



Prime Minister
10 Downing Street
London
SW1A 2AA

October 30, 2023

Dear Prime Minister,

UK Music, the collective voice of the UK music industry, congratulate you on initiating this vitally important AI Safety Summit 2023 on November 1 and 2 and appreciate you setting out your government's approach on 26 October.

The UK's world renowned and economically successful music industry has engaged for many years with artificial intelligence (AI) applications, as a tool for assisting creative human endeavours, and in helping with administrative tasks and improving efficiency.

We note the impact of AI on the UK music industry – despite the multi-billion-pound annual contribution to the UK economy by our sector which provides jobs for over 200,000 people - is not explicitly on the agenda at this summit.

Given the significant cultural influence of music and artists on the public, our concerns are not purely limited to economic and creative impacts. Our issues overlap with how society safeguards democratic freedom, as well protects against the spread of misinformation and consumer harm.

We kindly ask you to ensure any outcomes from the summit and future discussions align with policy solutions to address our music industry's concerns regarding the future regulatory landscape for AI. While we understand the need to look at the coming opportunities and threats that AI poses, there is an urgent need to address the clear and present threat that generative AI poses to the creative industries and to our members' livelihoods.

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The Government has rightly identified the creative industries as one of its five key industries that will drive the UK's economic growth. To realise this ambition the music sector must be enabled by government to grow in tandem with AI without the risk of any negative impact on our sector.

UK Music and its members are grateful that your officials at 10 Downing Street recently met with us to discuss the music industry's approach to AI and our concerns.

However, we would like to take this opportunity ahead of your AI summit to restate two key principles which we wish to see upheld at both a domestic and international level:

- Consent
- Transparency

Consent

Machine learning involves numerous rights, including copyright, which in most countries are not subject to an exception that restricts creators and rightsholders' abilities to exercise their rights. As a general principle, the use of music during the ingestion process (in the past, present and future) should always require permission from the creator and the rightsholder.

Failure to ensure this basic human right will jeopardise thousands of UK jobs and threaten the fragile talent pipeline on which the music industry relies to nurture the music professionals who are the envy of the world.

Copying without permission constitutes copyright infringement of copyright amongst other possible rights. The requirement for such permission must not be circumvented by outsourcing the machine learning process to countries with less protection than permitted under international law as established in international agreements.

Copyright constitutes a human right which ensures appropriate protections and financial reward for our creative talent. It also protects the personality of the creator against misappropriation.

Devaluing these rights by artificially removing the need for such permission endangers the internationally established fair balance between creators and rightsholders on one side and public domain on the other.

Introducing an exception to the copyright of creators and rightsholders infringes the internationally binding three-step test which the UK adopted by acceding international treaties including the Comprehensive and Progressive Transpacific Partnership (CPTPP) to which the UK is about to accede.

Upholding copyright does not present a barrier to AI development. This is amply demonstrated by many responsible AI developers already operating within the music landscape. Our industry is adept at creating new avenues which give mutual benefit to music and technology, allowing both to flourish. The ubiquity of online music platforms and music use across the digital space is a clear demonstration of the innovative approach of the UK music industry in this regard. In addition to copyright, the personality, voice and likeness of human creators should be further protected by law against abuse - in particular misappropriation of the personality in deepfakes and similar manipulations.

It is the choice of the creator and the rightsholder if and how to allow the use of their intellectual property. This basic principle relating to consent should not be undermined.

Transparency

Transparency constitutes another important principle within the application of artificial intelligence; it occurs in two forms:

- Record keeping. AI platform providers need to keep an auditable record of the music used to train the machine before the algorithm can generate new music. This is the only point in the process when these data points can be duly documented.
- Labelling. Music generated by AI should be labelled as such to protect the consumer from confusion. Consumers need to be able to make an informed decision before acquiring goods or services.

It is vital for consumers, artists, and commercial businesses alike for AI platform providers to operate in compliance with the transparency principle.

We wish you a successful outcome to the Summit and look forward to working with you closely on these important issues to protect and grow our world-leading music industry.

Yours faithfully

A handwritten signature in black ink, appearing to read 'T. Kiehl'.

Tom Kiehl
Interim Chief Executive
UK Music