

[REDACTED]

From: [REDACTED]
Sent: 28 October 2009 17:12
To: BATCHELOR, Elizabeth
Subject: Letter from your constituent [REDACTED]

[REDACTED]
SWANSEA
West Glamorgan
[REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Wednesday 28 October 2009

Dear Alan Williams,

Regarding the article I read in The Guardian here:
<http://www.guardian.co.uk/technology/2009/oct/28/mandelson-date-blocking-files Sharers-connections>

This deeply worried me.

This is a very draconian measure to take against such a minor financial misdemeanour. How is it practically enforceable in the first place, and why are the accused presumed guilty from the start? The last part contravenes the Human Rights Act Article 6.2.

Article 6.2

"2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law."

If the accused are guilty of something shouldn't it be a matter for the courts? This totally sidesteps that process.

On a technical note who decides what digital content is legitimate or not? It is totally unworkable in my view and should be prevented from being enshrined in law. There are more important things to deal with in our country than being bogged down with this coming bureaucratic nightmare waiting to happen. But why in the first place have the Gowers report and the Carters report been ignored in relation to this?

Yours sincerely,

[REDACTED]
[REDACTED]
(Signed with an electronic signature in accordance with subsection 7(3) of the Electronic Communications Act 2000.)

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HOUSE OF COMMONS
LONDON SW1A 0AA

THE RT. HON. ALAN WILLIAMS MP

OFFICE: 020-7219-3449
CONSTITUENCY: 01792-655097
FAX: 020-7219-6943

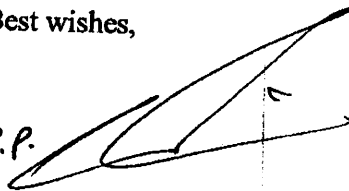
SL-3 strikes

Thursday, 29 October 2009

Dear Peter,

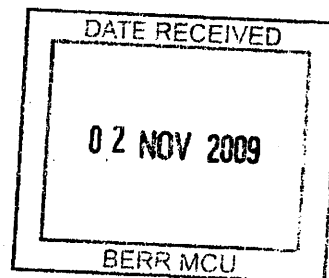
Please find enclosed correspondence I have received from a constituent of mine. Your comments please on the matters raised.

Best wishes,

P.P. 

Alan Williams





Lord Peter Mandelson,
Secretary of State,
Department for Business, Innovation and Skills,
1 Victoria Street,
London
SW1H 0ET

Pat McFadden MP

Minister of State for Business

and Innovation & Skills

The Rt Hon Alan Williams MP
House of Commons
London
SW1A 0AA

Our ref: GG/156641

17 November 2009

Dear Alan,

Thank you for your letter of 29 October to Peter Mandelson, enclosing correspondence from your constituent, [REDACTED] Swansea [REDACTED] about possible Government action to prevent unlawful downloading from the internet. I am replying as Minister of State for Business, Innovation and Skills.

The Government wants as many people as possible to enjoy all the benefits that broadband internet can bring. New technology has changed the way people want to use and access media content, in some cases faster than products and services commercially on offer have developed. But we are also clear that the benefits of the internet must include economic benefits for our creative industries and artists. We therefore take extremely seriously the problem of illegal file sharing, and have been working closely with rights holders, media companies and internet firms to develop practical solutions to reduce and prevent this.

Whilst all parties would prefer a voluntary solution, rather than regulatory, it is clear that such a commercial solution is very difficult to achieve. We recognise that one problem is the need for a level playing field and therefore acknowledge the need for a regulatory baseline.

We have held two separate consultations to help us develop and finalise our regulatory policy. The first in July 2008 examined on possible legislative options to tackle file-sharing. The consultation, submissions received and the Government's response can be found at:
<http://www.berr.gov.uk/consultations/page47141.html>

This was followed by the Digital Britain Report which was published on 16 June which identified the need to encourage new sources of content and increased levels of media literacy as well as how to tackle those unlawfully sharing copyright material (Chapter 4 in the Report). The report can be found at: [http://www.dcms.gov.uk/what we do/broadcasting/5631.aspx](http://www.dcms.gov.uk/what_we_do/broadcasting/5631.aspx)

Alongside the Digital Britain report we issued a consultation setting out our regulatory proposals. In a nutshell these were obligations which would require Internet Service Providers (ISPs) to write to subscribers whose account had been identified in connection with an infringement of copyright. The ISPs would also be required to provide information in such a way that rights holders would be able to take targeted court action against the most serious infringers. It should be stressed that at no time will rights holders be able to obtain personal details of individuals from ISPs without a court order. Finally because although we feel these measures represent the most proportionate and effective way to reduce file-sharing significantly, we cannot be sure. We therefore included a reserve power to allow a further obligation to be placed on ISPs in the future if required. This obligation would require technical measures to be applied to the subscribers account with the aim of restricting or preventing file-sharing.

However, one concern quickly came to light was the ability of Government to react quickly enough in bringing in the third obligations if these proposals did not prove as effective as expected. We therefore decided to modify these proposals and issued a statement on 25 August explaining our thinking. The consultation on these proposals closed on 29 September.

The consultation and statement can be found at:
<http://www.berr.gov.uk/consultations/page51696.html>

We are in the process of analysing all the responses received and intend to issue a summary along with the Government's top-level response in November. I hope Mr [REDACTED] was able to contribute to the debate.

