

[News story: Open Rights Group campaign](#)

A large number of emails have been received about government plans to equalise the maximum sentence for online and physical copyright infringement at 10 years. This measure is contained within the [Digital Economy Bill 2016](#) which is in its final stage of the Parliamentary scrutiny process.

The Open Rights Group (ORG) campaign focuses on two areas. Firstly that an increased sentence may result in an increase of so called 'copyright trolls' threatening court action. Secondly, that the copyright clause within the Bill criminalises minor copyright infringement.

Infringement of another person's copyright in the circumstances covered by the redrafted criminal offences is already covered by existing criminal offences. The proposed measures in the Digital Economy Bill clarify the existing offences and take into account concerns that the ORG raised with government during consultation. The revised offence is designed to deter and deal with deliberate infringement, while protecting innocent or unwitting infringers.

Copyright trolls

Copyright owners are entitled to enforce their rights. On occasion this may include contacting members of the public who are alleged to have infringed their rights. Such approaches are entirely legal. However if done in a threatening or harassing way, members of the public can report the solicitors in question to the Solicitor's Regulatory Authority (SRA). The SRA has taken action in previous such cases.

It is important to note that the criminal offences apply to making material available to others, not to those just downloading material to their computers. Anyone seeking to enforce their rights for the downloading of material would be unlikely to refer to this legislation.

The Intellectual Property Office has published [guidance](#) for members of the public who have received such approaches.

The risk of an increase of 'trolling' is considered to be low but the government will periodically review and respond to any concerns.

Minor infringement

The criminal offences penalise communicating a copyright work to the public and infringing a performer's 'making available' right. Both of these acts are considered criminal where a person knows, or has reason to believe, that they are infringing the right and either intends to make a monetary gain, or knows or has reason to believe that they will cause loss or expose the rights holder to a risk of loss in money. These offences focus on those causing harm either for monetary gain or a monetary loss or risk of loss to the rights

holder. A mental element has been introduced which requires an intention to make a gain or knowledge or reason to believe that the copyright owner will suffer loss or be exposed to a risk of loss.

Ten year sentences would only be applied in the most serious of criminal circumstances. It is highly unlikely that small, unintentional infringement would be caught by this offence. A person who believed that their acts fell within a copyright exception, such as that relating to criticism or review or quotation, would not be guilty of an offence.

It would not be practical for the government to set a specific level of loss or gain at which infringement becomes a criminal offence. This is because the circumstances of each infringement needs to be taken into account.

News story: GCA Supplier Mornings

27 March London

Venue: Victoria House Southampton Row London WC1B 4DA

Programme for London event

9.00 Breakfast Reception

9.30 Introduction from Christine Tacon: Latest Developments in the Work of the Groceries Code Adjudicator

10.00 Questions to the Adjudicator

10.25 Discussion 1: Forecasting

11.00 Coffee break

11.15 Discussion 2: Pay to Stay

12.00 Christine Tacon: Conclusion and next steps

12.15 Close

3 April Manchester

Venue: Manchester Conference Centre, Sackville Street Manchester M1 3BB For directions to the venue go to: www.manchesterconferencecentre.com/location

Programme for Manchester event

8.45 Breakfast Reception

9.15 Introduction from Christine Tacon: Latest Developments in the Work of the Groceries Code Adjudicator

9.45 Questions to the Adjudicator

10.10 Discussion 1: Forecasting

10.45 Coffee break

11.00 Discussion 2: Pay to Stay

11.45 Christine Tacon: Conclusion and next steps

12.00 Close

Following the morning events Christine Tacon will be available for one-to-one meetings with suppliers to discuss issues in confidence.

To register for one of the events and to book an individual session please contact enquiries@gca.gsi.gov.uk

[News story: Newcastle fresh produce retailer fined after failing to meet marketing standards](#)

A Newcastle based fresh produce retailer has been ordered to pay over £3,000 for displaying, offering for sale and selling rotten fruit and vegetables that failed to meet minimum quality standards.

Raja Mohammed Farooq Khan, owner of Medina Food Store, was charged by Newcastle Magistrates Court on 27 February 2017, following a six month long investigation by the Rural Payments Agency's (RPA) Horticultural Marketing Inspectors (HMI).

A final HMI inspection conducted on 7 September 2016, found five offences in breach of the EU marketing rules for fresh produce quality and labelling, including rotten peppers and apples.

Khan pleaded guilty to all charges. He was ordered to pay a fine of £295, £2,798 costs and a £30 victim surcharge.

Alison Johnson, RPA Operations Director said:

Concerted efforts were made by HMI to work closely with the business through face-to-face meetings, verbal warnings and formal

written notices, all aimed at achieving improved compliance from the business.

