

Managing Artists and Other Matters MMF OZ (Australia)

GUESTS: **Bobby Brady**
 Babbette Lynch
 Dom Grace
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MODERATOR: **Meredith Case**

Meredith : The first question is when should an artist look at doing a publishing deal?

Bobby: I suppose the question maybe should be why should artists look at getting a publishing deal? If you find a publisher who is going to help get your songs out and try and get your record deal and if you believe they can do that that's not a bad time to do it. If you need money and you want to go to a publisher and try pickup an advance they're definitely the people to go to and that's I suppose where the timing comes in on that, in that an advance is only an advance on royalties that you and the publisher think you are going to get; you a little more than the publisher usually.

I would suggest if you could hold onto your publishing until you've got a record deal. The most optimistic time it seems for anyone is about two days before the record is released when everyone usually excited and thinks it's going to do unbelievably well. While that is going on and if you've got a couple of publishers interested, that's usually when you'll usually get the best deal not only in financial terms in terms of a deal.

Jenny: I think it will really depend upon the type of artists you have. I think there are some artists who really by sort of by virtue of the type of music they are playing are a lot more conducive to having syncs and having their music used in other formats; so they could be used a lot more like excessively for soundtracks or to be used on television our for subtitles or any sorts of things if it is more instrumental music.

So I think you really have to have a look at the type of artists you have and that in a way that will determine how valuable publishing could be first and foremost if you're looking at going in for a record deal.

I am going to double up on some of the things Bobby said so I won't waste people's time, but I think it really does depend if... it really can be wonderful to hold off and hold off and hold off and if everything else is in place and then you just sort of have someone who will come on board at the end then you're doing okay there at the end in terms of dollars, but if you want someone very, very active that's going to go out and find uses for your music and that's more important and they going to look after the songs as songs that nothing that's what you've got to sit down with your artists and work it is well.

Steven: I would sort of...I tend to view publishers as banks and it's probably a simplistic way of looking at it but...and we'd sort of go to them if there was a need for money and try and hold off a build the asset to a point where there was a lot of interest hence the asset goes up in value and cash in when I thought the timing was right. Whether that was what was mentioned with the anticipation of a record but I would hold off as long as a possible because I sort of view it as the artist's superannuation and it's not a great deal to sort of get involved in so go for the maximum.

Otherwise there is other alternatives; administration deals if he can get them, keep them to Australia New Zealand and look for international deal and once again it's all about the artist you've got and what expectations and plans you have for them.

Babbette : I don't have a lot more to add to what's already been said but I do think it depends on circumstances and if you are in a situation where the band does need to money and someone suffered your publishing deal and sometimes you feel like you don't have too much choice but I just think yes, the publishing deal should relate to the needs of your artists and it is...if you are having to sign a deal and you haven't got that much negotiating power then I think it's very important to have an active publisher who's going to actually going to place your songs and the extra work. But then again if you're managing a singer-songwriter and you're wanting to do co-writes then that's a different kind of publishing angle again.

Meredith : **Babbette , you're talking about negotiating power, the next question is for a band that's wanting to have some sort of negotiating power before approaching labels what do you see as being valued as negotiation power?**

Babbette : I think probably having other labels interested is probably the best negotiating power you can have. With the artists, I can only speak from my experience with the artists I've managed, most of them have released CDs independently and prior to labels and those CDs have sold quite well and they've toured and built-up some kind of fan base to start with and created some kind of interest that way. So that's probably the way I would go.

Steven: Again having a vibe out there, whether it's with punters or in the music immunity it has to has to start with that really I'd say.

Jenny: I think one of the things you really need to show is that he can do it with or without them. So if you look like you're potentially up for some airplay or pulling people for shows and you're in the street press and people are talking about you, you've already got your 6, 12 (month) and 3 yearly plans in place. You have the approach that you're going to go out there to do it whether it's with them or whether as independently that's quite attractive and can really create...people wanting to be part of what you've got because you're not sitting around waiting for them to come to you.

Bobby: Basically what everyone said is built up a really good story, make sure you tell it and do the deal before the find that the truth. Be in a strong position and really build up an identity and a story to tell them. As Babbettesaid, you have negotiating power with one company if you've got a good story to tell and great negotiating power when there's two.

Meredith : **What would you do if you're on a tour and the promoter does the runner with the cash?**

Jenny: Well presumably you'd like to hope that you've got contractual agreements in place, so whether it's with your agents, or you as the manager with the promoter, to have something in writing that legally binds you together in terms of an agreement being there. If it happens on the night and you need the cash to keep going or to pay hotel bills, I think you have to have a really sexy singer who can cry and probably just try to be honest with people you may owe and if you've got a history of being a decent operator and you've got integrity there I think most people if you are owing bills or if you need to fix people up, whether it's supports or front of house operator or lighting guys, if they're working

with you and they have been for a while, I think they're going to understand if someone run off with the money. I think you have to be upfront can tell everyone what's been happening advance and when you get back to Sydney you go to the Music Managers Forum and tell everyone not to deal with that promoter again.

Bobby: I think, not a lot you can do except try to make arrangements. I think it's up to the manager to try and suss out beforehand whether there is much chance of this happening. If you have no idea, you think they have been really honest with every other band then you've just been unlucky. I know of a couple of circumstances, one in particular, we're we went to a show and it's the final one of four shows that the promoter was doing and I put someone on the door with a bag and said you're not putting it in the till, we're putting it in the bag, and we you can make sure we settle properly at the end because we just had a real inkling that he was going to runner and we found out later that's exactly what was going to happen. So a bit of prevention and a bit of awareness goes a long way as well.

