

March 2021

Covid Status Certification Review – UK Music Response

1. UK Music is the umbrella body representing the collective interests of the UK music industry, from songwriters and composers to artists and musicians, studio producers, music studios, music managers, music publishers, major and independent record labels, music licensing companies and the live music sector. UK Music exists to represent the UK's music sector, to drive economic growth and promote the benefits of music to British society (see annex for full list of members).
2. Our overriding priority as an industry is to achieve a means by which our industry can operate in a way that is both safe and economically viable. To ensure events are safe requires action to reduce the risk of transmission, while making events economically viable means removing the need for social distancing among audiences. We would therefore seek to ensure that any mechanism of Covid status certification would help deliver one or both of these objectives.
3. We would consider a Covid Secure Passport (CSP), attached to the NHS Test & Trace App to be a solution. This is broader than a “vaccine passport” and would allow a recent negative test as well as a vaccination to qualify, or it could be paired with on the door testing, with the CSP acting as a waiver, this would allow those who cannot get a vaccine to prove they are at low risk of having Covid and get access.
4. The public health restrictions of the past year have brought our industry to the brink and had a devastating impact on the 200,000 people working across the sector. For this reason, we have a vested interest in defeating this virus in a way that ensures we do not need to reintroduce lockdowns. We therefore see Covid status certification not just as a means of getting our industry going again in the short term, but also as a means of ensuring our industry is not forced to close again in the medium to long term.
5. We would consider Covid status certification to be a mechanism to verify that individuals pose a reduced risk of virus transmission, thereby enabling entry to live music performances and related events such as industry award shows and networking panels. Much of the recent debate around certification has centred on so-called ‘vaccine passports’. The moral and ethical questions invoked by this concept affects sectors beyond the music industry alone; however, given the damage Covid has caused the live music sector in particular, it is an option that we must consider.

6. The question of Covid status certification cannot be considered separately to the damage the Covid crisis has inflicted on the music industry. We estimated last year that the sector as a whole could lose £3 billion GVA, in 2020 70% of musicians saw their work fall by at least 75% Grassroots Music Venues (GVAs) and arenas lost on average 75% of their income, and technical companies lost on average 95% of their income.¹ A Covid status certification (either a vaccine passport or a CSP) could allow events to reopen sooner in a more Covid-secure manner, and help to future proof the sector.
7. However, requiring proof of vaccination comes with a number of issues. First and foremost, some people are not vaccine hesitant and instead cannot take vaccinations for allergy reasons among others.² These groups would therefore be barred from live events if proof of vaccination was a prerequisite of entry. This could constitute direct discrimination if the reason for them remaining unvaccinated relates to a protected characteristic.
8. The vaccine being rolled out by age group also means a passport based only on vaccination status would disadvantage specific age groups that are further down the priority groups, which in turn would affect different genres of music. As a body that represents all music we would not want to see that situation develop. It is intuitively unfair for a vaccine passport to be rolled out before everyone has been offered the vaccine.
9. There are also questions over how information would be stored to ensure privacy. These questions would have to be addressed for us to unequivocally support a vaccine passport.
10. One method of addressing these concerns is by expanding the qualifying criteria from a vaccine to include a recent negative test and tying the passport to the NHS Test and Trace App thereby creating a CSP, the CSP also be coupled with on the door testing for events with the CSP acting as a waiver.
11. Government would need to provide support for rapid testing costs, but doing so would address access issues and link it into the wider government testing strategy more effectively than a standalone vaccine passport.
12. Through CSPs the live music sector can support rather than be a risk for public health strategies. We have highlighted previously that requiring pre-event testing would encourage younger people who are more likely to be asymptomatic carriers to get tested and then isolate, thereby supporting the overall public health effort.³

¹ <https://musiciansunion.org.uk/campaigns/invest-in-musicians>
https://concertpromotersassociation.co.uk/wp-content/uploads/2020/10/REPORT_UK-Live-Music-at-a-Cliff-Edge.pdf

² <https://www.nhs.uk/conditions/coronavirus-covid-19/coronavirus-vaccination/coronavirus-vaccine/>

³ <https://blogs.bmj.com/bmj/2021/02/15/is-asymptomatic-transmission-in-young-people-driving-the-current-wave-of-the-sars-cov-2-pandemic/>
<https://www.ukmusic.org/wp-content/uploads/2021/01/Let-The-Music-Play-Save-Our-Summer-2021.pdf> p. 19

