

ARTS / CREATIVE IND.

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24 September 2004

27 SEP 2004

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Dear James,

Please find enclosed a hard copy of the Musicians' Union response to the Cultural Commission consultation. I have also sent an email attachment.

I have been careful to format the document clearly in sections, as I did with our original response to the Cultural Strategy document. I have consulted widely with our membership and in particular with the key players in our industry in Scotland.

I will be happy to answer any questions the Commission may have on our response and to clarify any matters arising from the text.

In my view, there has never been a better time to embark upon such a consultation and I look forward to the outcomes with great interest as the music industry is one of the prime contributors, to Scotland's economy, generating huge employment opportunities and representing a major resource across a wide range of genres and inter-connected disciplines.

I look forward to hearing from you and wish you and your colleagues well in your deliberations.

With Kind Regards,

Yours Sincerely,

**Ian Smith: Scotland & Northern Ireland Regional Organiser
Folk, Roots & Traditional Music Section Organiser (UK)**

THE MUSICIANS' UNION RESPONSE THE CULTURAL COMMISSION CONSULTATION 2004

The Musicians' Union is the largest representative organisation for musicians in Europe. Our members span every musical genre and embrace every musical culture. The industry we represent is one of the most successful for the UK's economy, now generating almost £6 billion annually and both a major employer and premier export. The continuing growth in our indigenous and traditional music, embracing native Celtic and Gaelic influences, demonstrates the vital and vibrant role that Scotland plays in the music industry, where Scotland's musicians are highly influential. The 2001/2002 Cultural Strategy set out the commitment to the cultural industries by the newly founded Scottish Executive and this response to the 2004 Cultural Commission is a welcome development and continuation of that process. The Musicians Union welcomes this opportunity to respond to the Commission. Music is at the centre of Scotland's cultural heritage and the Musicians Union is at the centre of Scotland's music industry. Our 2001/2002 response to the Cultural Strategy document was made in the hope that it would form an integral part of the cultural whole and potentially, the basis for future policy making in the Scottish Executive. We were successful in that premise and hope this response will have equal effect.

Of all art forms, music is arguably the most influential and the most successful to the UK economy, commercially. Our lives and every day activities are surrounded by music. When the original Cultural Strategy document was published, the Scottish Executive stated that "arts and culture have a central role in shaping a sense of community and civic pride in the new Scotland." We welcome this Commission and the political development of the Department for Tourism, Culture and Sport with its own Minister with a dedicated brief for the arts. Setting up this 2004 Commission proves that the Executive, in its second term, recognises the economic importance and immense social benefit of the cultural industries in Scotland. This was further proven by the First Minister's 2003 St. Andrew's Day address at the RSAMD, when he reiterated that culture must be at the heart of Scotland's political administration and pervade the work of every department of the Scottish Executive. James Boyle, Chair of the Commission states that "Scotland already has a vibrant cultural scene, but the Commission is about planning an even better future where Scotland can lead the world in its services to its confident cultural citizens." We hope that the Commission will be able to highlight the critical importance of the arts and culture and particularly music, in enhancing the lives of Scotland's people and in doing so, further strengthen the Executive's commitment to the cultural industries and their proven economic worth.

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1. The Musicians' Union

- Founded in 1893, the Musicians Union now has 32,000 members in the UK with over 2,000 members in Scotland. The first branch to open here was Dundee, closely followed by Glasgow, Edinburgh and Aberdeen with a total Scottish membership of 420 by 1896. Today, the Musicians Union is the most influential organisation representing professional musicians throughout the UK. Northern Ireland is also administered from the Union's Scottish Office.
- Our membership is representative of every genre and style of music and also includes teachers, composers, arrangers and recording artists. We include every musician whose professional work involves the performance, recording, teaching and most importantly, participation in music related activity, whether in the classroom, club or concert stage. The geography of Scotland, compared to the rest of the UK presents us with unique challenges in meeting the needs of our members, whether conveniently located within the central belt, or part of thriving music communities throughout the Highlands and Islands or in the Borders.