However, it is not possible to look at file-sharing in isolation. There is also the need to ensure proper education of consumers, for new attractive legal sources of content as well as a system of notifications. Notifications will play a significant part in that education role but it is vital that there are attractive legal offers available so that unlawful behaviour is no longer the "default" for many seeking content on-line. That is why we welcomed the announcements such as the Virgin Media and Universal agreement, the development of Spotify and the music offers announced by Vodafone and Sky. These are the types of agreement which will play a critical role in moving the great majority of people away from piracy.

Our ambition is to see the UK as the leading major economy for innovation, investment and quality in the digital and communications industries. The Digital Britain Report aims to secure four key conditions, namely: open markets; empowered and informed consumers and citizens; universal access to public service content; and a responsive regulatory framework. One work-stream will explore business models for content development in the digital age and the impact of new media on the content market.

Alongside that and underpinning all work in the creative – and indeed manufacturing - sectors is copyright. That is why the UK Intellectual Property Office launched the Copyright Strategy report '© The Way Ahead' on 28 October. This work looks ahead to how copyright can tackle the challenges of the digital age, drawing on previous work including Digital Britain and the Gowers Review of Intellectual Property, on international perspectives including the European Commission's, and on discussions and submissions from stakeholders.

Ultimately the Government wants a copyright system that works as well as it can for everyone in the UK, supporting investment and sustaining jobs, as well as underpinning our cultural life, and supporting consumers to get the best from the digital age.

*Yours sincerely,
Pat McFadden*

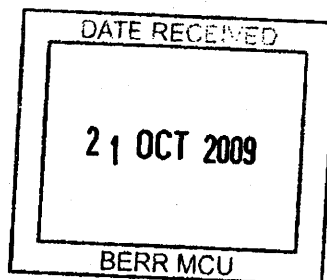
PAT McFADDEN

21 OCT 2009
Info. only

Email: [REDACTED]

Saturday 17 October
2009

Lord Mandelson
House of Lords
London
SW1A 0PW



Dear Lord Mandelson,

I am writing about the current proposals for trying to prosecute illegal file sharing by the ISP of the users. First let me say that illegal ownership of all copyright material is wrong and I do not condone it in any way. To force ISP providers and worse householders to be responsible in a legal sense for their connections is prejudicial and is simply a single interest group looking for a way to regain a failed business model. It was the same with the proposals for a tax on blank cassette tapes. When the scope is also moved to unsecured WiFi then it becomes incredulous. If you are identified you will be given the tools to prevent it happening again i.e. you will be forced to secure your network. So much for the possibility of free WiFi access across the country.

There are also many other reasons to file share than distribution of illegal content.

Inside the home I can accept responsibility for guiding my children down the right path not only with stealing but also with the ideals of a true free society, with the responsibilities that come along with it. There are better ways to deal with this problem.

Please don't pander to one special interest big business group. They seem to have some mightily well paid individuals who just seem unable to

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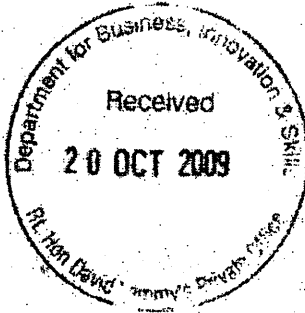
cope with the modern world that they live in, unlike the rest of us who have nowhere near this sort of lobbying clout

Yours sincerely,





(Signed with an electronic signature in accordance with subsection 7(3) of the Electronic Communications Act 2000.)



PODL

Anne Snelgrove MP

Working for South Swindon

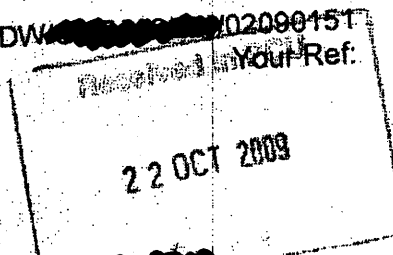
David Lammy MP
Minister for Intellectual Property
Department for Business, Innovation & Skills
1 Victoria Street
London SW1H 0ET



Our Ref: DW/02090151

06 October 2009

Dear David,



Re: ~~XXXXXXXXXXXX~~ Swindon, Wilts. ~~XXXXXX~~

I enclose a copy of an email which I have received. I would be grateful if you could advise me of any information which will enable me to provide a response to my constituent.

Please reply to me at **7 Little London Court** and it would greatly assist me if you could enclose a copy for my constituent.

Thank you for giving this matter your attention.

Yours sincerely

Anne Snelgrove MP
Labour MP for South Swindon

7 Little London Court, Albert Street, Swindon, SN1 3HY
Tel: 01793 615444 Fax: 01793 644752
annesnelgrove@parliament.uk www.annesnelgrove.co.uk

[REDACTED]

From: SNELGROVE, Anne
Sent: 02 October 2009 16:08
To: [REDACTED]
Subject: FW: Letter from your constituent [REDACTED]

Can you do this one?

