

**Transcript APPG on Music Evidence Session 1**

**Barriers to Working in the EU for the UK Music Industry**

**Attendees**

**Parliamentarians:** David Warburton MP (Chair – DW), Kevin Brennan MP (KB) , Lord Wood of Anfield (SW), the Earl of Clancarty (NT), Lord Aberdare (LA)

**Panel:**

Paul Crockford (PC) – Manager, Mark Knopfler

Jeremy Pritchard (JP) – Bassist, Everything, Everything

Fiona McDonnell (FD) – Head of Concerts and Planning at the Academy of Ancient Music

**Transcript**

**David Warburton (DW):** Hello, Good Afternoon as it is, I am the Chair for the All Party Group for Music, Dave Warburton, MP for Somerton and Froome, and welcome to this 1<sup>st</sup> evidence session in the APPG on music inquiry to examine the effect of the Trade and Co-operation Agreement has had on UK music workers and companies looking to tour and work short term in EU Member States. I think we are going to be particularly focus on visa and work permits, on carnets, on CITES, on cabotage and the effects on the music industry and on emerging artists, and on potential solutions, this is an issue which has been raised many times recently in Parliament and as an APPG we are keen not only to raise this issue further, but also look for solutions and listen to peoples particular experiences of it. Oh and in that light we have a public call for evidence which runs to the end of the month. Which we will no doubt hear about in future sessions. This session is being recorded and streamed or something and we will use what we learn to today to inform the report that we will put to Government. And I also hope that in future we will be able to meet in person in a Committee Room in the House of Commons, but my thanks to UK Music in particular for their support both behind the scenes and in putting these sessions together. And thanks also to colleagues so from both houses for joining us today, many of whom are active members of the APPG and indeed other All Party Groups for other aspects of music and the creative industries, we have at least one member of the DCMS Select Committee here, and I know that the Chair Julian Knight is not able to be here today but will be joining us for one of our future sessions. The Chair of the Joint Committee on Human Rights and the Mother of the House Harriet Harman is a little unwell today so unfortunately she can't be here but I

know that she is keen to take part and she and fact initiated a debate in Parliament last week which some of us here took part in on this very topic and there really is cross party support, very much demonstrated then, on the need to reach a solution for touring musicians not that I am prejudging the outcome of this inquiry in any sense. But I am mostly grateful to our witnesses, our witnesses as it were we are very fortunate to have with us Jeremy Pritchard who is the bassist for Everything Everything who have released 5 critically acclaimed albums since 2010, top 10 albums in fact and are working on their 6<sup>th</sup>. He is also an occasional bassist with Foals and has toured internationally over the last 13 years, he also serves on the Board of the Featured Artists Coalition and is a trustee of the Music Venue Trust. We also have Paul Crockford, who entered the music business in 1976, a very long time ago as the youngest Entertainment Officer in NUS History at Southampton University and he went on to work as a Tour Manager, a Sound Man, a major independent concert promoter and management company, he managed Tear Drop Explodes, Tears for Fears, Level 42 and more than 650 shows a year. In the late 80s he set up Crockford Management which manages Mark Knopfler Dire Straits, the Australian Pink Floyd Show and Danny Thompson, a member of the MMF and a founding member of the Concert Promoters Association. We also Fiona McDonnell who is head of concerts and planning at the Academy of Ancient Music an orchestra with a world wide reputation for excellence in Baroque and Classical Music and she's been Director of Concerts and Artistic Planning at the Ulster Orchestra and an Associate Artist Manager at a leading London Artists Management agency and she's toured with a variety of ensembles through Europe and also through the US and China.

So welcome to you all, and it's great to see representatives from across the musical spectrum, and whether perhaps I might begin by asking each of you a rather general question would you be able to say something about how touring in Europe now compares to touring the EU before the TCA was agreed and what are the major differences? Jeremy, perhaps if I could ask you?

**Jeremy Pritchard (JP):** Certainly, simply the major differences are the things you already mentioned. We now require work permits, visas, there are issues surrounding cabotage, there are issues surrounding carnets and CITES, they were not there before. All 3 of these areas you could unpack ad infinitum and how they practically break down for artists at every stage of their career is really varied and a lot of the complexity is down to lack of clarity really and where you have a lack of clarity that results in complexity, that results in higher amount of bureaucracy and administration, that results in higher man hours and that results in higher costs, crucially, which basically pushes out I would say the vast majority of UK touring artists out of a financially viable position to tour Europe now.

**DW:** Thank you very much. Paul perhaps you could chip in?

**Paul Crockford (PC):** I think the big difference is now you have to deal with 27 different entities instead of none. The lack of guidance from Government is mystifying to me as to why you can go onto the FCDO site and find out what inoculations you need if you're gonna go to China or wherever but can't go onto the DCMS Site and find out what requirements are needed if you're touring Sweden or Switzerland or where ever. I think particularly for young artists starting out who do not have access to tour managers and production managers or other areas of expertise this is a significant barrier to touring. From the European side and the conversations that I've had with many international promoters who would normally take international acts, they are now increasingly hesitant to take UK artists because of the perceived risks of them entering Europe and or getting across if there is an internal border check one of the problems that you have currently have is that a lot of the border staff with the EU are not going to be aware of any arrangements and you are very much at the mercy of turning up at Calais at 2 o'clock in the morning and a French immigration officer or custom officer saying your paper work is wrong or its non existent or we haven't been told about xyz and that is something that never existed before 'cos we never had to deal with that before. I think that the issue of carnets is obviously very problematic it is another layer of cost which if you're 1 2 3 or 4 people in a van taking your gear across, not only do you have to pay for your carnet but you also have to make sure that it is stamped both going in and out of the EU. Even at Dover if you're trying to find out where you have to go with your little van to get your carnet stamped nobody is as yet aware of where your supposed to be getting your carnet stamped correctly.

