

## Video Recording of Choirs

The question arose last July, as a vicar had been told by his bishop that the law relating to video recordings and the payment of fees did NOT apply to choirs.

The document about recordings available on Organists Online (<http://www.organistsonline.org/recordings.pdf>) has been checked by the ISM (Incorporated Society of Musicians) legal department and, as stated on the document, the four paragraphs "accurately set out the position".

The 1988 Act does not distinguish between amateur and professional musicians, so even amateur choral singers are covered by it.

It's not just a question of fees, it's also a question of permission - no one's performance should be recorded without that person's permission.

How far any one organist of choir wants to pursue their legal rights, and how much they want to allow for flexible negotiation is up to them, but such discussions MUST/SHOULD take place. No incumbent, minister, priest or other person has the right to override the legal rights of others.

Here are some comments and references of possible interest:

An organist:

"Having spent the last three years working in the legal department of a major record label, and holding a law degree, I can confirm that there is no basis for the claim made by the Bishop that it is not legal to charge an additional fee for video recordings."

The RSCM

[http://www.rscm.com/info\\_resources/wedding.php](http://www.rscm.com/info_resources/wedding.php)

"There are no circumstances under which a performer may be recorded without their consent."

The C of E

<http://www.yourchurchwedding.org/your-wedding/dvd-recording.aspx>

"If you are recording a person's performance, e.g. an organist or choir, they are entitled to an additional fee."

The relevant ISM contract

...to pay a Recording Consent Fee to the Musician(s)

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And for those of you who want to get stuck into the next round of legal discussion, a comment from another organist:

"If there are children in the choir then the person videoing the wedding should not video the children in the choir without prior permission as Child Protection Rules do not allow this."

The Revd Jean Halliday (Child Protection Issues, Bishop's Adviser for the Diocese of Chelmsford) says this is absolutely correct. The solution for churches where this is liable to happen is to get parents' to sign a consent form (annually).