Steven: I haven't had had any promoters do a runner but I've had promoters go broke and the haven't been able to pay you. That's happened a few times; with *Suicide Guys* in New Zealand there seems to be a lot of cowboys but I tend to look for at least 50% upfront so that I can I can at least cover the costs, whatever they may be, airfares, accommodation, crew, etc, but again like Jenny mentioned I'd be placing a lot of pressure on my agent who obviously has to some degree worked with me in putting the band on that show. And yeah, tell everyone and try and track him down. It would depend on the situation but I'd go all out to our make an example if I could.

Babbette : I don't have very much else to add to everyone else there but I do think that when that does happen it's very important to let everyone else in the industry know so that other people don't face the same situation.

Meredith : **How do you find a good tour manager and what do you pay them?**

Steven: I've got a tour next month and I'm going through that exact exercise. I walked in here earlier and heard a conversation going on and someone said management's about communication and relationships and yeah, I rang Garry Devine and asked him who he was using because a couple of the tour managers I usually rely on our use were unavailable so...actually a lot of tour managers end up becoming managers so they disappear.

So, yeah, just communicating with managers and networking and again it depends on...I'll go to the band, I can't get X is there anyone in Melbourne, I'm thinking *Suicide Guys* because of this example, that you'd prefer to use and I'd ring them.

As to how much to pay them, they seem to know what they want and sort of anywhere from \$1000 to \$1600 a week and it depends on the style of tour as to what I'd pay and what other sort of activities beyond shows were involved, whether it was in-stores, record company publicity and promotional duties that were expected. I'd try and negotiate it down. Some people do it weekly, some per show, I try and do it weekly.

Babbette : I agree with what Steve has said there. I think it will also depend on the level you band is at too like maybe you can't afford to have a tour manager at some level so in that case I've often found the front of house person can look after the cash, book people into hotels, making sure people know what time and where they should be or perhaps if it is not the front of house person maybe there is somebody in the band that is prepared to take on that responsibility as well. So that's another way of

doing it and I think it depends on the level the band is at. Then again, I think the best way of finding a tour manager is by recommendation as well.

Jenny: Well I'm in the situation where unfortunately we haven't needed one yet. My bands aren't at a level where I'll let them pay for one so it's been advance preparation between myself...you sort of find between the band quite quickly that a particular member will stand out that you can trust to stay sober and collect money at the end of the night and chase everyone up and pay everyone.

I guess Blended Voices is a good example, where we're at that stage where we could almost go there, and we're all just thinking we'll wait a little bit longer and we should advertise a little bit more before we go with a tour manager and while I'd love the boys to not have to worry about some of the things it's a restriction so I'd definitely take the advice of going with someone who's recommended. You have front of house guys or lighting people who can double up because often the way it goes they're multitasking and there's different duties that can be done so that's the way we look at it at this stage.

Bobby: Basically agreeing with everyone with contacts from other bands but as far as money goes, don't forget that a tour manager that gets out with a larger band that's getting \$1600 a week, there's not a lot of tours that go on for a long, long time and maybe if that tour manager's band has headed off overseas and the tour manager is sitting around and there's nothing much happening, they're always looking to build relationships with younger bands and younger artists that may come through in a year or two's time that may be able to pay the \$1600 and if they've got a relationship with.

So don't be afraid to go out and say look all we're able to afford is \$800 and we really now need a tour manager because our front of house guy is just going to be dealing with front of house, do you want to do it, this is all way are able to pay, and if it works out and if we get where we're going to hopefully you're going to be with us. That goes at any level, whether it's someone who's getting \$800 and you can only afford to pay \$500, never be afraid of giving it a shot.

Meredith : **Okay, I've got a bit of a hypothetical here. You've signed a great deal with a record company and they're committed to breaking you internationally. Now they demand you either change your drummer, your artwork or your name, how would you deal with each of these?**

Steven: Well I guess in Suicide Guys a.k.a Paladium's case, it was an interesting case. I was in the US they have a US deal in place and were making a record in pre-production stage and terrorists flew plans into the World Trade Centre and there we were contemplating the name Suicide Guys and what it would mean for the band's opportunities in the states. So they internalised that a lot and deliberated over latte's one day after the next to the point where I had my say. I thought they should have changed the name, but they couldn't deal with that so they decided that they would canvas people in the US and we did.

The record company said there is no way you could use this name in the US now. We took a couple of songs to radio in Miami and played it and there was a great reaction to the song and the name was a stumbling block. This went on over the course of a number of weeks and the band were faced with the decision to make for themselves really. There was pressure certainly from the label to change the name but it was their aspirations and where they willing to go against that; would the record company work it as hard, would they get airplay? So they decided they would change the name and it took six months for them to get one we could clear.

So like everything it depends on the circumstances. I've had situations where drummers haven't been really cutting it and the record company has been saying there is something wrong with the rhythm of the band and their not cutting it and going through pre-production and making a record and those people have come to the fore. It's the artist's band and ultimately it's their decision and I can only advise and certainly record companies have opinions and if you stand fast and if the artist believes in what they are doing then that should always win. And if not then may be that's no the right record company.

Babbette : I tend to agree with what Steve says. With most of it the art is the artist's. I think that if there's those concerns coming from the record company I think the band should have a look at them and ask why they're actually wanting them to change. If the band feels strongly about (the issue) then they should stand firm and in what they believe in. But I still would keep an open mind and if I believe that having to change lyrics and music and perhaps the line up of the band would be very difficult thing for the band to do and that communication with the record company too, that's going to be important for the longevity of the band. So I think that's going to be something to work at as it's a working relationship.