I think that the problems with visas even in those territories that are now saying that you do not need a visa they are still talking about restrictions on the time you spend within those territories. So for example it might be 14 days in Sweden now for a lot of people you'll be thinking "well I don't want to spend 14 days in Sweden anyway", but if you are a touring professional you may well be working for multiple artists and that 14 days will get you one maybe one and a half tours, what are you meant to do when you get to day 15? When that day comes around what happens practically?

The other side, the other point that often comes up is cabotage and how it relates to trucks and the perception from officials that surely not everyone needs to be taking articulated trucks into the EU and surely that only effects the very higher echelons of touring? Well it doesn't. But if you're touring theatres you need a truck, if you're in a truck you're going to fall foul of cabotage. It's the same now coming into the UK obviously in terms of recently EU registered trucks, but it's easier for EU trucks coming into the UK than trucks going the other way. I recently spoke to a friend of mine who runs a large trucking company who have relocated 70 trucks to Holland. But they are already under pressure in terms of delivering to UK bands because, for example, American artists are putting up 100% of the money to secure those trucks in advance now to ensure that they get their share of those 70. The problem is now if you are a UK artist is that (and that is an initial start up cost that never used to exist before you might have to pay 15 or 20% deposit but certainly never 100%) and this now applies to tour buses they're getting very short in demand and people are starting to demand 100% deposits up front.

And I think that overall, what you want from your Government is a assistance to get passed what we promised would be a lack of restrictions and frictionless trade and instead of the bureaucratic enormity that we are now all facing, and as I say if your Coldplay or Ed Sheeran and you throw enough money or enough people at it your fine but if you are 18 – 19, you're fresh out of college and this is what you want to do you're a folk duo and you're gonna tour across Europe it becomes physically and financially impossible and these are the extra barriers that will stop young musicians from starting and I think that is an effect that we'll see in a decade we're a global leader in music it's a cultural and an economic exporter and the net benefit to the Exchequer is enormous, all this stuff is gonna do is make it less successful than it has been in the past.

**DW:** Thanks very much Paul. Just to be clear does that mean you are not booking tours you otherwise would have booked?

**PC:** Certainly in a conversation I had recently with a small band that we have we decided not to tour Europe, it was just not going to be possible to make it work economically because of the additional costs that we're facing. Absolutely, we're looking at less work for UK musicians and UK crew and also in terms of mid level things that I look after we are now having to look at using European registered trucks and buses because there's just no point in starting in the UK you're better off starting in Europe. You have to take truck and cross across into Europe load it into a European truck and then start your European tour so you're not falling foul of cabotage rules.

**DW:** Thanks very much. Fiona?

**Fiona McDonnell (FD):** Hello, I'd like to give an example, I work for the Academy of Ancient Music we work as a small instrument ensemble and we would have travelled to Amsterdam and Germany prior to the TCA in November 2019, coincidentally we are going there again next month so it's useful to make a cost comparison between the two, what is different for the organisation.

Previously we would have just brought the orchestra across on a flight, flown over straight into rehearsals, performance then return home. On this occasion what I've had to do is go to the individual country embassy website and determine what the actual requirements are for our musicians to enter the country for a period of time to go ahead and do some work, for Germany there is no waiver per se but there is no additional documentation associated with it. However for the Netherlands although they do not require a Schengen Visa they do require a visa waiver what that means

is all the paper work that you would have had to provide for a visa, that you have to have it on your person. There is a tremendous amount of paper work that you have to do in advance of a tour that you would not have necessarily had to do before and not every organisation can cater for that additional administrative workload. So say for example what that requires is because an orchestra cannot travel through immigration as a group you travel through as an individual consequently you have to have the individual paper work assigned to each musician so they would have to have a letter from the promoter, proof of financial guarantee from the organisation so in this case we are employing them. Proof of financial guarantee that they can enter the country. The musician themselves, because a large majority in fact in our orchestra they are all freelance musicians they would have to have proof of travel insurance they also have to have proof of bank statements. Now they mightn't be asked for it. But in saying that they have to have it on their person, it depends on the person you meet at the gate how diligent they will be in determining what paperwork they will be required and that will be the paper work you will in advance of it. As well as that you want to be in the position where you can travel out the morning of a gig, because every schedule is very very tight particularly for a freelance organisation where you want to condense the amount of time you are working with a musician or an orchestra so on occasion we would fly out the morning of a gig go straight into rehearsal and perform. I don't necessarily think that is viable anymore because of unknown delays at the border. If you have any delays at all they are going to impact them getting into rehearsal and getting into performance consequently we would then have to consider on occasion to bring the orchestra out the day before and incur an additional cost associated with that, that doesn't necessarily make touring viable for some dates. I'd also have to consider then with freelance musicians. I'd have to check with them, if they are musicians who are used to working within, and Paul mentioned it already if you have a freelance musician who is a specialist in an area of music they might have work across a variety of other bands as well and they might have reached their 90 days, already so I would have to actually check with them if they had reached the 90 days already. So I have to say to them, if I engage you for this tour, are you going to go over your 90 days? If they are going to go over the 90 days, I can't engage them.

In relation to smaller organisations obviously there is that we actually advise our musicians with CITES not to bring any instruments with them that would require CITES. Purely because the amount of paper work associated with it and the amount of delays at the border. In essence if you arrive and your leaving the UK you have to go and find the customs official to declare that you are actually temporarily exporting these your instruments and the same when you return. So it impacts on the schedule for the orchestra.