2. Education

- Access to and participation in music is a key element. ~~It is at the core of social inclusion, music in the community and a simple appreciation of music ensures life-long enjoyment, whether as a participant or as a listener, whether professional or amateur.~~ Music is an integral part of leisure activity for all Scotland's people and access begins with education. Since the reorganisation of Scotland's local authorities (from 12 Regional to 32 Unitary), the education map has changed significantly. Class music teaching was designated a core provision of the new Local Government (Scotland) Act, but instrumental teaching was not. Whilst the newly installed authorities were encouraged through COSLA to maintain their commitment to the provision of instrumental teaching as part of the delivery of the general music curriculum, they were immediately faced with difficult decisions, mostly determined by the financial constraints imposed by the previous administration. As a result, more than two thirds of those authorities began to charge for that provision. Ed
- As a result of successful lobbying, no student now being presented for Standard Grade or Higher Still Music, or the equivalent SVQ Modules are charged and neither are those families on income support or child benefit. The Scottish Executive is addressing this issue to ensure that fairer and more equitable arrangements apply to all children in primary and secondary schools who wish to learn to play a musical instrument. It is proven that skills learned in this area develop numeracy, social and literary skills and hand/eye co-ordination, which lead to better chances of employment. The current provision of instrumental teaching in Scotland is envied throughout Europe and beyond and the National Youth Orchestra of Scotland embodies that fact. In 2002 the Musicians' Union, with the SAC (Scottish Arts Council) and the National Foundation for Youth Music co-commissioned a report into the provision of instrumental/singing teaching and youth music provision throughout Scotland. The report (entitled "What's Going On") carried out by the research department at the RSAMD (Royal Scottish Academy of Music & Drama) was welcomed by the Executive and led to First Minister Jack McConnell announcing in 2003 an additional £17.5M of funding for instrumental/singing teaching and for enhanced music education in Scotland. This initiative has resulted in all 32 local authorities being able to employ additional staff and expand their respective provision. The target, set out by the First Minister is that all children will receive at least one year of free instrumental/singing teaching by P6 underlining the fact that access to singing and instrumental teaching, a component curricular part of both Standard Grade and Higher Still Music must be free for all at the point of delivery. Music
Trust

- The P6 target must be delivered by 2006 and we are very hopeful that this additional funding will extend beyond 2006 for a further three years. This single initiative from the Scottish Executive exemplifies what can be done if a commitment is realised and properly funded. It has been the most significant development in music education in the UK and Scotland, once again, leads the way. "What's Going On" highlighted in particular, the lack of access and provision in the primary school sector and this is now being addressed. The Commission must also recognise the need for ongoing career development and in service training for our teachers, both working in the class-room and as instrumental/singing teachers. The "What's Going On" initiative is now being further expanded by the development of Youth Action Zones in Scotland by Youth Music in association with Impact Arts, who are retained by the Musicians' Union to manage its MusicWise programme (see item 4) and develop a ULR (Union Learning Reps) initiative funded by SULF (Scottish Union Learning Fund). The first action zone will be in Glasgow. The Commission must closely examine the remit and recommendations of "What's Going On" and use it as a guide to develop artistic and cultural skills in our sector. It must also accept that there are as many young people, pro-rata in North Uist or Skye who want to access group activities involving contemporary styles of music as there are in Glasgow and Edinburgh and this can present a physical and geographical problem not always linked to a lack of funding or facilities. Mashed
- In Further and Higher Education, Scotland enjoys ~~excellent provision for music-based courses, with twenty institutions offering a range of courses, including SVQ, diploma, degree and post-graduate degree courses.~~ These courses cover performance, composition, musicology, music technology and teacher training and we can point to centres of excellence in all of these disciplines. There is now an Atrium of FE colleges delivering nationally approved qualifications through regular consultation with the music industry and Ian Smith is an SQA external industry validator. We are concerned, however, that the necessary purchase and upgrading of instruments and equipment result in many students remaining in debt long after leaving college or university. The music industry is essentially freelance, so the student will find difficulty in paying loans linked to tuition and purchasing related equipment. Few courses, outside medicine, require the student to make such a heavy and yet essential investment in the "tools of their trade." In 2001/2002, we asked the Scottish Executive to review this situation and to consider offsetting the cost of an instrument and/or related equipment against income tax when the ex-student begins to earn income, either contracted or more probably freelance. Nothing has been done in this regard and it remains a serious issue for the Commission to consider. HE
scop
- In considering educational issues, the Commission should have two main aims: one must be the recognition of the diversity of musical genres in Scotland and the potential strength that diversity can lend to the educational process; the second aim must be to ensure the quality of the educational experience through thoroughgoing peer review – the process of major change can throw up bad practice as well as good. The unique role that the RSAMD plays in Scotland must also be recognised and this premier institution has successfully diversified its output, not least with the successful development of the Traditional Music Course that is now hugely oversubscribed. instruments
- The Commission should also examine new disciplines for learning, sometimes outside the formal sectors of education as clearly identified in the "What's Going On." report, copies of which can be obtained from the Musicians' Union office.

