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James Boyle, Esq
Cultural Commission

Dear James

Consultation Process

I refer to the recent notice of the initial work being taken to set up the Commission and its work plans. You have asked for comments on the process and issues arising. I should first advise that I am on the board of Scottish Screen but that my comments are purely personal and do not necessarily reflect that of the board. My comments are primarily in respect of the areas that I know best – ie film and television.

Some further advice first on my own background – I am a Scottish CA by profession who has worked in the film and media business since the mid 80's. I joined PolyGram in 1986 and became Chief Operating Officer of PolyGram Filmed Entertainment ("PFE") when PolyGram moved into film in the late 80's. As you are probably aware, PFE grew from nothing to becoming Europe's largest film producer and distributor with hit titles such as "Four Weddings", "Notting Hill", "Fargo", "Dead Man Walking", "Bean" etc. We were very active on both the film production side, with UK and US subsidiary companies (including Working Title Films) and distribution which we managed directly in about 80% of the world in terms of value, with an international sales operation servicing the rest of the world. We also had significant TV and video arms in the US and UK and owned a major TV catalogue. I was myself based in Hollywood for 5 years. Following the sale of PolyGram in 1999, I left and set up a new film production venture in London with ex PFE CEO, Michael Kuhn and, to date, we have produced 6 films – including the recent release "Stage Beauty". Now living back in Scotland, I am also involved with a number of Scottish TV companies, including Tern TV and Red Kite Animation.

My various comments are as follows:

1. "Cultural rights" – what on earth is this meant to be? Yes, we need to try and support local programming but this can never surely be a cultural "right". I am proud to be Scottish and enjoy quality Scottish programming on TV and film but we should have no "rights" culturally. What we need to do is make sure that

producers (and distributors) are given a fair playing field to work on and this means that broadcasters must be held more accountable for where their programming is coming from. Children's programming is particularly a case in point – UK and Scottish animators struggle to get commissions from the networks who are generally happy to buy often weak American cartoons that will often be violent or simply not “PC”. Children are, of course, very easily influenced and again we would all surely prefer they watched good UK programming – wherever produced – than imported US programming.

2. UK vs Scotland - Coming myself from an international market background, I see little reason often to distinguish between Scotland and the rest of the UK. If programmes for the UK network can be produced out of Scotland, then we should do whatever we can to support this but not to the extent of reducing quality. Certainly, I would rather have good English programming rather than poor “Scottish” programming or imported rubbish.
3. UK Network broadcasters - UK broadcasters should have increased obligations to buy and show UK films on TV and to support UK television producers rather than being allowed to fill their schedules with cheap American (usually) product. Although proud to be Scottish, and always a firm believer that we should be able to do things “our way”, I have never subscribed to the view that this need extend to areas such as national news. The ongoing debate about a Scottish “news at 6” is one such example – local news will always remain essential but to have national news viewed differently would be a serious mistake. As long as Scotland remains part of the UK, we should have central national news programming – anything else is in danger of becoming parochial, probably very like the Newsnight Scotland cut-in after the first (national) part of the programme – the second part being usually weak and a stretch to cover news worthy stories (usually about Holyrood overspends or other failings!) from a Scottish perspective.
4. Education – Schools should be encouraged to incorporate suitable Scottish literature, art, music plus history and geography in their study programmes – although this in fact is probably already the case. One hesitates to suggest any dictate about what should or should not be included – rather that education authorities were suitably encouraged to have a “Scottish” focus.
5. Sport – you make no mention about this in your request for comments but I have always viewed sport as intrinsically linked to the Scottish identity. Golf and football are the obvious sports with strong Scottish connections and one could argue that increased support of these sports at all levels (but particularly in schools) would be more beneficial (and a greater “right”?) for Scots than spending more money on Scottish ballet or opera, for example.
6. Encouraging creativity – I find this one particularly difficult. If one looks at major cultural influences in our lives – and how they themselves developed – I think that you will find it hard to come up with any “must do’s”. As an example, consider The Beatles – four boys from Liverpool who grew up poor without any music academies, grants or other support – they simply wanted to be good at music and, despite (or perhaps) because of their backgrounds, they strove to be successful and became the biggest music band ever. Scotland itself has done pretty well, from a music and arts point of view, and I see no reason why this should be any more or less in the future. Yes, by all means provide good music and other arts facilities educationally but, again, there should be no “rights” to culture.

7. **Commercial realities – Scotland is a relatively small country at the end of the day. There are no central tax raising mechanisms or the opportunity to provide suitable tax incentives for film and TV production, outside of the UK incentives. Most facilities – and therefore the main work bases and specialist technical people – are situated in the South East of England. A suitably focused Scottish Enterprise could perhaps offer certain incentives to locate some facilities in Scotland but, again, unless they make commercial sense, there is little point in this. The ongoing sagas about various film studio bases in Scotland (Edinburgh, Inverness, Perth and Glasgow have all had proposals) is a case in point – they are not commercially sensible and should not be supported. Whilst I commend Scottish Enterprise on their co-investment initiatives with partner VC's and angel networks, I am unclear on their policy for film and TV which – based on my own experiences – is weak and ill-defined. SE executives that I have dealt with have not had the necessary knowledge and understanding of the industry to be able to make appropriate investments.**

Apologies if some of my comments are a bit of a “rag bag” but I'd be pleased to discuss or advise further if and when you thought it useful.

Yours Sincerely



Malcolm Ritchie