If I was working for a larger orchestra then of course carnets and cabotage would come into it but of course Paul has talked about that already in relation to the fact it impacts the return schedule. One thing that Members may not be aware of is that an

orchestra's schedule is very very tight we would go ahead and we would rehearse the day before you would then go ahead and pack up your truck with all your instruments, if you were a larger orchestra you would have the doubles bass's, a percussion section, a percussion section, potentially all these different violins and cellos as well because you have your own truck. They would no longer be able to just go ahead and drive straight into the EU because they have to go through the whole cabotage, well not just cabotage, but carnet and potential delays at the border, so in essence they have to potentially go ahead and build an extra day into their whole schedule to allow for the instruments to be transferred across, and that impacts the ability of the orchestra in the UK to go ahead and do other dates.

So it's always very much a fine balancing act in terms of what an orchestra schedule is like. And having to have these additional days impacts both before and after.

**DW:** Wow OK on that note. Thanks all. Kevin, let me pass over to you.

**KB:** Thank you David, and thank you Jeremy, Fiona and Paul for participating in this, I am also a Member of the Select Committee as David mentioned and we had Lord Frost in front of us earlier this year in trying to unthaw this issue, not very successfully I am afraid and a lot of what I might have asked you have really covered quite well, any practical examples that you are able to supply to the group of how this is impacting British businesses and British artists and our economy and cultural reach outside these shore are really important the Government need to have it rammed home to them the damage this is doing to one of the fastest growing and most important sectors of our economy, but I am trying to work out how we get the Government to move on this and it seems that the real sticking point in all of this is almost an ideological point and seeing the movement of musicians between the United Kingdom and the European Union as something to do with immigration that it is somehow an immigration issue rather than a trade issue and a trade in services issue and in my own mind I don't know how we unblock that. Let's be clear at this point we're not going to be rejoining the European Union for the foreseeable future so we need to find a bespoke answer to this for the creative industries, for the music industry in particular, what would you say, what do you think we should say to the Government in our report on behalf of each of you? With your experiences now of touring Europe post Brexit in terms of answering that issue of what is required in order to make your life at least tolerable and manageable rather than bureaucratic, and uncertain. Jeremy?

**JP:** Well I think before we get into solutions I think it's worth reiterating what you've already said, it's worth reasserting that this is actually about trade and not about immigration I know this is about the movement of people, but those people are labourers, workers. And it's also worth reaffirming that artists are small businesses

and traditionally Government has not wanted to stand in the way of entrepreneurship and small business. There is also on a practical level just unpacking from what Fiona and Paul have said I have had personal experience of having to cancel UK shows because of delays in the US where we have a carnet arrangement because of the relative inexperience of border guards with carnets. If you go to Chicago O'Hare Airport and you are trying to jump through the hoops that you are compelled to jump through to get your carnet stamped leaving the US cos you need to return a week later and if you do not have it stamped on exit entrance will be a big problem.

We have been from office to office, missed flights and had to cancel a show in the UK, clearly that has an impact on UK jobs and economy. I think that kinds of joined up thinking is lacking, is part of what's lacking. But, solutions, I mean I have in front of me 3 levels of actions that Government could take to address these issues, unilateral, bilateral and multilateral all of which boils down to we would like to see a cultural touring agreement covering geographic Europe. And it is really as simple as a derogation on cabotage for all UK trucks for cultural events, cultural waiver agreed between the UK and the EU on carnets and CITES a visa waiver and I think addressing the 90 days for crew is even more important than it is for artists as not a lot of artists are spending that amount of time for the EU anyway some are in certain circumstances, but for touring crew, artists spend a lot of their time writing and recording domestically or not as the case may be or doing promotional interviews but touring crew are on the road the whole time and 90 days out of 180 is really very restrictive and as Paul pointed out if you find yourself in Sweden on the 15<sup>th</sup> day what happens? If there are changes in plan? If there are delays, if there are cancelled flights, and suddenly you have inadvertently fallen foul of that rule, what happens? So I mean we could talk more through the unilateral, bilateral and multilateral solutions that I have done the reading on, but you will have done the reading on them as well. The solution is that the problems we are coming up against need to be resolved, it really is as simple as that.

**KB:** Thanks Jeremy. Does to put it on the record. I'm sure the Committee will be happy to accept any written evidence, this is just to see if we get any bright ideas from bouncing with you guys today. And Paul of course you did mention Switzerland which isn't in the EU but I just wondered, but also in answer to the question I was asking more broadly, has this had an effect on other countries, I mean if you were going to go and organize an artist to go on tour to Switzerland which is of course outside the EU, do we have some kind of reciprocal agreement with them that is better than what we have got with the EU currently or?

**PC:** No. So far as I am aware that has not changed and practically one of the problems with Switzerland was with merchandising often you wouldn't bother to take it into Switzerland because you would have to pay duty going on and duty coming out so either you had to get into shipping merchandise directly into Switzerland and

then leaving what you didn't sell there. But this is now the situation you are faced with now for example again if you take the example of you know, you're in your splitter van and it's the Brennan and Crockford folk duo and we're in the van going across to Calais -

**KB:** Let's do it!

**PC:** It's definitely got future prospects! And you know you've got your CDs in the back, your merchandise in the back, your gear in the back, unless it's less than £1000 in value, it's not practical or economically viable to take that with you so now you're faced with a lot of what were very successful UK merchandising companies or CD manufacturers, you are now having to pick that stuff up in France or in Belgium or in Holland or wherever it is that your first date of the tour is. And then when you get to the end of the tour you're hoping that you have less than £1000 worth of gear or swag as we call it when you're coming back into the UK. So your kind of hit by it from both ways, on the one hand you have your trusted suppliers in the UK that you have always used and you have sort of taken that stuff over with you. You're now going to set up new arrangements with EU based companies to avoid the additional paper work. For me one of the problems I have with the TCA is there seems to be no recognition of the damage to the Exchequer and the actual damage to the tax income that not dealing with this is going to cause the country going forward. I understand that there is basically a hill that the Government want to die and that is that we cannot possibly have anyone coming into the country who is not in possession of some visa or whatever. But this is how you get across the point that this is not an immigration issue, and that that it is simply a trade issue.