Jenny: Yeah, it's a hard one. I think with the type of bands I'm working with that ultimately if they weren't comfortable I'd be backing them. Just summing up what Steve said, if they don't get what the band's doing, whether it's having artwork and certain way for a certain reason then they just don't get it. If you're stumbling there I don't know where else you're going to be stumbling down the track. I know it's a hard call but I'm working for the band and of course I'd put forward and try to be objectively sound I guess, but it's their thing and they're very independent about what they do and artwork's not going to be a compromise.

Bobby: First of all my sympathies with Steve, to go through what he went through with that is just shocking. I've been through situations where the record company wants to change the cover, where they want to change the band member, whatever.

I think the first thing you have to do is look at who within the record company wants to make the change. Is it an A&R person who wasn't there in the beginning who wants to make a change so they can go, well see what I did, I've made it a hit. They want some ownership of it and that goes on a lot, especially in the States. You've done the album in Australia and you take it over there and it's a ready made body of work and the A&R person wants a little bit of influence over it, whether it's the cover or whatever.

So to have a real look at that. if it's the head of the company have another look at it if they're saying, it doesn't go out this way. I've had a situation once where they wanted a band member change and they talked to the band and myself about it and the moment they did that it was pretty well the disintegration of the band because the band where an entity and they had their own image of themselves and when someone from outside started to come in, someone who had influence over them, their self image started to change and they just lost it and I've seen it a couple of other times where the record company has demanded changes and usually they don't think they're going to get the single away so let's change the rhythm section or whatever.

Changing the lyrics is... a producer client of mine has just had a Canadian act and the song is absolutely the hit single, like is addicted to drugs...love is type of thing...and the record company don't want to hear the word drugs in the song and they won't allow it to be released and they want them to change it and the album has been delayed now for about 3 ½ - 6 months now because the artist is saying it's got

to go out, it doesn't have to be a single, and the record company know full well it's the most commercial song but they don't want it on the record because they know someone will pick it up and play it. So ever circumstance changes.

Meredith : How far can you push the record company before it starts to work against you and then against the artist?

Babbette : That's a really good question. I think it's important to maintain a good relationship with your record company. It also depends on the manager and their relationship with the record company because it's a really vital relationship. You have to push as much as you can and it's a very difficult thing to assess what's give and take and I think you just have to work out with the individual in the record company how far you can go. I mean I don't think it should be about getting your way. I think both parties have to feel good about the outcome in all cases.

Steven: I agree totally. You tend to know the personalities and you build relationships over time and you know where the line is and sometimes you step over it and you need to sometimes and it may be a principle; I'm struggling to think of any exact examples but yeah I have strong relationships with, with...funnily enough it's usually...the conflicts I usually have with labels is the promotional side of it. They want to do things with it that might suit Bardot but it wouldn't suit Pacifer. So there's that sort of struggle and it's a difficult one to not put them off so that they don't work it and they don't feel a part of it but at the same time to get a clear message to them that it's not that sort of band. Tour support is another one, it's always pushing it but it becomes easier over time.

Jenny: It depends; if you're selling thousands and thousands and thousands of records for them you can probably push a lot harder than someone who hasn't had a release yet, so again, it's going to depend on the act you're working with, it's going to depend on the people, and if those people keep changing and changing.

I had that situation with Hippie Circus. We got to our fifth A&R person and we just can't push any further and it's just not making any sense so we kindly asked for our record back thanks very much and went our separate ways. But that was just after what looked like a really good opportunity and set up, it just changes so suddenly and you've just got to go with the climate and with the changes and ultimately what's going to be best for your band in the end. So you push, you take a couple of steps and then you sort of pull back when it's maybe not most appropriate at that time and then you try again and yeah, you've just got to play it and it is a relationship and it's like a marriage you have to give on some things and take on others.

Bobby: You pick your battles and you pick your wars. You sit back and go, is this one that we're going to go this is crunch or is it one you're going to push on and move back a little because you'd like to win but at the end of the day the relationship is more important than winning this point and if you're constantly battling over the points it can get a little tedious because they're always saying no and they're getting used to saying no.

So you have to be a little bit careful. And we all know too a number of manager's whose approach to things is to walk in and start a fight the very first day and call everyone in the record company a pack of whatevers and this is the way it's going to be. Some of the managers of the most successful bands Australia's ever had operated that way and they got a long way but by Lord the moment there was a crack in the armour every person in the company wanted to see them fall, no matter how much money was up, so I don't know if that was a good approach, but they pushed them every minute of every day.

Meredith : With so many start-up costs such as manager's licences, registering business names, etc, how do you stay financial in the early stages?

Bobby: It's an impossibility I'd say. It's all...[inaudible]...as long as you have a relationship with the artist...are we talking about a band or the management company?

Meredith : The manager.

Bobby: Absolutely impossible! Look, it's an investment of time and energy and passion and money to begin with and hopefully you get a return on all of them and the last one you're going to get a return on is money.

Jenny: I've always maintained that I need another job up until the point where I don't have to compromise decisions based on my ability to pay rent. I'm working another job which fortunately is in the industry so I'm still abreast of what's going on, but that's been the most important thing, that I can still look after myself and survive independently of the bands, that's not to say they're a hobby. I could take up deco parch any day and it would be a nice alternative, it's just you just can't do it. It's something I've had to kind of juggle the two.

