

## **MPA AGM 24 JUNE 2010**

### **STEPHEN NAVIN SPEECH**

#### INTRODUCTION

In this wonderful wacky wicky world we are making connections all the time, and are we not lucky that music is the most transcendent enlightenment conductor?

I have some connections to make now with:

Royalty

Coalition government

Capping the well head in Louisiana

The world cup

#### **1 Royalty**

I come not to bury Sarah Ferguson but to rejoice in the word ROYALTY - is it not rather magnificent and grandiloquent for describing the payment of fees? Like feudal monarchs we exact and distribute tithes. The word royalty attached to copyright adds to the mystique whereby the creative genius is turned into gold.

What is so incredible about this capillary structure is its abiding robustness. The magic of publishing is the fact that it is a 360 degree business operating all hours 365 days of the year. As we lie in bed by night, the publisher and writer side by side, the lion and the pussy cat, the sound of royalty kerching can be heard as far away as even China.

#### **2 Coalition Government**

We have a coalition - let us get on with it.

The future of this country is far more important than the petty posturing of politicians tampering with the structures of the state which underpin what is vital to the citizen - health, social security, education and of course that which cares for the spirit of the citizen and society – the creative and cultural.

At DCMS we have now two engaged ministers - Hunt and Vaizey and we have Vince Cable. I like his call:

- for a Department for Economic growth,
- For "our" banks to honour agreements to lend to our small and medium businesses (and it is encouraging to see the further support given in the Budget to the Enterprise Finance Guarantee scheme)
- to create 50000 more apprenticeships, and
- to cut the cost of regulation,

And another thing to look forward to this summer as promised in the Budget – a green paper on business finance

Of course we have our own Coalition in UK Music, now in its second year. During the year we/UK Music issued our own manifesto, Liberating Creativity, calling out eloquently to government to get engaged and focus on seven Recommendations

### **3 Capping the well head**

5000 feet below the Gulf of Mexico millions of gallons of crude oil are pouring out of a shattered well head – is this not the most cataclysmic ecological disaster of all time? Can we continue to speak of "pipeline royalties" without pausing to consider the impact of the words? At the same time in the digital deep millions of unauthorised files are escaping from myriad oceanic nodes. How do we cap them? With Lord Mandelson and Stephen Timms (Ben Bradshaw was nowhere to be seen) playing the joint role of Red Adare, the Digital Economy Act received royal assent on 8 April 2010. There is a furiously tight timetable to get the Code of Initial Obligations in place to get the process of notification going. Many members ask how will this help me, will I be able to afford to participate in the process? Many details are yet to be decided in particular the question of costs. As of now the very positive aspect of the Act

is that the ISPs cannot stand back and existentially deny their engagement with the issue of unauthorised file sharing. They are now engaged.

#### **4 World cup**

I invited my old colleague Simon Cowell to participate in our own Songwriter world cup but he was obviously too busy working on a world cup version of Tears for Fears Shout with Dizzee Rascal and James Corden but I am lifted by the lyric:

"Come and have a go if you think you're hard enough."

Stay with us by the way after the break for our own World cup of songwriter and composers.

#### **And now to a higher epistemological theological plane and [The Creed of the MPA]**

As dawn breaks your MPA team climb the winding stair of the minaret on the 6<sup>th</sup> floor of British Music House. From there you can just make out the curvature of our publishing globe – which spins on its axis over 360 degrees 365 days per year and from there we chant our daily creed:

**1 We believe in the supremacy and value of the musical work**, that it is our duty and joy to promote and protect it with all the tools that the great Queen Anne first made available to us 300 years ago. We believe therefore in the philosophical and ideological basis of copyright and indeed in the overriding moral right in a musical work

2 We believe that it is very hard to compete with free

**3 We believe in a market economy** whereby cultural goods services and rights can flow freely. We believe in a “mixed” economy whereby a rights owner should be free to licence rights on a pan territorial transactional basis – business to business and also we support the importance of transparent and efficient collective rights management. I am proud to offer as a template for this model the example of PRS for Music in general and our MCPS in particular. In the past months we have been working closely with MCPS in two significant developments – the revised framework for the MCPS membership agreement, and the development of the Impel pan European project.

**4 We believe in the importance of our industry to the British economy – we bring jobs, joy and VAT revenue.**

**5 We believe that enormous opportunities lie before us:**

5.1 in new and developing markets – in India and China. I particularly want to thank Ger Hatton for creating an international organisation in ICMP that is really delivering value to its members.