I don't know other than dragging Nadine and Julia down to a show and physically letting them watch what happens with things going in and coming out, and chatting to people and getting an understanding for what the actual economics are and the physical requirements are. I think that sometimes, you know as you said earlier it's good to get these things on the record you know there is, and I know the Ministers both have calls on their time, but making it a bit more personal and making them understand and getting them talking face to face with people who are actually impacted by the legislation or the lack of legislation or the lack of a solution will always be helpful it is always much easier to stand up in a debate in Parliament and shout out about xyz. But when you're sat down and you're actually talking, you're actually talking to Jeremy or talking to Fiona about what the actual effects are for people on the ground, I always think that personalizing it makes it much more effective. That would be my, well there's no magic bullet solution. I also think that setting up, we've often asked for a Music Export Office I think that something that... when you look at the support that was giving to the fishing industry, for example, you know an industry that employs 12,000 people compared to the music industry that employs 200,000, in a pre-COVID environment. We employ more people than steel



and fisheries combined I'm at a loss to explain why this doesn't seem to register with Government and DCMS doesn't seem to have any heft or any influence, particularly when it comes up against Treasury. I think if you look at what happened with the insurance scheme that so called self-styled insurance scheme that is simply useless.

**KB:** I think we were all working on that trying to get more heft into DCMS. On the proposition of personalizing it perhaps the Crockford and Brennan Folk Duo should take Nadine in a splitter van and that would be the answer.

**PC:** At the very least we would get to spend plenty of time at Customs and Immigration showing her how it doesn't work!

**KB:** Indeed, thank you Paul, Fiona, Paul mentioned the fishing industry. Where are you from originally?

**FD:** I'm from the South of Ireland.

**KB:** The Republic?

**FD:** I am indeed, from County Louth. Just above Dublin. However, I currently live in Belfast.

**KB:** Ah right, I though I detected a hint of the North in your accent! But maybe that's a Belfast thing.

**FD:** A Belfast twang I've picked up!

**KB:** Clearly, a completely different thing and a completely different scale of political issue it does make you wonder if 1% of the effort being put in by Lord Frost in and around the issue of the border and the agreement regarding Northern Ireland even if just a tiny part of 1% of that effort were put into resolving this it wouldn't be that difficult or is it? From your perspective how would you persuade people like Lord Frost and the Home Secretary etc. that this isn't an immigration issue?

**FD:** Interesting question, not entirely sure how to answer it. It boils down to, that's a good question, how do we persuade him? In essence like we are small businesses

trying to go ahead and exist you know, and with that and if we haven't got the freedom of movement that was there prior the legacy of this is that most of our orchestras or most of the organisations both Jeremy and Paul are associated with, require touring to supplement income for other projects elsewhere so in essence the ones that need to go ahead without touring without freedom of movement we are losing income that helps us exist as an organisation in the UK.

**KB:** Those are the dirty words right, that from the Governments perspective that phrase freedom of movement as soon as it is uttered they say well you know this what we promised wouldn't happen, so maybe we need to be clever and creative and come up with a phrase that means musicians will have almost the same freedom of movement as they had previously, but it's not going to be identical within the European Union, but we call it something else, which is the way things are often done in politics.

**FD:** Indeed and then maybe I could take about, a classic example the arrangement that we have for EU musicians coming into the country are quite straightforward. A classic example I am currently in rehearsals with the Academy and I have a musician from the Netherlands she arrived in this morning from the Hague and she is now in rehearsals with us, all that I had to do for her was go ahead and issue a letter of Permitted Paid Engagement. She presented at the border and that allows her through, she did not have bring any any travel insurance any proof of financial guarantee she was able to come straight to the country. If I had a opera singer who was coming in for greater than 30 days as a sponsor, I have a sponsor so I could have issued her a certificate of sponsorship I could log onto a system and I could have gone ahead and for a small sum issued a certificate of sponsorship number and that singer could go ahead, present at the border and their waived through.

**KB:** And if that singer came from outside the EU what would you have to do?

**FD:** The exact the same thing, because consequently what's happened and I hope I'm not speaking out of turn here, I could have Canadian musicians in the past. It was Canadian musicians who went through this same process and you went ahead and got a certificate of sponsorship for them, so all that happens now is that EU musicians have fallen into the same situation Canadian or US musicians had previously it's been very straightforward.

**KB:** Would that apply to all countries?

**FD:** It would apply to musicians from the EU/US and I've brought in Australian musicians, I've brought in Canadian/US musicians so it's the same system it's just that EU musicians have now been brought in under that umbrella because I am a sponsor and awful lot of artist managers or the larger orchestras would have a sponsored license, where they can go ahead and do that. So that's been very straight forward for musicians coming in, and what we're perhaps looking is for UK musicians going into the EU to have a similar type of set up, where even to go outside, as I mentioned earlier with the visa waiver system that it is not necessarily a visa waiver because you have to present all the documentation so something similar to what we have in the UK if we could work with the EU to go ahead and create something similar to that.