-----Original Message-----

From: [REDACTED]
Sent: 02 October 2009 13:40
To: SNELGROVE, Anne
Subject: Letter from your constituent [REDACTED]

[REDACTED]
Swindon
[REDACTED]

Email: [REDACTED]

Friday 2 October 2009

Dear Anne Snelgrove,

I'm writing to ask you to support the right of Internet users to a fair trial, and stop Peter Mandelson's plans to cut off people's access without trial. From the Open Rights Group website: "In our societies, access to the Internet is so instrumental to people's ability to communicate with each other that restricting or limiting this access cannot be decided by a company or even an executive agency. Only a fair trial by the judicial authority guarantees that citizens' rights will be respected."

Please help prevent disconnection without trial.

Yours sincerely,

[REDACTED]
[REDACTED]
(Signed with an electronic signature in accordance with subsection 7(3) of the Electronic Communications Act 2000.)

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The Rt Hon Stephen Timms MP
Minister for Digital Britain

Anne Snelgrove MP
7 Little London Court
Albert Street
Swindon
SN1 3HY

Our ref: DH/155543
Your ref: DW/GREA02001/02090151

S November 2009

Dear Anne

Thank you for your letter of 6 October to David Lammy, enclosing correspondence from your constituent, [REDACTED] Swindon [REDACTED] about possible Government action to prevent unlawful downloading from the internet. I am replying as this matter falls within my portfolio and I apologise for the delay.

Mr [REDACTED] is incorrect in alleging that Peter Mandelson is planning to "cut off people's access [to the internet] without trial". However, given the amount of media reporting to the issue and the even greater amount of speculation surrounding the actual proposals, such confusion is understandable and it may help if I clarify here exactly what we are proposing.

We are proposing that, subject to strict standards of evidence, ISPs will be required to send their subscribers whose accounts have been identified with an alleged infringement a series of letters. These will set out the nature of the infringement plus give details of how to access legal content, how to protect a wireless network and information on the value of copyright. Any subscriber ignoring these letters and who appears to continue to infringe copyright could face legal action by the rights holder. Any penalty would only be imposed by a court.

We expect that these measures will significantly reduce file-sharing but we cannot be certain as this is a new area of legislation. We are therefore including a reserve power to introduce a further obligation on ISPs to impose technical measures (to reduce file-sharing) on persistent infringers if it becomes clear that file-sharing has not been reduced significantly. These measures might include account suspension.

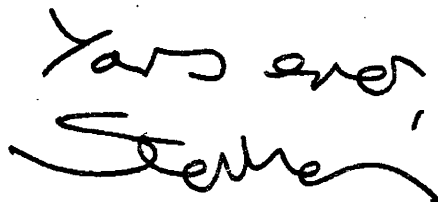
1 Victoria Street, London SW1H 0ET
www.bis.gov.uk

Enquiries +44 (0) 20 7215 5000 | Minicom +44 (0) 20 7215 6740 | Contact us www.bis.gov.uk/contact-us

I should stress that suspension might only be adopted after advice from Ofcom as to the most effective and proportionate measure; also it would only be imposed after a subscriber had ignored several written warnings. Finally we recognise that imposing any technical measure must also have alongside it a rapid and robust appeals route for all consumers. This would comprise first an appeal to an independent body and second to a First Tier tribunal.

As Peter Mandelson made it clear in his speech on 28 October, moving to technical measures is by no means a given and is very much our last resort option. He restated our belief that, whilst Government has a role to play in providing the legislative framework, ultimately it is for the market to solve this problem through the provision of the type of content that consumers want, in a manner and format they want and at a price they are prepared to pay.

Please thank Mr [REDACTED] for taking the trouble to raise this issue with us.

A handwritten signature in black ink, appearing to read 'Yours ever, Stephen'.

STEPHEN TIMMS

020 123 0000
-----Original Message-----

From: [redacted] [mailto:[redacted]]
Sent: 24 September 2009 23:11
To: Enquiry Enquiry (Enquiry Unit and Night Duty Office Mailboxes)
Subject: file sharing and piracy

hi

i have been reading that ministers are quick to blame people for piracy and file sharing but they have over looked the main thing in all this is that the record companies and movie companies are also complicit in all this not just the ordinary people..
i would like to give a small history lesson if i may....a decade or maybe over a decade ago when the internet was in its infancy the head of the Mpaa in america Jack valenti said that the internet was just a fad and would fizzy out...as time went on all the motion picture companies and record companies did not take the bull by the horns but sat on their hands and resisted the potential that the internet offered it was only when someone wrote a program called napster for music or edonkey for movies and torrent files that people sat up and took notice.

May i also point out that there is an upcoming pixa movie called "UP" that was released in the states way back in may or june but its only geting a release now in october or november....i feel this release is 3rd rate as pixar and the movie companies are just thumbing its noses at the movie going pubic....also dvds are to over priced especially box sets.

i would like it if i could see my favorite tv show not 6 months to a year later but on the night of showing or an hour or two afterwards this would stamp out piracy and file sharing.

before you start to point fingers at people you have to first point fingers at the record companies and movie companies..

[redacted]

This email was received from the INTERNET and scanned by the Government Secure Intranet anti-virus service supplied by Cable&Wireless in partnership with MessageLabs. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisation's IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

REF: 152763

[REDACTED]

10 December 2009

Dear Mr [REDACTED]

Thank you for your email of 24 September to the BIS correspondence team. I apologise for the lengthy delay in replying.