Unfortunately such advice is not always heeded and when all other options have been exhausted we will resort to the use of criminal sanction to bring about a required change in behaviour.

- Medina Food Store is based at 35 Nuns Moor Road, Fenham, Newcastle upon Tyne, NE4 9AU.
- Horticultural Marketing Inspectors are part of the Rural Payments Agency (RPA). The inspectors are responsible for the enforcement of the EU marketing standards for fresh fruit, vegetables, salad crops, nuts and cultivated mushroom, throughout England and Wales, wherever fresh produce is grown, imported, exported, bought or sold.

Speech: Survivors in safe houses will have their right to vote honoured

Just over a year ago, I learnt about a young woman from Bristol who had been forced to flee an abusive relationship and move, with her toddler, to a secret address.

Once there, she simply wanted to express her democratic right to vote and participate in British democracy – but it was too complicated to register anonymously and, without registering, she would not be able to express one of the most basic rights we too often take for granted.

That individual was Mehala Osborne, now a formidable and leading [Women's Aid](#) campaigner whose story has been heard up and down the country.

Mehala's story is one of bravery, resilience and inspiration in the pursuit of something as important as the democratic right to vote – and today the government is acting on what we have learned from her story.

Currently, those wanting to register to vote anonymously have to go through a rigorous process, providing a high level of documentation to register to vote, which many survivors of abuse lack.

Having to arrange for signed documents from senior officials – such as superintendents in the police and directors of social services at councils – would be an incredibly daunting task for anyone, let alone survivors of domestic abuse. It is clear that the existing system has often let down those

affected by domestic abuse – and that cannot continue.

That is why today the government is setting out proposals to reform the anonymous registration scheme in England and Wales and make it more accessible for those escaping domestic abuse to participate fully in our democracy.

The [proposals](#) include plans to update the list of court and other orders that are acceptable as evidence of the risk to an applicant's safety, as well as considering expanding the current list of possible evidence that can be used.

We also intend to lower the seniority required of an attestor from the police or social services – and we will consider adding additional professions to those who can attest, such as GPs and nurses.

Mehala's journey is nothing short of inspiring. The majority of survivors who find themselves in a refuge or similar safe house simply won't vote because of the daunting barriers to registering anonymously.

That leaves a huge hole in our democracy. I look forward to continuing to work with Women's Aid and other organisations to make sure we get this right and that we help survivors of domestic abuse make their voices heard.

As the Prime Minister made clear on the steps of Downing Street in July, I am determined to build a democracy that works for everyone.

And that is what this Government is doing – by tackling voter fraud wherever we find it, ensuring that UK citizens who have lived overseas for longer than 15 years have the right to vote, and equalising the size of constituency boundaries so that every vote matters.

But we are equally clear that those who have been constrained by their abusers must have full freedom to express themselves in the democratic processes and the political life of the country – a commitment that we are today moving one step closer towards.

Only by doing so will we build a democracy and a country that works for everyone.

[Press release: Investigatory Powers Commissioner appointed: Lord Justice Fulford](#)

The Prime Minister has approved the appointment of Lord Justice Fulford as the first Investigatory Powers Commissioner for a 3-year term. Lord Justice

Fulford will take up appointment with immediate effect.

Prime Minister Theresa May said:

I'm pleased to announce the appointment of Lord Justice Fulford as the first Investigatory Powers Commissioner. He brings a wealth of experience in the judiciary and expertise in matters of law which will be crucial to his vital role scrutinising the use of investigatory powers, as part of a world-leading oversight regime.

Biographical notes

The Rt Hon Sir Adrian Fulford qualified as a barrister in 1978 and took Silk in 1994. He was appointed a Recorder of the Crown Court in 1995. He was appointed a High Court Judge of the Queen's Bench Division on 21 November 2002. He was elected to serve as 1 of the 18 judges of the International Criminal Court in 2003 for a term of 9 years, and was assigned to the Trial Division. He was sworn into office on 11 March 2003. He was appointed as a Lord Justice of Appeal on 10 May 2013.

With effect from 1 January 2015, Sir Adrian was the Deputy Senior Presiding Judge for England and Wales. From 1 January 2016 he became the Senior Presiding Judge. He is currently the Judge in Charge of IT and leads for the judiciary on HM Courts & Tribunals Service reform.

Whilst holding the appointment as the Investigatory Powers Commissioner, Sir Adrian will remain a Judge of the Court of Appeal.

Background

[Section 227 of the Investigatory Powers Act 2016](#) provides for the Prime Minister to appoint the Investigatory Powers Commissioner (IPC). The role of the IPC is to authorise and oversee the use of Investigatory Powers by public authorities.

Sir Adrian will now begin work on establishing his office, and will take on the statutory functions of the IPC in due course.