Steve: You push the band to do that publishing deal.... When I started out I had a \$50 a week office, I had a friend who had a business location vehicles and I used to drive that one day a week and that used to put a couple of hundred dollars in the pocket and that paid the rent. I don't know how you would do it if you had a family or kids or a mortgage; at that stage in my life I didn't have that.

But it's funny how something you build and you spend a lot of hours working at and you become emersed in and you're not only building your own business you're also helping to build a band's future it takes on a life of its own. Before you know it you've got major costs and you know you're needing to employ people, you've got to be able to provide a service for your bands so you need to have computers, you're travelling a lot so now you need a laptop and so it goes on.

But records work in cycles and it's probably 24 months to a 3 year cycle where you make a record and there's not a lot of money being generated when you're making a record unless it's your debut album so you've done deals that are getting you through that initial period and then the back end of that 3 year period is about touring that so you're getting touring income. But it depends on that success, if you're band goes of and has to spend one or two years making the second album you still have your costs.

So it's a juggling act and you look at other bands and you look at other opportunities and you try and network and you get into situations that can offset that. A lot of people work from home I guess but there's issues there having 80% of your income from one artist and not having an employee and working from home you've got huge tax department issues so there's all sorts of things you have to manoeuvre around and some days...you're up for it and some days it's a bit of a struggle.

Babbette : I think it's a very difficult thing to do and it's very difficult to maintain the flow of income week after week after week. The way that I've been able to do it is that I've worked other jobs and they've been in the music industry and a lot of them are consulting assignments which are kind of easier and also I've helped out on a touring level as well with bands I don't manage so if my bands aren't doing anything then I can help on other levels that generate income.

It is really hard because you have to maintain some level of service for the bands that you are working with and it is a juggling act to make sure everyone is looked after really well all the time. Sometimes it is easier to have one band that is doing something and others off the road writing or whatever, while at other times everyone is doing everything at once so it is a juggling act to make it all work and employ the people you need at the times you need them.

I think it's really important to keep an eye on the costs regardless of how much money you are making; the incomings and outgoings and maintaining a level you're quite comfortable with and that you can survive on.

Meredith : What difference does a producer make to a session and what do they really do?

Steven: Firstly it depends on the band's openness to let someone in, that's what I've found. If the band is willing to let a producer in and pull the songs apart and look at structure, chorus, bridges then maybe there's a benefit to it, I mean, there is a benefit to it. Everyone is learning and no songwriter has it down part. I think everyone can learn from having input.

There's not a great deal of focus on Australian producers; there's a lot of great engineers that play a producer role but there's not a lot of producers, there's a handful. Whereas making this Shihad...I've made three records internationally and the last one for Pacifier there was probably two months where the songs were pulled apart and co-writes with people and a lot of them didn't work out, a lot of lessons were picked up, a producer in that instance knew what would get airplay and that's a juggling act too because you don't want to compromise what you are doing but there are a few things that you can do. I'm sort of moving around on this (answer) because it's a difficult question.

Jenny: In a similar thing, I haven't had a hell of a lot of experience working with a producer. Stan Ellis worked on a couple of EPs with Hippy Circus and for them it was an incredible opportunity to have someone other than their friends and family talk openly and more to the point honestly about the songs and I think a producer really doesn't have an investment, I mean sure, they will get pay and be on royalties, but they don't personally have to be there (?), they can sit back and offer criticisms and constructive ideas that the band, if they're willing to embrace, can just really change the whole approach that the band has [inaudible] to their own songs.

Just as a little example, after those sessions with Tim and they went on to use him for the record because they were comfortable with him, they knew themselves they'd be in rehearsal studios going let's get to it before Tim gets to it. So it was a challenge for them and they could hear him saying, he had all these little things that he always comes back to that they then started to produce themselves and the songwriter was saying, I can't write a song now without hearing Tim's voice. Just little things when you're dealing with a lot of producers offering a lot of advice throughout an act's career, the songs are still theirs and what they are writing is still theirs but it offers a little window to things. I think it can be really healthy.

Bobby: I think it's really helpful to remember that there are different types of producers. It really depends what your band is looking for and what they are in need of. There are engineer producers, people who are really good at getting sounds and making that happen. So if the band has written their songs and has arranged them and are pretty sure of that form, then a sound engineer might be the way to go.

There are other producers who are great songsmiths, who can hear a part of a song, and the song may not be there by any stretch of the imagination, and will just take that part and work with the artist and will just create something that's really what the artist had hoped it would be and just how to get it there. So as to what they do depends on that.

Babbette : I do think it depends on the artist as well. A lot of artists are self produced now days and you'd bring someone in at the end to help with the mixing in the studio. Again I think it is really important for the band or artist to work out what is really needed, whether it is sounds or production, before it goes into the studio and the important thing the producer does is help the people involved achieve their vision so I think everyone involved has to have the same goal at the end of the day. In some instances we've worked with producers and the songs and it's taken the band to a different kind of level and enable them to achieve their vision.

Meredith : **What do you think are the most important skills a manager should possess?**

Bobby: I don't know if it is a skill or not, but an absolute passion for your artist's music and a liking of them as individuals because without that it's not going to happen the relationship's not going to go anywhere. So those would be the first two things.

It's a knowledge of what you don't know, an ability to go and find the people who do and fill that gap in your knowledge and what you're able to do. Finding a really good publicist if you're really lousy at going into radio stations, which is something I can't do. I just get very frustrated doing it so that's something I can say go and do this and go and do that and I'm finding all different areas.