13. In a similar vein, CSPs could encourage people who would otherwise not get vaccines to be vaccinated. Getting a high proportion of the population vaccinated is critical for Covid to be brought under control and for normal life to resume, and take up has been strong among the over 50s offered vaccine so far.⁴
14. Yet, there is a potential weak link in this strategy. Young people are much more likely to be vaccine hesitant, the ONS found in February 2021 that vaccine hesitancy was highest in 16 to 29 year olds, and Black British people in particular.⁵ This could fatally undermine the vaccination strategy.
15. Fortunately, polling has found that 38% of vaccine hesitant young people would get the vaccine if it was needed for live events.⁶ Therefore, a CSP or similar would not simply benefit reopening events, but also support the government's overall public health strategy.
16. The role that CSP could play in providing an incentive to vaccination could be especially pivotal in the longer term. While the UK is fortunate to have relatively high levels of vaccine enthusiasm at present, this could start to wane – especially when the emergence of new variants requires the public to go through third, fourth and maybe fifth rounds of vaccination. It is in the UK music industry's interests for the vaccination programme to be as successful as possible and enable us to relax restrictions as soon as possible – so if CSPs help encourage vaccine uptake, then that is a welcome benefit.
17. Given the increased demand and concerns around safety, it is likely that some events and venues will want to look at running a system of this kind anyway to reduce the risk of becoming a vector of infection. Creating a legal framework for them to do so would help prevent them disadvantaging certain groups, and promote best practice on data security.
18. It is also important to consider the practicalities of a CSP. In our *Save Our Summer 2021* report we raised a number of options, including Covid status certification, and explored mass pre-event testing as suggested by Festival Republic's Melvin Benn in his "Full Capacity Plan". However, we warned it was important that these costs were not borne without compensation by the events themselves.⁷ The sector is continuing to engage with the Government on pilots for events to support reopening over the summer, in which pre-event testing is featuring prominently.⁸
19. While we are engaging with all options to restart live music, requiring venues to test audiences before entry could be a logistical nightmare. A CSP would help reduce the number of people who would need to be tested pre-event,

⁴ <https://www.gov.uk/government/publications/covid-19-vaccination-uptake-plan/uk-covid-19-vaccine-uptake-plan>

⁵ <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/healthandwellbeing/bulletins/coronavirusandvaccinehesitancygreatbritain/13januaryto7february2021#reasons-for-reporting-negative-sentiment-towards-the-vaccine>

⁶ <https://whynow.co.uk/read/vaccine-passports-ticket-to-freedom/>

⁷ <https://www.ukmusic.org/campaigns/save-our-summer-2021/> p. 19

⁸ <https://www.gov.uk/government/news/new-pilots-announced-for-return-of-spectators-to-elite-sport>

avoid the issue of certain groups being excluded while retaining a carrot and stick approach of being vaccinated conferring a direct benefit.

20. As part of that, thorough consideration must be given to the costs of pre-event screening and how that would be borne. We would require Government support and best practice on testing, as well as potentially fiscal incentives, either directly tied to the testing (making the purchase of the equipment tax deductible) or elsewhere e.g. extending Business Rate Relief for the entirety of 2021/22 as the Welsh Government have done.⁹ The easier and more attractive the Government makes testing to do the more likely regulations will be adhered to. Maintaining free at the point of access testing services more generally will be critical to making this work in an equitable manner, those who cannot get a vaccine should not face additional costs to get testing.
21. In conclusion, there are practical and ethical questions around Covid status certification that warrant serious consideration. In practical terms we welcome any measures that improves the chances of events happening in the summer to revive the battered live music sector, and reduces the likelihood of having to return to lockdown. Implementing a CSP rather than a vaccine passport that acts as a waiver to a pre-event testing system, or as a broader document that also incorporates recent negative tests, would resolve many of the ethical issues and most of our concerns around exclusion. Ultimately, the testing and passporting system could actually help bolster public health aims as the live music sector looks to reopen in the summer under the Government's roadmap.

⁹ <https://gov.wales/written-statement-covid-19-and-non-domestic-rates-relief-businesses-2021-22#:~:text=All%20retail%2C%20leisure%20and%20hospitality,the%20duration%20of%202021%2D22.>

Annex

UK Music's membership comprises: -

- AIM – The Association of Independent Music – the trade body for the independent music community, representing over 850 small and medium sized independent record labels and associated music businesses.
- BPI - the trade body of the recorded music industry representing 3 major record labels and over 300 independent record labels.
- FAC – The Featured Artists Coalition is the UK trade body representing the specific rights and interests of music artists. A not-for-profit organisation, they represent a diverse, global membership of creators at all stages of their careers and provide a strong, collective voice for artists.
- The Ivors Academy - The Ivors Academy is an independent association representing professional songwriters and composers. As champions of music creators for over 70 years, the organisation works to support, protect and celebrate music creators including its internationally respected Ivors Awards.
- MMF – Music Managers Forum - representing over 900 UK managers of artists, songwriters and producers across the music industry with global businesses.
- MPG - Music Producers Guild - representing and promoting the interests of all those involved in the production of recorded music – including music studios, producers, engineers, mixers, remixers, programmers and mastering engineers.
- MPA - Music Publishers Association - The MPA represents 95% of the UK's song rights via its circa 200 music publishers members, who range from start-ups and iconic Independents to the international major publishers.
- Musicians' Union - Representing over 32,000 musicians from all genres, both featured and non-featured.
- PPL is the music licensing company which works on behalf of over 100,000 record companies and performers to license recorded music played in public (at pubs, nightclubs, restaurants, shops, offices and many other business types) and broadcast (TV and radio) in the UK. PPL also collects royalties for members when their recorded music is played around the world through a network of international agreements with other collective management organisations (CMOs).
- PRS for Music is responsible for the collective licensing of rights in the musical works of 114,000 composers, songwriters and publishers and an international repertoire of 10 million songs.
- UK Live Music Group, representing of the live music sector with a membership consisting of: Agents' Association (AA), Association for Electronic Music (AFEM), Association of Festival Organisers (AFO), Association of Independent Festivals (AIF), Concert Promoters Association (CPA), International Live Music Conference (ILMC), National Arenas Association (NAA), Production Services Association (PSA), Music Venue Trust (MVT), with contributions from PRS Foundation, MU, MMF, FAC and BPI.