Unfinished Business

MUSIC-MAKER AGENDA: SUMMER 2024
INTRODUCTION

In recent years, music-makers have been campaigning on a number of issues impacting on their individual music-maker businesses, including in streaming, AI and touring. This work has been supported by MPs from all parties in Parliament, especially via the Culture, Media & Sport Select Committee, and there have been a number of important initiatives instigated by the government’s Intellectual Property Office and Department For Culture, Media & Sport.

These campaigns and initiatives have resulted in some positive developments, but there is much more work to be done to truly address the challenges and implement the solutions, so lots of unfinished business. The five organisations that make up the Council Of Music Makers look forward to working closely with the new government and the new Parliament to maintain the momentum, tackle the challenges head on and put practical solutions in place.

Here we look at what was achieved in five key areas during the last Parliament, and set out what needs to happen next, and how ministers and MPs can help ensure positive change.

01: CREATOR REMUNERATION

WHAT HAPPENED? The culture select committee in Parliament published a report on the Economics Of Music Streaming calling for a “complete reset” of the sector and proposing copyright reforms to address issues around creator remuneration. Kevin Brennan MP then set out how some of those reforms could be implemented in a private members bill. The select committee kept up the pressure on government and the music industry to address these issues – including publishing a second report on creator remuneration. This prompted the government to convene a Creator Remuneration Working Group.

WHAT’S NEXT? The remuneration group has started industry-wide meetings led by the government's culture department. At the first meeting, the CMM set out a clear position with a number of proposals for addressing the issues. However, there remains significant intransigence from some rightsholders against progressive reform. This is so profound that some (despite all the reports, outcomes of inquiries etc) deny both the existence of any issues and any ability on their part to improve things, despite multi-billion-pound profits and double-digit industry growth year-on-year. Without sincere pressure from the new government and Parliament to bring about change, we fear the past four years of work will amount to nothing.
02: DATA + TRANSPARENCY

WHAT HAPPENED? The Economics Of Music Streaming report from Parliament’s culture select committee also proposed reforms to address issues around data and transparency that impact on music-makers. The government convened working groups to consider solutions. The Intellectual Property Office led on this work, which involved stakeholders from across the music industry. A data code and a transparency code were agreed, setting out basic commitments and providing a framework for building solutions.

WHAT’S NEXT? These codes are still being implemented, so it remains to be seen if they deliver results. The codes are also a starting point for more significant change. Disappointingly, since the select committee published its report, streaming has become even less transparent, with the major music companies and large streaming platforms changing the way royalties are paid without consulting with or properly communicating to music-makers. We need a new government and Parliament to fulfill the promise to scrutinise this work, to ensure the two codes deliver and can adapt to changes in the streaming market.

03: ARTIFICIAL INTELLIGENCE

WHAT HAPPENED? Parliament’s music group – the APPG On Music – published a report on AI which provided an opportunity for each music-maker organisation to set out its position around artificial intelligence. Both technology companies and rightsholders must secure explicit consent from music-makers before using their recordings, songs and other creative work to train generative AI models. They must also be fully transparent about their datasets and deals, and ensure that music-makers are fairly remunerated. We also need a personality right introduced into UK law which is non-transferrable.

WHAT’S NEXT? We need the new government and Parliament to clearly state the obligations of technology companies and rightsholders – preferably in law – and to bring all stakeholders to the table to discuss how these obligations will be met. In July 2023, CMM submitted a list of crucial questions about AI to record labels and music publishers through UK Music. Although there has been lots of discussion, those questions are yet to be formally answered. Which means government pressure is now required.
04: GRASSROOTS LIVE MUSIC

**WHAT HAPPENED?** The culture select committee in Parliament published a report setting out a number of solutions for addressing significant problems in grassroots live music – including the introduction of a ticket levy on large-scale shows to provide financial support for venues and promoters, and, crucially, artists working at the grassroots. MPs also supported the FAC’s 100% Venues initiative, which calls on venues to end all commissions that are charged on merchandise sales at shows.

**WHAT’S NEXT?** The live music industry should quickly embrace and implement the proposals in the report, including the ticket levy. The levy should be introduced on a blanket basis – applying to all large-scale shows – to ensure that bands and artists are not individually pressured to ‘opt in’, and in a way that does not negatively impact on artist fees. If the industry cannot agree on an approach, the new government should legislate to solve the touring crisis.

05: MISOGYNY IN MUSIC

**WHAT HAPPENED?** The Women And Equalities Select Committee in Parliament published an important report setting out how women working in the music industry face limitations in opportunity, a lack of support, gender discrimination, unequal pay, and sexual harassment and assault. It set out a number of recommendations for both industry and government that would begin to address these issues. However, the government rejected the recommendations for changes to the law.

**WHAT’S NEXT?** The new government should seek to introduce the proposed legislative reforms – while both government and Parliament should keep pressure on industry to implement all of the other recommendations in the report. The entire industry should also support the development of the Creative Industries Independent Standards Authority.