What you should have is a good general knowledge, you must have some basic business skills, I mean you're managing their careers, you must be able to do a business plan, you must be able to do budgets and you must have the ability to make sure those budget's are being met or the ability to see before it's all over that they're not and to try and find way to get around it.

Jenny: I don't know if I can answer that any better. An absolute belief, it has to be absolutely unconditional. If you start to doubt it at any stage you can't keep going. You can't convince anyone, and that's anyone, from the general public or the various people you will work with why that act's worth getting involved with or why they're worth buying or why they're even worth coming to see play.

You do hear stories where the manager just manages for the sake of the dollar at the end and I really do...in a funny way I admire how you do that but I just don't know how you would.

So along with all those general skills and ability to go and ask...I think a lot of people it is quite daunting, you think of the music industry as, to a certain degree, as a closed area. It's so not and if you take the time to come to things like this and ask people you do find out a lot of information and most people are willing to share what they think and what their experiences are.

Just being honest with your act about every step of their career is important.

Steven: Definitely communication skills and basic business skills, like what was discussed. GST and those sorts of issues and the ability to learn and ask questions because you're not going to have all the answers and you're going to need to go out and network them.

Babbette : Yeah, I agree with everything....

Meredith : What do I do when a vital member of the band is developing an attitude that's beginning to hurt the band? Too much booze, too big an ego, too much pot....

Jenny: I think you definitely can't let it get out of control and as much as it's their life and you don't necessarily have everything to do with the personal side of it, something like that is going to impact not only the rest of the members and themselves but it will impact you and the other people you are working with, so if it looks like it's in its early stages it probably is better to deal with it then even though it's probably the hardest time. You just have to sit down with them, take them aside and talk to time and I think it is one of the hardest things to do. But it just has to be dealt with; I don't think there's any compromise on that.

Bobby: Ultimately if it's a solo artist it's one thing but if it's a band your working for the band so you discuss it with everyone and if it's going to be effecting their music, their creative output, their income then they'll probably have a way of dealing with it. If that person is the front person and the songwriter and the band basically depend on that person for the band to stick together then you do have a problem and I reckon its...you're income is derived from the artist's and if you see it's going to get out of hand and probably self-destruct then if you can't change it early on have a real strong thing about getting out yourself because it seldom rights itself.

Steven: Yeah, it happens. Bands to a degree are dysfunctional units some times. The only reason pubs have bands is to sell alcohol; they're surrounded by it and there's all sorts off issues that come with it. I can't think of one band that I've looked after that hasn't had that sort of issue and you need to liaise with the other artists in the band and they're there, they can give you feedback and sometimes you're the last to know.

But that's a large part of the job, talking to your artists and helping them through issues, whether it's relationships, depression or whatever it may be, just being away from loved ones, it's supporting them. I've sent artists to see counsellors just to have a chat and sometimes just shut down and said, you've all got two months off and the other members can go and do something for the greater good of the band. But it's people's health and you need to be sensitive to that and if there's no band there's nothing to look after anyway. So yeah, it exists.

There was one particular band that I used to look after that no longer exist but it became quite a major issue and you could just see that it was imploding. The other members were not able to deal with it, they could not speak with one another and it just manifested and became a bigger issue and the band's no longer. So you need to spend a lot of time in that area and as Bobby said, get out. I wouldn't deal with a band that had drug issues.

Babbette : I think it depends on what the issues are. Bobby's right, if it's a solo person it's different to a band but if it is a band you have an extra support group around to help change the situation. But as Domsaid, the people are the people and you have to deal with things and if things are not going to change you have to have a look at the future of the band because if it's going to be detrimental to you or whoever else in the band that has to be addressed as well and it's time to get out.

Meredith : What would you do if you were on tour and it's 10 pm and your gear blows up and you don't know anyone in the town you're playing in.

Bobby: What do you mean, if? It's one of the benefits of not owning your own production. You can get back to the hire company and really quickly go, help us out. I think you're...this is where all of your networking beforehand comes in very handy. If you know of another band or you know a manager through the Managers' Forum in that town, you're on the phone immediately going, help, who do we speak to. I think that's all that you can do, is just scream to every person you might know in that area and get and try and make sure not too many people know there's a huge problem, because ten people running around panicking in front of the promoter and everyone else before the show is not a good look.

Jenny: I think that if it's that drastic that you have to not go on you need to set up strategies for a return show or a postponement where those tickets for those people who have paid in advance are going to be valid. Just try and deal with as many of those measures on the day for future shows, but it depends on what size band you are. If you're a band that people are going to come back for it's probably a lot easier to get the word out there, but if it's just a small pub gig it's just unfortunate; presumably there's support bands, they're going to lend you gear, if not you see how well your acoustic *a Capella* numbers are. You just have to suck it and see I think, most people are understanding.

Steven: I agree with what's been said. You just do whatever you can do. I had a situation in New Zealand two weekends ago and it was one of the crewmembers who knew a friend that lived 20 kilometres away that would do it for \$80 and that's what needed to be done and we just did it. There's no point stressing about it and there's usually an alternative. I don't think a show's ever gone on; you get around it.

