount of time, so is often accepted. A simple, cost-free means to seek redress could be a powerful force for good.

Q15c To what extent do you agree that the introduction of the new powers for the Small Business Commissioner will enhance its ability to support small businesses to resolve payment disputes?

Strongly agree

Q15d Please explain the reasons for your answer to question 15c

See above. Clearly, how a Small Business Commissioner chooses to undertake their role will have a significant impact on the extent to which such a position improves conditions for freelance journalists.

Q15e Are there any potential unintended consequences or considerations that should be taken into account for the introduction of this measure?

No

Q15f Please explain the reasons for your answer to question Q15e.

N/A

Q16a To what extent do you agree that the requirement for businesses to report under the Payment Practices and Performance Reporting Regulations should be changed from twice a year to once a year?

Strongly disagree

Q16b Please explain the reasons for your answer to question 16a

The more requirement there is to report, the more quickly the situation is likely to improve.

Miscellaneous

Q28 Do you have any further comments on any elements of the proposals that might aid the consultation process as a whole?

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Over a period of around 40 years, the treatment by major news platforms of many, probably most, freelance journalists has consistently deteriorated. The following is now standard practice for many organisations. Many freelance journalists are not allowed to invoice, but must await payment set by their editors. Often this is at the agreed sum, but when it is not, this is nearly impossible to challenge. The terms of engagement of freelances is not a matter of specific contract negotiation, but the operation of implicit terms, or 'industry standards' the freelances are generally unaware of until a dispute arises. Many publications do not pay, or accept invoices, when commissioned work is supplied, but when it is published. This can be months after material has been supplied. In addition, some platforms appear to have an over complicated system of 'registering as a supplier' to almost indefinitely delay paying some freelances. Others have introduced complex systems of 'purchase approval' that are inconsistent with the speed of operation required by the news media and the modest value of much of the work. **Freelances have no statutory right to trades union recognition.**