5.2 in overhead management – e.g driving cost out of the collection society network by streamlining IT systems and tools and combining backoffice functionality.

5.3 in broadening our licensing reach - and we carefully embrace Europe's Digital Agenda

**6 We believe in partnership**

6.1 With our writers first and foremost

6.2 Across our industry – with all our colleagues at UK Music. We few, we happy few, we band of brothers (and sisters). As Apollo was the leader of the Muses and director of their choir so we (the MPA at least that is) sing a paean of praise to our own demi Apollo, the pride of Derry, Mr Feargal Sharkey lately arrived from Sydney Australia and all the team at UK Music.

6.3 With our collection societies: Firstly I salute Robert Ashcroft. I don't love him yet like I love Jeremy Fabinyi , but I already have tremendous respect for him. He has arrived at a very difficult time, a water boarding rather than a baptism, but he has broken surface gasping no doubt, but with a smile on his face. In particular he has been enthusiastically punctilious in reaching out to our community and has become a regular attendee at our Board meetings, compare and contrast with previous incumbents Secondly, I would like to thank in particular the PRS for Music international team led by Karen Buse for a variety of collaborations both regarding issues – e.g Indian Copyright Act, settlement of outstanding mechanical royalties in the USA, understanding the bizarre and potentially disastrous property development strategy of the Spanish collection society, SGAE, and regarding structural strategy such as the development of the Global repertoire database and our access to international

tools and standards developed by CISAC. I rejoice in this relationship – can you name me three countries whose collection societies do not even allow music publishers to be members of the society – Argentina, Mexico, Poland, Greece.

One issue has occupied all members some of the time throughout all of this year to date and that is of course ICE– it is absolutely business critical that the sooner we can start to see the benefits of the project and not be bogged down in the details of the deficient data capture the better because the system is sound, the vision for ICE as an example of a scalable internationally applicable database is self evident. As a perceptive and concerned environmentalist said to me at a Julie’s Bicycle meeting the other day – in a global digital rights management environment we cannot afford to let ICE melt down.

Another issue that hangs over Europe like a volcanic cloud is the future of collective rights management. The European Commission is proposing a directive on collective rights management which will focus on transparency and governance on the one hand and licensing aspects on the other. Again the perception is that the market is broken, or rather not working, and that the European state must intervene – think of the worst case alternative option to option 3 licensing – e.g compulsory licensing of all anglo American repertoire at a fixed rate through the worst collection society in Europe (and for the fourth year running the 12 points go to Greece). We must resist this.

## **7 We believe in our MCPS**

We have shown the way with our MCPS how it is possible to be flexible to enable members to licence directly on the one hand but on the other to ensure that critical blanket deals (BBC) and non core licensing should be best left to the collective, representing our interests and those of our writers.

**8 We believe in the BBC** – I must mention 6 Music and the Asian Network. I will also mention the incredible role that the BBC plays in the drama that is the modern serious music scene. One of the areas that I hope we can make progress on hereafter is to find some way in which we can work with them to unlock and release their warehouse of recordings by new contemporary composers that do not exist elsewhere.

## **9 We believe in education –**

9.1 education (and information) about the business of music publishing. This is one of the reasons for widening our membership to include associates; allied to this is the need to ensure that the profession of music publishing maintains the highest standards in training and skills - this is why we attach so much attention to requiring the highest standards of those who apply for our Richard Toeman scholarship.

9.2 education in music. The previous government showed the way with its commitment to music making and playing up to key stage 2. What a wonderful project Sing Up has been; we need our new government to take this to the next stage. As providers of music in all its forms and manifestations we are and need to be in there at the bottom at the grass roots (and our engagement with and the importance of the Music Education Council cannot be underestimated) and we need to be in at the top (working with government and helping it shape its policy).

It makes absolute sense to invest our R and D in future music users and practitioners who will pass through the education system.

Why ?

Because a sustained music policy (whether within the formal education system or otherwise) delivers social and political value to society and Government,

Because an early and sustained connection with music must deliver longer term dividends to our industry – wider talent pool, appreciation of music as user and consumer, as instrumental performer or choral participator, early exposure to and understanding of the importance of the role of the creator and the value of creativity.