Babbette : There's usually an alternative. Asking absolutely everyone who's there who might be able to help out. We had a show recently where they were one turntable short for one of the artists so after asking everyone someone who had a friend who had a friend was able to bring one to the show and that worked out quite well. I think that if you're able to have really good crew who have really good contacts in venues, like we have had a situation where the promoter or agency forgot to book or tell anyone that there was no production, no PA and they were able to organize that in the afternoon, which was lucky, that probably would be my worst nightmare. That's already happened now so hopefully it won't happen again. I think it a matter of asking everyone, particularly the support band or other band's playing are usually very helpful.

Jenny: Can I just add, communicating with the audience. We did have a situation where a show couldn't go on, it was a Snakefinger show. [Inaudible]...ceilings, water pipes fell from people hanging off the water pipes and water went all over the gear, all over the PA, all over Snakefinger. There was no way they could play, they had flooded and 1,000 capacity room, which was no one's fault and obviously it wasn't the band and that was one where we just had to try and get the word out that they would come back and all Snakefinger and Roger their manager could do was feed me Tequila to keep me calm but they were perfectly happy about it and there was nothing they could do and they didn't yell and they didn't scream or blame anyone, so from being on the other side watching a band deal with it, they were magnanimous in how it all fell apart.

Steven: And that's why you pay a tour manager \$1,600 a week....

Meredith : I've got a couple of the band's mate's help out as roadies and we give them cash payment after each gig. What do I do if they get hurt?

Babbette : These days I would be very careful. I probably wouldn't pay people cash. I think if you are going to do things like that you should be really aware of the responsibilities and the insurance factors. I think it's becoming more of an issue, maybe a few years ago I wouldn't have thought twice about paying people cash but the insurance issue is more in people's faces and people are more aware of it. I'd be really (loath) to do it now.

Steven: You have to have the necessary insurances in place. I don't take those sorts of risks; it's not worth it in the long run. You might get away with it for five or six years but eventually it's going to catch up with you. I wouldn't do it.

Jenny: They help with things, we don't pay them.... They work the stage but they're not getting paid to help, so it's not there yet. I think you've got to look at what insurance the venue has, have they got public liability for the room itself for all the punters in the room so it could come under that. you just have to be careful, but we're not paying money for people to do it.

Bobby: You've got to be very careful in this day and age when anyone sues for anything and they'll sue the quickest and easiest road where the money goes, whether that's the manager of the band or a member of the band who's parents have money or whatever, if you're paying them one penny, or even if you're not, again you're managing their business. Have a piece of paper, even if it's a friend of the band and you're giving them \$50 because they want to get in and help out, just have them sign it and say they're an independent contractor and they're looking after their own taxation and they're looking their own insurance and it sounds like it's really hard to do to a friend but friends don't come into it if someone gets hurt. Have the insurance and you're looked after or you really look after the business side and have agreements signed.

Meredith : Would you have your publishing with the same company that is your record company?

Steven: I would try...they sort of run independent anyway. There can be some benefits I'm sure. I would tend not to but once again it would depend on the interest out there and would depend on the circumstance but my initial reaction would be to avoid it.

Jenny: If it's the right publisher then I don't think it really matters and as Dom said they tend to work more independently than what they have previously. I don't think I'd like it if was a condition of signing the record deal and I think I'd be very sceptical and probably wouldn't do that at all. They can often have checks on each other and if you have different accounting checks over each company there's probably some benefits there. But it I think it all comes down to if they're the right publisher and they're going to do the best job by your band it shouldn't really matter that they're the same company.

Bobby: No. I think it's very dangerous. If the publishing company is with the same record company and the record company says, our margin is too small we need your publishing to make it work, have a real close look at the record company because maybe they're not the right one to be with. if you're signed with both and the record company goes, this is not working, and they drop you, there is very little incentive for the same business affairs person to be writing out cheques to help your artist survive and to be out helping your artist to find another record deal.

Most other record companies will go, hey you were already signed with their record company and they dropped you why should we take you on. There is the checks and balances with the smaller ones, if

they don't have, if they're not totally independent, are you going to get one cent of sales figures that both companies pay you on and there's no checks and balances there.

And if it's with a larger company, again I wouldn't go with the same one because often with the major record companies now they don't give you the right of consent to any third party usages; usages in sync, ads, television, compilations, whatever, they have the absolute irrevocable right to do with your recording as they see fit. Most publishing companies will give you the right to consent if it's third party usages if it's exactly the same ones, even on digital download rights. Now, they have to get your consent to put it in film or in an ad or a series or to allow it to be put on a compilation or in some cases as I say to be used for digital download and you have to not be unreasonable in not withholding. But where your contract with the record company says, they have the absolute right and you have the right within your publishing to stop it, then at least you can stop it from going ahead and say to the record company, we know you've got the rights but we're stopping it through our publishing agreement, so let's just talk about it. Just as a break to just the absolute maybe mindless let's go for this and it does allow you to just call for a bit of a conversation and that can be a huge asset.

Babbette : Ideally it's better to have them with different companies for pretty much the same reason as Bobby and Jennysaid, is that you have a little bit more control over sync approval of synchronisations and things if you, if you're not with the same company you can stop it through the publishing side if the record company are really keen to put your music somewhere were you don't want it to be.

I think accounting is another reason too. If you're with separate companies you are able to cross check a little more clearly than if you're not and also I think sometimes like contacts too, I suppose it depends on the size of the publishing company, if you do have sperate record company and publishing company then sometimes you do get a whole bunch of different contacts which can be helpful.

But then on the other hand too, if it's the same company and if they're offering you a great advance and if you think they're a really active publishing company and [inaudible].

Meredith : How do I get my band overseas?