The Government wants as many people as possible to enjoy all the benefits that broadband internet can bring. New technology has changed the way people want to use and access media content, in some cases faster than products and services commercially on offer have developed. We are also clear that the benefits of the internet must include economic benefits for our creative industries and artists. We therefore take extremely seriously the problem of on-line copyright infringement, and have been working closely with rights holders, media companies and internet firms to develop practical solutions to reduce and prevent this.

Whilst all parties would prefer a voluntary solution, rather than regulatory, it is clear that such a commercial solution is very difficult to achieve. We recognise that one problem is the need for a level playing field and therefore acknowledge the need for a regulatory baseline.

The Digital Economy Bill, published on 20th November, sets out in detail our proposed legislation to tackle on-line copyright infringement, including unlawful peer to peer file-sharing. The Bill will implement many of the key recommendations in the Government's Digital Britain Report (June 2009). The Report can be found at: http://www.dcms.gov.uk/what_we_do/broadcasting/5631.aspx. The details on the Bill can be found at: <http://interactive.bis.gov.uk/digitalbritain/digital-economy-bill/>.

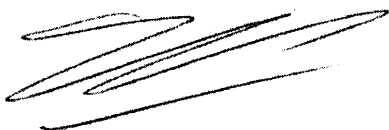
The Bill would require ISPs to write to their customers whose accounts had been identified by a rights holder as having been used for illegal downloading of their material. In the cases of the most serious infringers, if a rights holder obtains a court order, the ISP would have to provide information so that the rights holder can take targeted court action.

We hope these arrangements on their own will secure the 70% reduction in illegal peer to peer file sharing which is our aim. If that proves not to be the case, the Bill provides a reserve power obliging an ISP to apply 'technical measures' to a customer's internet account to restrict or prevent illegal sharing. Technical measures might be a band width restriction, a daily downloading limit or, as a last resort, temporary account suspension. A proper independent appeal would be available against application of technical measures.

More widely we also include a reserve power to amend the Copyright Design and Patent Act. This will allow us to tackle quickly any misuse of emerging technologies for copyright infringement and provide an element of future proofing. These measures were adopted following two consultations on file-sharing and extensive meetings with all stakeholders. Both consultations, the representations made and the Government's responses can be found at: <http://www.bis.gov.uk/consultations>.

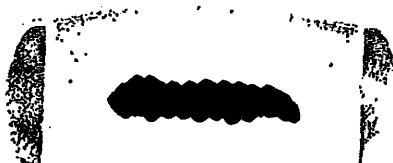
We also recognise the need to ensure proper education of consumers, for new attractive legal sources of content as well as a system of notifications. Notifications will play a significant part in that education role, but it is vital that there are attractive legal offers available so that unlawful behaviour is no longer the "default" for many seeking content on-line. Rights holders need business models which work in the new digital environment. That is why we welcomed the announcements such as the Virgin Media and Universal agreement, the development of Spotify and the music offers announced by Vodafone and Sky. These are the types of agreement which will play a critical role in moving the great majority of people away from piracy.

Yours sincerely



BIS MINISTERIAL CORRESPONDENCE UNIT

Email: Bis.correspondence@bis.gsi.gov.uk



Rt. Hon. Lord Mandelson,
First Secretary of State,
Secretary of State for Business, Innovation & Skills,
Lord President of the Council,
Department for Business, Innovation & Skills,
1, Victoria Street,
London, SW1H 0ET.

September 24th 2009.

Dear Lord Mandelson,

RE: GOVERNMENT STATEMENT ON THE PROPOSED P2P FILE-SHARING LEGISLATION.

The individuals, organizations and companies who have signed this letter share a common goal: to create a sustainable future for music and for the creative support and investment that allows musicians and songwriters to devote themselves entirely to their art.

The future of our artists, songwriters, music managers and producers, along with all those who work behind the scenes and create and invest in music is uncertain, primarily because of the sheer scale of unlicensed distribution of music via peer to peer networks. Such activity is shaking the economic foundations on which the entire music industry depends. It is risking jobs, as well as hampering the growth of a diverse and legitimate digital music market.

In response to this challenge:

- we agree that government intervention is required as a matter of urgency to create a clearly defined role for Internet Service Providers to help drastically reduce the wide scale unlicensed distribution of music, film, literature, games and sport and to facilitate the growth and sustainability of a diverse and legitimate digital music market;

- specifically, we support Government's proposals which would see ISPs send notifications and apply technical measures to impede and discourage the use of unlicensed P2P networks and encourage the use of legitimate services. We agree that a clear distinction should be made between how technical measures are applied to the casual infringer compared to how they are applied to the egregious or persistent infringer, with temporary suspension of broadband accounts being applicable only as a last resort against the latter. Safeguards and functional definitions should be introduced to ensure that this distinction is made and maintained.

UK Music
British Music House

26 Berners Street
London, W1T 3LR

T. 020 7306 4446
F. 020 7306 4449

www.ukmusic.org
contact@ukmusic.org



We acknowledge the constant need to build on the number, range and variety of licensed digital music services, to deepen our understanding of what music fans want from digital music services and to endeavour to support a growing range of licensed digital business models that can meet each and every music fan's needs, demands and budget.