**KB:** But that wouldn't be true if it was a musician coming from India or somewhere like that for example?

**FD:** I haven't had any experience.

**KB:** I've have helped people with these issues.

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**FD:** Sometimes what happens sometimes is visas and work permits is they're vague in their description.

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**Earl of Clancarty Nicholas Trench (NT):** Just thanks very much to our panelists because this is really helpful to us to hear so much. Just one thing that Jeremy was saying and obviously great minds think alike because you were saying perhaps the reasonable thing in terms of the Government trying to solve this, multilateral, bilateral and unilateral and that is very much what the European Affairs Select Committee in their stern letter to Lord Frost on the 19<sup>th</sup> of October were recommending him to do to try and solve this. Through these three buckets really. There is so much that we can do unilaterally as well as tackling things with other countries. Paul was saying that the guidelines are not good, so my first question is to all 3 of you, how much do you think that the music and associated tech industries are being represented in their discussion with the Government and how can such representation and discussion be improved to effect actions that the Government needs to undertake to improve touring, or are you simply, are you confident that you're telling the Government these

things and they're just not doing anything? So, I don't know who would like to come in on that?

**PC:** I'll start. I don't think that there's any question that the Government are getting slews of information from all parts of the industry, UK Music, LIVE has prepared papers, had numerous meetings, the problem has always been with previous DCMS Ministers for example is the lack of attendance, barely attending any meetings even when promising to do so. And then even and not being able to deliver when they were convinced of the arguments, from our side. And I think that a lack of seriousness within Government for these issues and that somehow I think, I can't remember who it was, that DCMS is viewed as the "Ministry of Fun" when people are sent there. It is not really viewed as a serious part of Government and we suffer sometimes as an industry because we are bunch of individual entrepreneurs, taking out, if you look at most management companies or orchestras or crews a lot of them of individual self-employed people and we suffer I think from a lack of lobbying power and a lack of lobbying expertise which we are trying to address and I think that's why the fishing industry gets more attention it's punching way above its economic weight. Whereas I think that, no one has ever lost any votes by not giving Ed Sheeran a tax break you know. There is a perception that there is this huge amount of money at the top of the business and that everybody is washing around in enormous amounts of it and that somehow we don't need the help.

And I think that all of us here on our side are at least as concerned about what happens in 3 5, 10 years time as we are if we don't address these things immediately. There's the immediate impact that's happening now, where I'm deciding not to take a band into Europe, but there is also the fact that a band just may give up and say "well we're only going to tour around the UK and we won't bother to go into Europe." Because it is simply too expensive, too time consuming and it's already very hard to make it pay. When you're starting. This is just another set of obstacles, put in the way of an industry that is a huge earner for the Government. It has massive soft power, we project huge soft cultural power into the rest of the world with music. It is something where I am proud to say we are a global leader in this area and now we seem to be being chopped off at the knees by the very people who should actually be supporting us. And I think this is something when Kevin says "Well how do we get Lord Frost to take it seriously?" Lord knows I suppose and maybe Lord does know. But I think that it is a very real problem and I don't know how you get passed it other than personalize it, and I think if you can personalize it or you can, you know I think we have to make more noise as an industry and we have to embarrass because I don't think that currently the Government react to anything other than focus groups etc, I think we have to make more noise, I think that is where UK Music are very important because I think it's just a constant battle to get our voice heard over the voices of so many other people and we're not asking – I don't think we're asking for a huge amount here coming up with a visa waiver or some sort of cultural passport even would be a huge huge win and how you and language wise how you get passed the idea it's an immigration problem, no it's not it's a trade issue, is crucial. A Music Export Office, Transitional

Support, and these are things the Government can do now and make a very good effect now, rather than in 5 years or ten years time and we're all saying "well do you remember when the music industry used to be a really powerful in the world and we used to make loads of money out of it and we used to have all these fantastic cultural exporters? Isn't it a shame that we let it wither away and die on the vine?"

**NT:** Thank you Paul, I have to say I have heard Lord Frost say on the floor of the House of Lords that it is not his responsibility any more. That it is the DCMS's responsibility and I was very interested when Kevin made the point in his speech last week. That you were saying that there should be someone in charge of the whole thing to draw all the different Departments together. I don't know how the other Pannelists feel about this where they feel frustrated in the sense of not just what the Government are doing or not doing but the actual relationship that industry has with the Government, who it is you're supposed to talking to? Tick one!

**PC:** Without wishing to dominate the conversation, I think absolutely. I think for decades my relatives would ask when I was going to get a proper job and I think there is always that perception when you're in the music industry or in the cultural industry that somehow it is like a paid hobby. And I think that the lack of Government involvement is as a result of that, it's not perceived as being a profession and not perceived as being important, but it enriches lives across the globe and you know that's UK music, UK cultural exports I think that there is a gap within Government listening to music, who do you speak to? There is the DCMS who clearly do not have either the will or the power to give UK music what it requires, Maybe it does need – I hate to add another layer of bureaucracy, but maybe it does need some sort of cultural czar, I mean it should be the DCMS but that is clearly not working, or not in my humble opinion.

**NT:** OK, thanks Paul! I'll ask one more question and then maybe go over to Stewart, it is very interesting how the problem has been partly solved in Spain now we've got 90 days in 180, even if that is as Paul is saying is not ideal at all but it is better than it was, so given the industry's perception of the nature of the problem how important or necessary do you believe it is to include the involvement of European organizations both within and outside the industry in finding solutions? Because clearly it was the Association of British Orchestras and LIVE talking to their counterparts in Europe who really helped to do this and I think the DCMS were involved in setting up meetings so I just wondered what the response of the panel might be to how we might go forward to solve in particular the visa problem.