Bobby: First step I think is going overseas yourself as a manager. The number of artists I've seen who go, okay we've got the money together, let's go and really don't know what they are getting into; it can be a lot of fun, but you'd better enjoy it because it's probably going to be the only trip you're going to get as a band.

For the manager to go over first, make the contacts, see the agent, see the venues, see what the market is like, meet the record and publishing companies, meet other managers, MMFs whatever, find out who you can support, see who the festival situation is like, know what the cost of living is like if you haven't been there before. I think things like that is a huge benefit, to be empowered with the knowledge of where you are going.

Other than that, look to the Australia Council for help with grants if you don't have a publishing deal. Festivals are a great way to base it around and head off from there, but that's also what every artist in the world is doing so there's a lot of competition for it.

Jenny: I think you have to answer why. I mean, 'cos it will be heaps of fun, but you have to have that ultimate reason, as Bobby said, have everything set up. There's no reason to try and go there and do it

there. You have to spend so much time preparing and have the shows set up and having a licence and promo people, or you're just going to be doing what you're doing here without anyone knowing.

It's also you have to look at the stage of the band's career, are they ready to take the next step. Have they done everything they can here? I'm not suggesting that you have to do Australia first and then the rest of the world, 'cos I think it's becoming a lot more global because I think you can start simultaneous careers and that's become a lot more possible, but unless you've had a bit of a go of putting a show together and putting tour together and had a go at all the facets of running a business here and doing what you need to do to make that happen and put out a release, you're just going to be absolutely lost trying to do that same thing in other territories without that experience so you have to work out the right timing for you.

Steven: I think you have to have a plan and an agenda and have a goal to, rather than just go over looking for a deal and obviously if your manager, hopefully you've chosen a manager you trust and believe in and you can send him to map out some sort of plan.

As for funding, there's all sorts of different methods of doing it and again it depends on the band. In Shihad's situation they have a London show offered to them that in Pounds converted nicely and they were able to do a LA and New York trip on the way over and the result of that was showcasing the band in LA and New York to which they get signed to a label. But that's a relatively established band that had spent a lot of time in Germany touring in the mid-90's so there was some sort of awareness on them.

It's a hard slog and conversion into US dollars from Australian; it's a very expensive proposition so you'd want to be making sure that you've got some opportunities out there. There are no rules, go for it if there's a spark of interest out there, you'll never know otherwise.

Babbette : I agree with Steven, there are no rules but I think you, it's really important to know what your goal and objective is. It's usually a very expensive exercise and once you've found the funding to do it once you have to make the most of that. I think Bobby brought up, it's great if the manager knows the market over there, if they've been there to suss it out, because it's a lot less expensive to send one person, or maybe one person and a band member over there to work out the market a little bit more.

Having said that, a couple of bands I manage have been offered really great supports and although the tours haven't been long it's been a great opportunity for them to go over and play to people. I think in all the instances there's always been a little bit of interest to start with, they've never gone over there really cold with no interest.

With the Avalanches it was a little bit different; there was a lot of interest over there before they went over there as a band and they did have releases over there so that... I think that possibly is a really great way to do it first, to have a release over there first. But with Bright Pony, who I manage, they didn't have a release over there first and they went over there and now they have a release. I think the less risk you take based on how good it can be set up and how much you can get out of it....

Meredith : Okay, for the last 15 minutes I'd like to put it out to you guys. Have you got any questions for the panel?

Q: With all the work that a manager does, have you ever asked for a slice of the publishing yourself from an artist or an act?

Bobby: As manager I imagine you would be commission publishing; you'd be absolutely mad if you don't. You bring something to the equation and if that's your question, I don't think there's anything you do where the artist should not be commissioned. Perhaps different percentages, anything that the artist does, in the entertainment industry, you've been involved in if it's all going right, so you are in a sense getting a share of the publishing but getting a commission on it.

As to owning a share of the copyright in it, I would never go there as a manager. The copyright is something the artist; in fact it's the only thing they own, so asking for a percentage of it, I don't think is on. To accept it if offered is quite another thing.

Jenny: As Bobby said, exactly what Bobby said. It is one of the income streams I'd be commissioned on. It's not something that's ever crossed my mind, the ownership of copyright; it's the artist's.

Steven: It's commissioned. Maybe there's an opportunity a young manager can't afford to do, maybe his commission has gone into keeping the office doors open here and the artist is pushing for something overseas and you just physically struggling, there are grants over there, but if the artist was to say, I want to fund a trip and pay it back later that might be something I'd look at. One the 20% or 15% or whatever the manager takes, that's where it ends for me.

Babbette : Definitely commission publishing and yeah, not consider taking copyright. I think sometimes people have the APRA thing, I think it can be different, but I think it's all the same; it's publishing.

Q: How do you take commission and is it normal to take commission on a non-cash endorsement deal?

Bobby: I once managed an artist that got a \$30,000 deal with Donna Karen as endorsement. There was absolutely no way I could figure out how to commission that (I just do not look good in Donna Karen clothing). I think for non-cash things like that, you go, look it's enhancing the artist, or a car the endorsement, that's hard to commission. I think if it's lieu of any other income then commission it. If it's resold then I think there's a basis for commissioning it. But other than that I think you have to go it's something that's been received, like a guitar endorsement is probably the most prevalent one, or a string endorsement, or a drum endorsement and you're going that's something that you've achieved for your artist, it's enhancing their career and in enhancing their career hopefully enhancing their income prospects and therefore yours.

Babbette : Maybe if it was recording equipment or something like that and it was hired out then perhaps that would be kind of relevant to commission.