**And now to a lower plane - So how is the business of music publishing and our MPA?**

There is enormous vitality across our business even in the teeth of the continuing recession. More and more publishers are establishing and indeed becoming members of the MPA. As ever the wider press seems unable to distinguish between a record label and a publishing company if the BBC piece on EMI is anything to go by. We have 4 majors who compete furiously amongst themselves but each of their representatives contribute

tremendously and selflessly to the MPA. They rightly challenge every part of the infrastructure of our industry based upon a collective rights management system founded in the 19<sup>th</sup> century. Additionally we have some extraordinary men and women who own and/or run independent publishing businesses whom I would hold up as mentors and role models for a future generation – one of the areas of our new website that I hope will be popular will be the interview area where I hope to capture and distil the very essence of empirical publishing practice. Because as Antonio says in the Tempest

“Whereof what's past is prologue; what to come,  
In yours and my discharge.”

And who will come next?– they will be multi skilled in technology and music across a variety of platforms, they will be young of course, and they will be culturally and ethnically diverse. In this context we will embrace the Diversity initiative sponsored through UK Music-this is a key commitment of Liberating Creativity .

### **MPA Team**

Indulge me the use of the conceit or metaphor of football to describe our MPA team.

As Fabio said to me :

"I said to John Terry, you are a bad mistake, testa di cazzo, but at the MPA we are presently playing a 1 2 1 2 formazione" – in goal in the office Lisa Moldau solid as a rock, no green and slippery fingered keeper she; at left half, and result of our exciting foray into the foreign player market, Sue Hantsch from Chemnitz, Germany, where Michael Ballack grew up. Sue is very organised in defence but delights fans and members alike with some enlightening exhibitions. At right half, Jake Kirner, tall and strong, famous for stamping - stamping out unauthorised sheet music and tab sites, the man who woke one morning in April, thought of a number, wrote it on his shirt and went out and ran the London Marathon – running marathons comes easy to classical publishers. In the centre, the midfield general, Jenny Goodwin, ranging all over the park, indefatigable, goal hungry. Up front, Will Lines, hammering the message into the net. We have a super bench or rather a Chair by the pitch –

the Abramovitch of music publishing, fit and proper for the task - Nigel Elderton has been sensational this season. We also run a training Academy as well and young Rob Stratton has been an excellent apprentice.

But as you know without the support of the fans, our members none of this would be possible; thanks to you we will be in Europe next year in the European Champions league, fighting for the title of number one publishing trade association.

## **Conclusion**

These are turbulent times but exciting times – the debate on the last night in the House of Commons on the Digital Economy Bill had all the hallmarks of Aristotelian tragedy – pity, fear, catharsis but also made great television.

There is exciting change:

at PRS for Music led by the Alliance Board where we are represented by Nigel now as the new chair of MCPS, Ellis Rich as Chair of PRS, John Minch and Sarah Levin;

a new government in Westminster;

a new set of commissioners in fact in Brussels.

Copyright is under attack as ever, rumours of compulsory licensing, fear of being crushed beneath the juggernaut of Google,

BAH HUMBUG - we are in a great business and we must be at the centre of it championing an astonishing variety of music – pop and folk, jazz and rap, the Messiah and a one note Vuvuzela

Music can soothe the savage breast and bend the knotted oak - it inspires passion and devotion, it brings calm and contemplation. For us music is both **Mythos**, the creative power to move an audience and it is also **Logos**, and for this we can thank Guido d'Arezzo who created order and logic by inventing staff notation which remains the international standard for sheet music to this day.

Sadly, whilst BP are busy polluting the ocean, use of the metaphor of the power of music to pour oil on troubled waters is out of bounds at the



moment. It is unlikely I suppose that there will be a Songwriting World cup at the BP AGM this year.

Apparently the canny man who spotted the calming effect of oil on water was according to the venerable Bede – St Aidan who was sent to establish a settlement on Lindisfarne Island.

And near Lindisfarne, lies the city of Newcastle, and this is the alma mater of two gorgeous people - Jo McElderry and Cheryl Cole. Our Joe won X Factor in 2009. Our Cheryl was one of the judges of X Factor and Jo's mentor and a member of Girls Aloud and still formally married I believe to Ashley Cole, the great international football player.

I would like to finish by quoting what Jo McElderry said to our Cheryl after his win –

[Geordie accent ]

“I love you Cheryl. I think you are absolutely amazing and Ashley is a plonker but what is even more amazing is this incredible journey that I have set out on and it is all thanks to the great songs and writers and their music publishers”