We also agree to step up efforts to use the creativity that drives our business to find new ways to educate and promote the value and importance of music, why it matters, and why people who love music should support those who create it and those who invest in it.

Yours sincerely,

Feargal Sharkey
Feargal Sharkey
Chief Executive

PS. I have attached a small selection of recent public statements made by artists and performers in support of your proposals which I hope will be of interest.



UK Music represents the collective interests of the UK's commercial music industry; from artists, musicians, songwriters and composers, to record labels, music managers, music publishers, collecting societies and studio producers.

Member organizations include PRS for Music representing 60,000 songwriters and composers; PPL representing 42,000 performer members and 5,000 record company members; the Musicians Union (MU) representing 30,000 musician members; the Association of Independent Music (AIM); the British Academy of Songwriters, Composers & Authors (BASCA); the BPI (British Recorded Music Industry) Limited; the Music Managers Forum (MMF) and the Music Publishers Association Limited (MPA).

This letter is supported by the Music Producers Guild (MPG)

Recent public statements by artists and performers in support of Government proposals.

Lily Allen

"I think music piracy is having a dangerous effect on British music." "For new talent though, file sharing is a disaster as it's making it harder and harder for new acts to emerge."

James Blunt

"The world over, people are stealing music in its millions in the form of illegal file-sharing. It's easy to do, and has become accepted by many, but people need to know that it is destroying people's livelihoods and suffocating emerging British artists."

Bjorn Ulvaeus

"Those under attack are people of flesh and blood, who are passionate about their profession. When I speak with younger colleagues about their current situation, I feel a strong sense of compassion for them and understand their anxiety about the future. Some of them feel that their work is being degraded."

Dappy NDubz

"The minute a song gets on the internet as a digital download, it's gone and you can't get it back. It stops you in your tracks, stops you doing what you're doing, all the stealing. I'd say to someone who takes our music it's all very well taking it off the internet because you like it, because it's your favourite song, but you're forgetting about us in the studio, all the hard work that goes into creating that song. If you steal our music it might make you happy but it makes us very upset."

Pixie Lott

"Record labels facilitate the introduction of artists to the industry, but it all comes at a price, and when you steal music, it's not their music you steal, it's the artists, the songwriters."

Gary Barlow

"This is a fantastic read and I agree with every single sentence. I spend so much of my spare time helping up and coming artists find their way so am fully aware of all the issues in your letter."

Tinchy Stryder.

"I'm in an amazing and fortunate position and I am more than grateful for where my career is at and I know that the internet is the greatest thing out there and a massive part of the reason for mine and LOADS of other new artists success, I love the internet as u lot will know from my constant twittering and blogging lol - but I am one of the lucky few and when I think about it I'm worried about making sure new talent can continue to come through. Everyone in this world needs an income and the majority of artists chief income should be through selling music."

Frankmusik

"Lily Allen just sent me an email about the internet killing music for new artists. It was a bloody good bit of opinion."

Mika

"I am totally with Lily Allen on the music piracy debate and will be getting involved."

Gary Kemp

"You have my support. Well done for making the effort and not just sitting on the fence like most people. Let me know what I can do."

Paddy McAloon

"I came across a real life example of this last week on route to an interview in Durham in a taxi. The driver told me he downloaded music illegally but only in small amounts and thought because of that it was ok. When we reached our destination, I gave him 3/4 of the fare and said "now you know how your actions affect me!" True story.

Katherine Monaco - Sirens

"On release of our last single 'Club la la' we discovered at least 20,000 examples of illegal downloading, which as a result had a substantially damaging affect to our official single sales."

Mark Ronson

"Illegal file-sharing is tearing at and could eventually destroy the fabric of what makes the UK recording industry and musical community the most forward-thinking and artist- nurturing in the world."

Alesha Dixon

"I like many other musicians am totally against illegal downloading or file sharing, i feel it is no different to theft."

James Allan , Glasvegas

"So, grow a heart, let it beat a little and spend 79 f**king pence on a song you tight f**ks."

Paul Loadby (manager)

"The future of artists, songwriters, music managers and producers, along with all those who work behind the scenes and create and invest in music is uncertain, primarily because of the sheer scale of unlicensed distribution via peer to peer networks."

Katherine Jenkins

"I support anti file-sharing proposals. Join in x"

The Rt Hon Lord Mandelson
Secretary of State for Business
Innovation and Skills

Our ref: SW/151016
Your ref:

Feargal Sharkey
Chief Executive
UK Music
26 Berners Street
London
W1T 3LR

9 October 2009

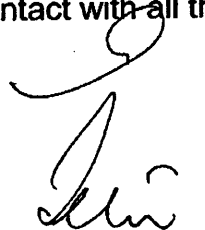
Dear Feargal,

Thank you for your letter of 24 September about peer to peer file-sharing.

I appreciate the time you have taken in writing to me to express your support for the Government's proposals on this issue.

As you know, we committed in the interim Digital Britain report to consult on the detail of the legislative proposals and this consultation was issued on 16 June. Following this, concern was expressed at the length of time it would take to implement these measures, or indeed move to technical measures if this was deemed necessary. We therefore decided to modify these proposals and issued a statement on 25 August explaining our thinking. The consultation on these proposals closed on 29 September.