**JP:** Yeah I think its not only important, it's paramount, it's completely necessary and it won't happen without consensus and co-operation, that's how it happened for Spain. One of the great things about the music industry is that these networks exist.

The relationship is already there the whole business is about relationships really. We need to, I mean I would welcome the appointment of something like a cultural Czar that would show symbolically if nothing else that this is being taken seriously, and as Paul has pointed that music was not treated as some sort of frippery that needs to stand on its own two legs, but as a serious very weighty industry to the UK economy that needs the same support and the same credence as any other of that stature and if that were to happen and the bilateral conversations were to start to happen the industry has all the – the network exists already so I think yeah in answer to your questions, it's absolutely paramount.

**NT:** And would you agree as well [Fiona McDonnell].

**FD:** I would agree as well, essentially and we can see that the good work that happened with the ABO in speaking to Spain that I was actually involved in going to Spain in August and I can tell you it was a difficult process but we did get there in the end and the idea now is that other organisations won't have to go through that workload which is the main thing, consequently there are still a number of other countries in the EU that still don't have visa waivers and we will still require individual conversations with those 6 countries to go ahead and establish a visa waiver system so it's paramount you know that you that the UK Government continues and also other organisations that we are involved with continue to work with all our EU counterparts to go ahead and get agreements across all the various countries.

**NT:** Thank you Fiona! I think over to you David. I've probably had my bit for a while.

**DW:** No, no thanks Nick. Just before Stewart if you could just bear with me for a moment. Fiona you were talking earlier about the Netherlands, and not only the Visa Waiver agreement but the mountain of paperwork that's still required in spite of that outside of the things that we have previously been talking about, so imagine that's the same with Spain? And that would be the same if we had bilateral or unilateral agreements with whoever. Was that paper work not necessary at all pre Brexit or is this all brand new?

**FD:** It was necessary for countries who are outside of the EU. So if you were a US citizen you were a 3<sup>rd</sup> country and you needed to apply for a Schengen Visa and all the paper work that is associated with a Schengen Visa. So the Schengen Visa has always been there and we are ... and I actually used to work in the US in a previous life and would go ahead and get Schengen Visas for US engineers who were travelling to the EU so it's always been there.

**DW:** OK so, that means a visa waiver is not a magic bullet there's a great deal more to do?

**FD:** Correct because you'll see now in terms of the Spanish announcement that even though it's great that obviously that we don't have to go to the Embassy and apply for a visa and hand your passport in and wait a period of time to get in back you would still on theory have to have the same level of paperwork to a degree there is no requirement any more for a No Objection Letter which was part of it but you still have to have the paper work that would have generated in advance.

**NT:** Can I just? Just on that point. Because you know one of the calls that industry is making is to have through the EU that we could have a separate visa waiver agreement, with all 27 countries are you saying that then you would have to have this same level of paper work?

**FD:** Not necessarily, so for Germany it is not required essentially it's how each EU country perceives what a visa waiver is per se. So for travelling to Germany there is no additional paper work required. However, you will see for Spain and even for the Netherlands that even though the actual visa in your passport is no longer required you still have to present – not even necessarily even present – more so to have the paper work on your person should a Border Official query why you are entering the country.

**NT:** Thanks.

**DW:** Yeah so this, uncertainty at borders.

**FD:** There will always be uncertainty at the Border because –

**DW:** Because the official may not know or may not understand?

**FD:** Correct! And also depending on what time of the day they arrive, like they know who are going to be at the border you, just don't know.

**DW:** Understand So, so. Sorry. Stewart, sorry to keep you waiting over to you.

**Lord Wood of Anfield (Stewart Wood – SW):** Not a problem at all, hello! I want to make one comment about the discussion we just had about the Government's view of the industry, so I speak as someone who was at Number 10, Gordon Brown's advisor in this area and around when UK Music was created as well, and I always thought there were three blind spots some of which you touched on 1 is they think of the production of music. Government, and this isn't a partisan point, the Government thinks of the production of music and its sale as an industrial policy question, streaming being the obvious example at the moment, they think of touring and performance as some kind of hobbyish annex to that core industry and I think that they don't think of that part in the same industrial way as they think about the production of music, the sale of music, secondly I don't think there's an understanding as much of the infrastructure of the music industry, the fact that it's not just Ed Sheeran with an expensive guitar or two it's actually, an entire disparate group of skilled people who come across on all sorts of kinds of contracts, and thirdly there isn't the huge kind of freelance and more casual element of the industry I don't think there's really an understanding of that as well. So those for me are three of the big blind spots, that I think UK Music should be pressing more on. I'm sure they press already. But I had a question about young musicians. That again you've touched on a bit. I've been interested in reading the stuff about people who can't prove that they are professional musicians and who want to go into Europe and play. How much more difficult is it now compared to 3 years ago if you are a young musician starting out whether it's rock, folk, classical or jazz, whatever it is how much more difficult is it to prove that you are a musician how much more has to be proved before you can even get access to performance in Europe than say 3 or 4 years ago?

**JP:** I'm not actually aware how you would go about proving it and I've been doing it for a living for 12, 14 years and I'm not sure how I would prove it in a bureaucratic sense. I suppose it depends on you are set up as a business, how you're set up as a Company. How that company is registered. But that only comes at a certain stage in your career. We'd toured Europe before we ever were Directors of a Limited Company or Partners in an LLP. I don't know if that would be enough to officiate any notion of professionalism? The income streams in the music industry for artists are very disparate and very different depending on the artist. The different strands of your income coming in to the company, if indeed you own one, that funnel out to Directors or Partners or to your suppliers, freelancers, they come from all sorts of places, I mean I have these problems when I've been trying to get a mortgage approved, it's difficult for anybody working in freelance anything when it comes to SA 302s and all that, but particularly with music because it's quite slippery administratively it is quite difficult to pin it down, it's all completely legitimate there is a huge amount of money flowing around, a huge number of people being employed but it's quite difficult to fit it into these boxes. So actually in answer to your question I don't know what I would have to do to prove I was a professional in order to tour Europe now and I think it would be a hell of a lot easier for me than it would be for the lower tiers of the industry many of whom won't be set up you know, won't be registered with companies house in any way yet. And we certainly were not



registered with Companies House the first couple of times we got on a transit van and went through the Eurotunnel. That simply was not necessary.