Steven: The only other thing, some managers have deductions and others don't, and maybe if it's equipment it's equipment you wouldn't need to hire and it wouldn't come off the bottom line. I think they've probably earned that endorsement.

Q: Do bands get paid if they do live performance on TV as a publicity exercise, should they be getting paid?

Bobby: It used to be that there were Union rules that there had to be payment. The ABC were the only ones who made the artists were paid. I don't think it does any harm whatsoever if they're going on a

show and performing live to ask what's the fee. It will be either met with a look of shock or horror or [inaudible] our standard fee is \$380 for a performance. You have to weigh up the balance between the promotional value, but also look at the fact that if your artist is known that you're bringing something to that show, you're lending your artist performance, they're charging advertising and it becomes a very commercial transaction.

Steven: Some shows do. I believe Cold at the Chapel do. You've got costs involved and hopefully if you're signed the label is picking them up as promotional costs. Certainly there are no costs that the artist should be wearing on that performance.

Babbette : A lot of that promotion stuff we've been doing recently, some stuff there's a nominal fee and it seems to be standard and they just pay it. Again if you are appearing on a show and doing a promotion you have to weigh up what your artist is getting out of it.

Q: If you see a band that is just starting out that has quite a bit of potential and you'd like to manage them and offer them contract, what would be the length of time of that contract?

Bobby: I think I'd probably give them my contract and not ask for it to be signed for at least the first six months or so until we got to know one another. To make sure they liked me, or the company I was working with, and vice versa, unless I've known them for a long time before. For them to be working and for them to have the contract there to see the ramifications of t relationship are going to be.

Naturally, if while you were doing this after two weeks you had four companies running after them I think that would reduce the waiting period by about five months. How long would I make the contract for? I'm of the belief, even if it's a three year period, or one year or two year, it cannot be rectified. So you're going to be ripping it up anyways and then it's the provisions of what happens after you rip it up that come into effect. So not how long you have to stay signed for, because it's like a marriage contract, if it ain't working it ain't working and it's no fun to be involved with so then all you are doing is working out what happens at the end.

Steven: It's a courtship really. It's about them understanding you and you understanding them and that can vary in length of time. I would never throw a contract in front of a band and say sign here quick. But having once gone through that process, again if it's not working it's not working. I've managed some bands where I haven't had contracts and I've felt guilty because they have full time jobs and I haven't been doing a lot and they haven't been doing a lot and it's like, maybe you should be looking after yourself and I'm here to help if you want.

It's a judgement call really but I would look at two years with options after that. I've been looking at US management contracts because I am looking for a partner to co-manage an act over there and five album deals management contracts right through to one album. They tend to look at them in that [the recording cycle] process. It depends on how hot the band is and you can dictate that and I'd always get legal advice if I was a band and I'd get them looked at contractually.

I mean, I don't do my own, I get them looked at by a lawyer. Thing change and industry standards change so you need to keep abreast of that as does the artist.

Babbette : It's often...it's that thing again, I think you need time to work out if the relationship between you and the band is going to work. I don't think I would give a band a contract to sign immediately I would wait for a while. I've just found with all the artists I've worked with, over time

our relationship has changed and often things in the contract change too, so again it's a bit of a working document. I think that if the relationship between the band and the manager is not working then the contract is irrelevant anyway and I suppose the thing you need in the contract is the points, the termination points.

Q: What do you look for in finding a publicist?

Babbette : At different levels I've done the publicity myself for the bands but I think I look for someone who understands the band and the music, who has the right contacts as well. the publicist that we use at the moment has great contacts at Triple J and community radio and street press and all the kind of stuff which is really important to us. I think it really depends on what you are looking for and what you need for your artist as well.

Is that you need people who've got really good contacts at commercial radio, or if it is a tour I think often tour publicity is a little bit different to publicise the record and often the record company will do that anyway.

Steven: Yeah, and if it's a signed artist as well it's a tricky thing to make sure you're not stepping on the people at the label's toes. I mean, discussing things like radio or key media, they want to be the first to broach. But ultimately in looking for that publicist it's about someone that's passionate about the band and very well connected.

Jenny: I think it's one of those areas where there could be a lot more going on because you've got a real high echelon of amazing publicists and you're going to pay for it and some people who are at the press release stage only and I think there is a bit of a gap in the middle there and a lot of the acts I'm presuming we're talking about are at the stage where you can't put someone on.

Blended Voices is an example is where we have used someone who has come from a major and she has made an incredible difference with that band just because she's been able to get in touch with media that have never heard the band, who never would have willingly accepted something but because of her contacts and who she's dealing with, I mean she's dealt with some things that are very different to Bluebottle I think and it's been great and it's been worth the money to get it.

It's been matching the right time and need for that publicist specifically with the act and where you're at because I think a lot of the day to day stuff you can do yourself; there's traditional media you will use and there's not a lot more you have to be doing. But as it gets to an album release or if you think this is a really special thing you need to go that extra length on, having an amazing publicist can sometimes cut down on the costs you may have to spend on advertising. If you can get that...you're paying for it one way but not in another.

Bobby: Basically I agree with everything that has been said. I think it's finding a person who will understand your band and more importantly for me, someone who when they call media they'll take his or her call because they respect the fact that they're out and that they do a good job and that they know what they're doing. So to know that they're not going to be getting bruises on their forehead trying to get in the door the same way I would, so to know that they're respected and that people will take their call and that then they'll know what to say when we get there.