We are currently analysing all the responses received and intend to issue a summary along with the Government's top-level response in November. However, this issue continues to command a great deal of interest and I am sure we will be in continued contact with all the main stakeholders over the coming months.



PETER MANDELSON

1 Victoria Street, London SW1H 0ET
www.bis.gov.uk

Enquiries +44 (0) 20 7215 5000 | Minicom +44 (0) 20 7215 6740 | Contact us www.bis.gov.uk/contact-us

[REDACTED]
[REDACTED]
Lenzie
[REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Tuesday 22 September 2009

Lord Mandelson
House of Lords
London
SW1A 0PW



*Standard line
P-2-P filesharing*

Dear Lord Mandelson,

I am an artist and also founder of Kerchoonz.com, a free legal music network based here in the United Kingdom.

I am worried about some of the decisions being taken regarding p2p and piracy. There are more productive solutions that would cost the government less money and generate millions without having to penalise Internauts for using file-sharing services.

As an artist, I had over 300k full album downloads of my album downloaded within weeks of our TV & radio marketing campaign in the US. P2p severely hurt our company. However, P2p is the most powerful distribution network for music and media that has ever existed. My personal study of the p2p culture and the options lead me to believe that it would be more prudent to harness the technology by initiating a Global Compulsory licence for music on the internet. Whereby websites who exploit music would pay a 'tax' and ISPs would pay a tax from their profits. The money spent on fighting piracy would be better used in Government subsidies toward music industry regeneration especially in the independent music sector since hundreds of independent labels have been bankrupted in the UK.

If you would like to read more about our position, please read:


This is page 1/2. This message was sent by WriteToThem.com. If you have had any problems receiving this message, please email team@writetothem.com and we'll get back to you. See www.writetothem.com for more details about the service. We have sent this fax to 02072195979; if this number is out of date please email us so that we can update our records.

<http://indianagregg.blogspot.com/2009/09/pirate-party-versus-musicians.html>

Yours sincerely,




Kerchoonz Ltd.


(Signed with an electronic signature in accordance with subsection 7(3) of the Electronic Communications Act 2000.)

BIS Ref: JM/155955
Your Ref:


16 Heath Avenue
Lenzie
G66 4LG

28 October 2009


Thank you for your letter of 22 September to the Lord Mandelson about possible Government action to prevent unlawful downloading from the internet. This matter falls within Lord Davies' portfolio at the Department for Business, Innovation, and Skills, and has therefore been transferred. The Minister receives a large amount of correspondence every day and cannot answer all of it personally. I have been asked to reply on the Minister's behalf.

The Government wants as many people as possible to enjoy all the benefits that broadband internet can bring. New technology has changed the way people want to use and access media content, in some cases faster than products and services commercially on offer have developed. But we are also clear that the benefits of the internet must include economic benefits for our creative industries and artists. We therefore take extremely seriously the problem of illegal file sharing, and have been working closely with rights holders, media companies and internet firms to develop practical solutions to reduce and prevent this.

Whilst all parties would prefer a voluntary, rather than a regulatory solution, it is clear that such a commercial solution is very difficult to achieve. We recognise that one problem is the need for a level playing field and therefore acknowledge the need for a regulatory baseline. Last year we held a consultation on possible legislative options to tackle file-sharing; this, submissions received and the Government's response can be found at:

<http://www.berr.gov.uk/consultations/page47141.html>

1 Victoria Street, London SW1H 0ET
www.bis.gov.uk

Enquiries +44 (0) 20 7215 5000 | Minicom +44 (0) 20 7215 6740 | Contact us www.bis.gov.uk/contact-us

We set out how we plan to move forward on this in the Digital Britain Report, published on 16 June, which identified the need to encourage new sources of content and increased levels of media literacy, as well as how to tackle those unlawfully sharing copyright material (Chapter 4). The report can be found at:

[http://www.dcms.gov.uk/what we do/broadcasting/5631.aspx](http://www.dcms.gov.uk/what_we_do/broadcasting/5631.aspx)

We propose to legislate to ensure that consumers whose broadband account has been identified in connection with alleged copyright infringement would be alerted by letter. This would set out the legal position but also provide pointers for help and information on, for example, how to protect wireless networks properly, where to find legal sources and routes of appeal. This letter would come from the Internet Service Providers (ISP) concerned, not a law firm. This should help address many concerns about individuals being wrongly identified, not having the correct information or indeed feeling pressured by the threat of legal action.

For those individuals who choose to ignore the letter, they will receive a number of further warnings before they are ultimately added to a list of those subscribers most frequently alleged to have breached copyright. Rights holders will be able to use a court order to obtain the details of these individuals and then take targeted legal action as appropriate. This should ensure that individuals have ample opportunity to change their behaviour, take appropriate action to, for example, secure their wireless connection or indeed appeal. It would also mean that only those who chose to ignore the warnings and who appeared to continue to infringe copyright on a large scale would face legal action.

As a final safeguard, this activity would be underpinned by a Code overseen by the independent regulator the Office of Communications (Ofcom). A key issue the Code would have to cover is consumer protection – one of Ofcom's prime roles. However, we are breaking new ground in legislating to tackle this type of activity and while we are confident these measures will significantly reduce the level of unlawful file-sharing, we cannot be sure. That is why we are also including the option to allow the introduction of technical measures if the notifications and legal action do not prove as effective as we expect.