**SW:** Thanks a lot, thank you.

**PC:** I'd say, I mean you have to, currently if you want a US visa, if you can get one. You do have to go through those hoops to go to the US so you have to be able to prove you know, you have to have reviews, you know, photos of you playing live, you have to be able to illustrate that you are quote unquote a professional musician or a professional crew person. So we're kind of used to doing that going to the US and it is an unbelievably convoluted and expensive process going to the US and like I say, which is why 22 miles away seemed to be a much more attractive prospect touring when you're starting rather than going 3,000 miles away and I think that the issue of before the TCA was that you know you literally, you know Jeremy and I would have hopped into our van, probably not even T-shirts or CDs.

#### **[PC Freezes]**

What happens now is that you end up with the barriers not only stopping you exporting but also make it unreliable for Europeans to want to book you because of the inherent, the perceived, inherent risk of you may not make it across the border or you may get delayed I think that's as important to rectify or to try and deal with as how do you prove that you are a quote unquote professional and I think that when we are talking about the disparate nature of, and it is very interesting the view you bring up from No. 10 or Government wholesaler of what our business consists of because it consists of an enormous amount of independent self-contracting moving parts you know. That is difficult for people to get their heads round, and you know even at a very modest level. You go down to a show at Hammersmith and there are three and a half thousand people, there might be 3 truckloads of gear at the back there might be 50 or 60 people all highly trained, highly competent professionals plus musicians who are obviously not highly competent or highly trained but it is a very complicated business, an incredibly highly qualified business but some how because that is a million different voices it is very difficult to get that over we don't have, UK Music despite it's best intentions doesn't seem to get Government attention in proportion to its importance to the economy.

**FD:** Can I speak briefly in relation to young musicians, not necessarily from the orchestral side more from the Opera side whereby within the UK. There are a large number of Opera houses in the UK however there's more Operatic singers than there are Opera Houses. Consequently an awful lot of young musicians or young singers go across to Germany where there is a wealth of repertoire opera houses where in essence they can go ahead and learn their craft, now given the fact that specifically the 90 days with the 180 for the Schengen requirement is that they will not be able to do that as easily as they could of done before and so there lifeblood of

learning the craft has been cut off to a degree also then in relation to if you are a UK professional be it a conductor or be it a soloist your ability to go ahead and jump in for cancellations which believe me happens quite a lot is that having worked in the industry you might go ahead and have a cancellation in Germany, France, wherever and if your sitting in an office and a call comes in to say we need x person to go travel across right away and fulfill this engagement technically they may no longer be able to do that and in some instances that is how some peoples careers have started because they jumped in to a cancellation and their name was made and their career progressed from then. So, for young musicians, you know there are definitely limitations in how their careers are going to develop.

**JP:** If I could just pick on what Fiona has just mentioned I think its worth pointing out that so much festival bookings, and we haven't really talked about festivals and how that relates to headline touring in Europe but if we get the chance we can talk about that, but festival bookings in particular for me as an artist so many of them have come in on a just in time basis because maybe they've had a mid-tier cancellation of a European act and they're looking around for whose available to give you a quick yes, a quick agreement on the deal and who can get on the plane the next day and that's clearly out of the question now. I think at one stage in the summer of 2016, maybe 2017, 2018 around that time, maybe a third of our business, our festival business for those summers came through those last minute bookings, the ease of that is out of the question now.

**DW:** Brilliant, thanks very much. Alistair hello, very good to see you!

**Lord Aberdare (LA):** Sorry I was very late joining!

**DW:** Would you like to ask a question of our witnesses?

**LA:** Well it may already have been covered in depth already because, I can see who are panelists are but I am working out by implication who they are. One of the things that has intrigued me about this is that as we become a 3<sup>rd</sup> country, is there anything to learn from the experience of other 3<sup>rd</sup> countries? I mean Paul I think it was talking about the issues around getting into the USA. What about American artists and musicians? And indeed others from other countries coming into Europe? Do they have exactly the same challenges as our artists and musicians? Or have some of them found other ways of dealing with them?

**PC:** I think that of course if you are a US musician your dealing with the exactly same position as you were before so I think that there is not much change for them. From a UK musicians point of you what's changed is that as soon as we've exited all of these issues that you would normally have to deal with if you were a US musician are now they same for a UK musician and that is a massive sea change after 40 years of being in the Single Market. And so you know whereas our ability to hop on a plane as Jeremy says to do a last minute show or as Fiona says hopping in for a last