We committed in the interim Digital Britain report to consult on the detail of the legislative proposals and this consultation was issued on 16 June. Following this, concern was expressed at the length of time it would take to implement these measures – or indeed move to technical measures. We therefore decided to modify these proposals and issued a statement on 25 August explaining our thinking. The consultation on these proposals closed on 29 September. We are in the process of analysing all the responses received and intend to issue a summary along with the Government's top-level response in November. I hope your constituent was able to contribute to the debate.

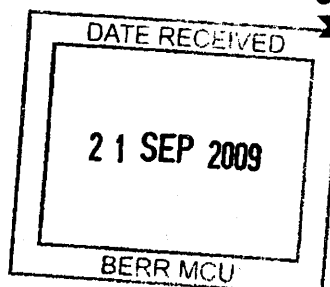
However, it is not possible to look at file-sharing in isolation. There is also the need to ensure proper education of consumers, for new attractive legal sources of content as well as a system of notifications; these will play a significant part in that education role. It is vital that there are attractive legal offers available so that unlawful behaviour is no longer the "default" for many seeking content online. That is why we welcomed the recent announcement by Virgin Media and Universal on the launch of a subscription download model, allied with Virgin taking anti-piracy measures on its network. This is the type of agreement which will play a critical role in moving the majority of people away from piracy.

Our ambition is to see the UK as the leading major economy for innovation, investment and quality in the digital and communications industries. The Digital Britain Report aims to secure four key conditions, namely: open markets; empowered and informed consumers and citizens; universal access to public service content; and a responsive regulatory framework. One work-stream will explore business models for content development in the digital age and the impact of new media on the content market. In addition, the UK Intellectual Property Office will take forward work to deliver a digital copyright framework which supports creativity, investment and job creation.

Yours sincerely,



BIS MINISTERIAL CORRESPONDENCE UNIT
Email: bis.correspondence@bis.gsi.gov.uk



Rt Hon Lord Mandelson
Secretary of State for Business, Innovation & Skills
Department for Business, Innovation & Skills
1 Victoria St
London
SW1H 0ET

17 September 2009,

Dear Lord Mandelson,

RE: DBIS consultation on legislation to address illicit p2p file-sharing

The Music Publishers Association (MPA) exists to safeguard and promote the interests of music publishers in the UK and the song writers and composers signed to them. The MPA is a founder member of our pan music industry representative body UK Music and we are also members of the Publishers Content Forum.

The MPA welcomes the Government's statement (25 August 2009) on the proposed p2p file sharing legislation. A significant reduction in the amount of unlicensed file sharing activity is a critical goal for the UK music industry, an industry which has an enormous role to play in the future economic and cultural life of this country.

We believe that there are three essential elements in ensuring that our great industry prospers in the digital economy:

1. Education in the importance of copyright as a means of rewarding creativity, in particular as a vital source of income for songwriters and composers in the early stages of their careers.
2. The development of new licensed business models which allow music fans to access the music they want in a manner they choose, whilst ensuring the publishers and writers are properly remunerated. Recent licensing deals now in place with YouTube, Spotify and Nokia Comes With Music are important and welcome steps forward in this area. Publishers, and the collection society PRS for Music, will continue to work with digital service providers and ISPs to offer consumers ever more compelling licensed services.
3. A robust but flexible and proportionate regulatory framework which should now extend to and encompass the role and responsibilities of ISPs. Such a framework is essential, we believe, to sustain and stimulate investment in talent and reward creativity and expand the digital economy.

Music Publishers Association Limited
A: 6th Floor, British Music House, 26 Berners Street, London, W1T 3LR
T: 020 7580 0126 F: 020 7637 3929
E: info@mpaonline.org.uk W: www.mpaonline.org.uk
Registered in London no. 140248



The MPA, along with all other members of UK Music, supports government's proposed legislation and in particular the full suite of measures to be placed at the disposal of Ofcom, as directed by the Secretary of State. A full and collective response to the DBIS consultation will be submitted by UK Music before the 29 September deadline.

Yours sincerely,



Stephen Navin,
Chief Executive,



Nigel Elderton,
Chairman, MPA

CC: Rt Hon Ben Bradshaw MP, Secretary of State for Culture, Media & Sport
Rt Hon Siôn Simon MP, Minister for Creative Industries
Rt Hon Stephen Timms MP, Minister for Digital Britain

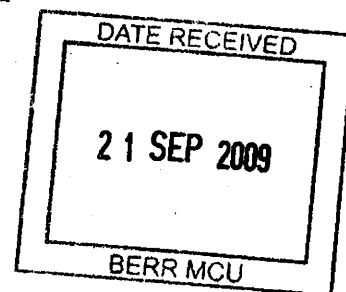
Andrew Dismore
Labour Member of Parliament for Hendon



HOUSE OF COMMONS

LONDON SW1A 0AA

The Rt Hon Lord Mandelson,
Secretary of State for Business, Innovation and Skills,
Department for Business Innovation & Skills,
Kingsgate House,
66-74, Victoria Street,
London, SW1E 6SW.