minute cancellation as a singer or just starting your journey the obstacles are disproportionate now than they were before, we've taken an industry where we had a competitive advantage, where we were a global leader and are now putting ourselves in the same boat as, I'm not really sure, as fishing would probably be a good example, you know there is a, the issue now becomes the work arounds can only happen with co-operation between our Government and the individual states in Europe because there does not seem to be any appetite in Government for those negotiations to be on a European level. The rebuttal you get all the time is that we have to deal with these things on a territory by territory basis. But I think one of the frustrating things from UK Music's perspective is that despite the PM saying that we are working flat out to get these problems solved there is very little evidence to show that that is happening. And that is very worrying because these are immediate problems. These aren't things that we can deal with in 18 months time two years time this is an issue that we are facing about shows that are happening in France tomorrow or shows that are happening when you are booking tours for next year or as Jeremy says that we might be looking at doing festivals next year or worse that you get a call on June 13<sup>th</sup> asking can you turn up to a show on June 15<sup>th</sup>, well no we can't because we cannot, even if we are the most together people in the world we cannot get the paperwork sorted in time to take advantage of those economic opportunities so there's several different areas where we are hampering our own business and getting that sorted requires some Governmental effort which seems to be sadly willing and the juries out on whether the two new Ministers at DCMS can make a difference at least we know one of them has some experience of being in the Entertainment industry so you'd like to think that maybe that helps that's the issue I think. I think that fundamentally at the heart of all this what we come back to time and time again is it needs Government intervention, how do we get that Government intervention? And that is the challenge.

**DW:** And that's what we're here for Paul. Sorry.

**LA:** One other things that may have been covered already, but one of the things that Lord Frost brings up from time to time is the deal that we have done with the EFTA countries, Norway, Iceland and Liechtenstein, I can never remember which 3 of the 4 it is, but that was something that showed that the EU could have accepted the offer we made about Mode 4, is that something that you have talked about? Or could be relevant? Or we should be pursuing I suppose? It's more EU level than UK level I suppose.

**PC:** I think that one of the things. We come up against Lord Frost Immigration vs Trade discussion and I think that the EFTA agreement is a little bit of red herring in my opinion because if you look at the three territories concerned vs the other EU territories it is a tiny proportion where we're earning money out of touring or where there are opportunities for UK musicians to earn there living so I think that it is slightly disingenuous of Lord Frost to throw that into the argument. I think much more, and also the whole concept of we offered this and they said no, well there's always three sides to the truth, their side, our side and the actual truth and I think

that is a very unproductive area to go down. Kind of well they didn't do this so we haven't done that, well the reality of where we are now we need to get some movement, we need some support we need the transitional support package, we need the music export office we need some sort of visa waiver, cultural passport, something that allows our cultural exports to continue and allows our cultural imports to continue, all of which benefits the Exchequer. And It seems to me the bottom line is why on earth would we put obstacles in the way of the Government earning money, never mind anybody else! Thank you.

**DW:** Thanks, I don't know if anyone else has any other questions? I've got one more but if there's anybody whose got any more? Nope, we're good. OK just a final question if I may. Paul I think you mentioned very early that if you're Ed Sheeran or the Rolling Stones or whoever it is you've got your teams of people who can manage all this stuff and of course isn't necessarily anything more than an additional cost and time. I just wondered if you would agree with me that there is a longer term risk here to our UK cultural exports, that it's the up and coming bands, the up and coming orchestras and artists and creators of all kinds that are likely to mean that you know that we might lose our ascendancy in the future?

**JP:** If I may, I agree I think that is a huge risk, in fact I think it is a certainty if we carry on as we are. We've enjoyed this very long period of dominance. Not just within Europe but international as leaders in this field culturally economically as Paul says it has a soft power function and we totally take that for granted it will start to wane it will start to taper down to just the upper tiers and then we'll run out of them I think it's also worth thinking about this in a domestic context as it is not simply that we lop off one limb "OK European touring is out of the question now but we're still fine in the rest of the world", certainly my own experience everything we have done in Europe has had a domestic resonance because then you are building the profile of an international act it is not just a band that tours the UK, your commanding the fees worthy of an international act all of this has a domestic repercussion as well. Again that's the UK economy, that's the UK Exchequer.

**DW:** And our cultural influence.

**JP:** Cultural influence as well. And I think that the quality of music that we've made has been informed by being able to visit other places, and learn things and put that back into what you do and has this asurety about UK Music pop music because it's worldly and I think you can sometimes listen to domestic music from other countries where the industry is less well established and it doesn't have that depth to it and we it's something I'm hugely proud of that we do in this country and I wouldn't want to threaten that.

**DW:** Fiona, I don't know if you have anything you want to add to that?

**FD:** I would agree that essentially as it stands the orchestras touring model is financially a very very tight financial model and bringing new costs in via delays in terms of trucks arriving in, we haven't talked about cabotage orchestras who own their own trucks and have to go on and take a new EU truck, these in essence change the financial model, it may be then that tours then become loss making. Which is not viable. So consequently yes everything that's happened at this moment in time be it time or cost is having an impact on the orchestra touring model.

**DW:** Thanks, Paul any last thoughts?

**PC:** Well from my point of view it is a matter of fact that the UK is the second biggest exporter of music in the world. That Europe is our closet market, we played 4 times as many shows in the EU as in North America in 2019, and it's staggering to me that you would take a global leading industry and not giving the support that it would get if was manufacturing globally successful widgets. For me I find it hard, leaving aside the soft power of the cultural exports. I just cannot get my head round why you would hamstring that financially successful model for absolutely zero gain and in fact a material loss in so many ways.

**DW:** OK. I have to say enormous thanks to you all. It has been immensely useful and valuable and its good to get all of this properly on the record and to get proper insights from the front line. Good luck for the coming weeks and months, particularly after the last 20 months and thanks to my fellow inquiry members I am very grateful for you joining and for I hope that we can make this a bit of a focal point for the issue in the hope that we can achieve something. And we'll get details of the next session quite soon and I'm hoping that will be an actual 3D physical session and unless anyone wants to say anything more I will declare the meeting closed. Thank you all sincerely. Thank you everybody.

**Meeting Closes.**