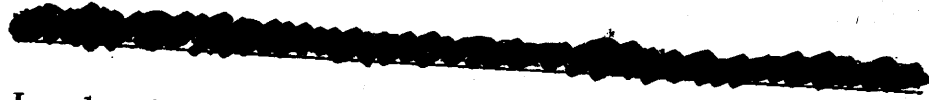


Our Ref: G/05/02/0011

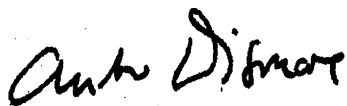
Please quote reference on all correspondence

17th September 2009

Dear Peter,


I enclose herewith email from my above named constituent dated the 15th of September and it would be appreciated if you could let me have your comments.

Yours sincerely,



Andrew Dismore
Member of Parliament for Hendon

*E/ Copy. Data protection
G7 Data Protection*

DISMORE, Andrew

From: [REDACTED]
Sent: 15 September 2009 15:12
To: DISMORE, Andrew
Subject: [REDACTED]

From: [REDACTED]
Sent: 10 September 2009 10:53
To: 'Andrew Dismore'
Subject: RE: File Sharing Legislation

Following on from my email yesterday, I notice in the Times today there is an article from artists such as Blur, Radiohead, Pink Floyd condemning the proposed legislation. They say that this legalisation will criminalise a whole generation of their fans, also the last thing they want to do is to 'go to war with our fanbase'. Their organisation (Featured Artists Coalition- FAC) wants the Government to concentrate instead on nurturing new business methods to encourage fans to obtain music legally. So who is in favour of this legislation? - 'the greedy record business who have got so fat, they are unable to see its own foot soldiers!'
 Regards
 [REDACTED]

From: [REDACTED]
Sent: 09 September 2009 15:30
To: 'Andrew Dismore'
Subject: File Sharing Legislation

Dear Andrew,
 Thank you very much for the constituency report, which is very useful.

I would like to comment on the proposed legislation from Lord Mandelson that will cut off the broadband connections of those suspected of illegal file sharing.

Whilst I totally disagree with illegal file sharing the proposed legislation has not been thought through, is totally the wrong approach, is extraordinarily negative, and it is impossible to prove who has been doing the alleged illegal file sharing. I totally agree with Charles Dunstone of Carphone Warehouse, Tom Alexander of Orange, Which, etc. that the proposals are 'an extra-judicial kangaroo court process'. Even if you are sure that a particular internet connection is accessing content illegally (and you cannot prove because the guilty party could be piggy-backing on the innocent user's internet connection) you cannot prove who the guilty party is. There are often many people in a household using the internet so shutting all these people, and possibly a business operating as well, off the internet is 'pretty close to cutting off a fundamental right'.

If we are going to protect intellectual property online more creative solutions are required. Internet users must be convinced that content is worth paying for, e.g. the Spotify or Hule models.

Trying to figure out which file sharing is illegal is a technical challenge of immense proportions - ISPs would have to inspect every packet of data sent via their networks - impossible!!

These proposals suggest that Lord Mandelson does not understand the internet, any attempt to stop file sharing with these tactics is like jumping on molehills to rid a lawn of moles - users will simply pop up elsewhere, unless they are offered better solutions.

So copy the French and abandon this legislation and spend the time on more useful legislation,
 15/09/2009

Andrew Dismore

Page 2 of 2

Regards

15/09/2009



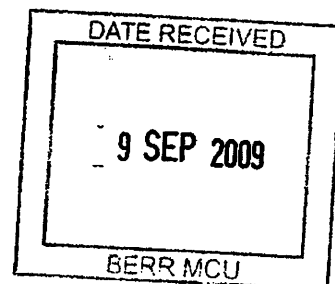
148847

8th September 2009

BY HAND

Rt Hon the Lord Mandelson of Foy and Hartlepool
Secretary of State for Business, Innovation & Skills
Department for Business, Innovation & Skills
1 Victoria Street
London
SW1H 0ET

1 UPPER JAMES STREET
LONDON W1F 9DE
T +44 (0)20 7534 1000
F +44 (0)20 7534 1111
www.ppluk.com



Dear Peter,

You have probably been inundated with reactions to your announcement last week on illegal file-sharing. I have certainly observed that the most vociferous opponents are those with a clear vested interest in maintaining the status quo.

I thought you might just appreciate a more measured reaction from PPL on behalf of tens of thousands of musicians, singers and recording artists – young and old – together with thousands of record companies – big and small.

The vast majority of these performers and record companies are not household names. They are almost all small businesses creating and investing in recordings which both enhance peoples' lives and, crucially for the UK, provide economic wealth and jobs. Their work is put in jeopardy by illegal file-sharing and, in common with other citizens and businesses, they deserve to be protected from theft. This is only right in a civilised society. It is time we had an online world more akin to the High Street than the Wild West.

We therefore whole-heartedly support the UK Government's recent announcement and your genuine efforts to tackle illegal file-sharing. We are wholly supportive of the industry's efforts to work with you to tackle this problem, led by UK Music, and we trust that the ongoing dialogue between Government, creators and the industry will continue to develop pragmatic and workable solutions for all our performer and record company members.

Lastly, I want to say thank you for your intelligent and truly far-sighted approach to key issues which, for better or worse, will impact the music business and all other creative industries for years if not decades to come.

With best wishes.

Yours ever,

Fran

Fran Nevrla
Chairman & Chief Executive Officer