3. Music in the Community

- There is a cultural diversity in Scotland that is reflected in our communities. Music is a universal language and allows different ethnic communities to share in the musical diversity that is Scotland's heritage via elements common to all musical forms. Whilst the influence of North America is evident, the influence on Roots and World music, often the backbone of community based projects, is undeniably African in origin. This is a gap in educational and performance provision that is sometimes overlooked. There are, however, specialist courses to train musicians wishing to work in community music at North Glasgow College and at Strathclyde University.
- The Musicians Union wants the Scottish Executive to link its own departments more closely when considering the best use of all its resources for the benefit of communities throughout Scotland. As intimated in the preamble, we welcomed the 2003 St. Andrew's Day speech by the First Minister that sought to put culture at the centre of the Scottish Executive and influence every department of it. We hope that all agencies co-operate and communicate in the participation and dissemination of music and culture throughout our communities. The National Companies also have a key role to play here as all employ full-time education and development officers. The role of our composers and arrangers here is also critical. Funding, however, should not only depend on the SAC in this area as there is much cross-over with other areas, such as drug and alcohol related programmes and associated funding agencies.
- There are strong links in the delivery of music in Scotland's communities with the popular music industry, which regularly and willingly contributes both financially and in areas of training and resource for individual projects. Many participants access music through this provision and some obtain qualification and employment opportunities often denied through more conventional channels.

4. New Deal for Musicians/MusicWise/SULF & ULR's

- **MusicWise/SULF/ULR:** The Musicians' Union, in association with Impact Arts has successfully applied for SULF (Scottish Union Learning Fund) funding to develop its MusicWise initiative. Launched in 2004 by the Minister for Tourism, Culture & Sport, Frank McAveety, MusicWise has taken road shows to Glasgow, Edinburgh, Dumfries, Aberdeen and Inverness and will now visit the Shetlands and the Western Isles. MusicWise seeks to offer open learning opportunities to musicians, many of whom cannot afford a break in their respective careers to go back to college or university, but are more than able to access open learning opportunities on-line. Working with the Atrium of FE colleges via Stow College in Glasgow, MusicWise is steadily expanding its outreach programme and further applications to SULF will follow. Partners in this initiative include Learn Direct Scotland, SUfi (Scottish University for Industry), Scottish Enterprise, Highlands & Islands Enterprise and the SAC. The Commission should examine this initiative alongside a similar SULF funded programme by our NUJ colleagues, which exemplify how the more traditional learning methods can be enhanced by tailor made, bespoke learning opportunities. The Musicians' Union now employs a full-time learning officer and recently launched a nationwide ULR (Union Learning Rep) programme in association with the TUC and STUC. A network of ULR's in Scotland is already underway and again, the Commission should study this initiative. This £160K investment from the SULF compliments the £200K lottery-funded programme for the Musicians' Union Scottish Workshop Band, now in its second year, taking contemporary music styles and our best session musicians to demonstrate them, all around Scotland. This initiative has been particularly successful in the remoter parts of the Highlands & Islands.

- ***New Deal for Musicians:*** The Musicians' Union was part of the consultation process for New Deal for Musicians. This initiative is now mature and successfully provides genuine opportunities for aspiring musicians. Many of our members are involved in ensuring the success of New Deal as Music Industry Consultants and Mentors. We will continue to provide our support and encouragement to all participants and offer preferential membership rates to all musicians successfully accessing New Deal. The Commission must recognise that many young people, for whatever reason, are unable to progress through conventional means. The New Deal for Musicians initiative has led many to fulfilled and more valued professional lives with the attendant and critically important rise in their self-esteem, so important in an industry that relies so heavily on freelance employment opportunities.

5. Social Inclusion

- The concept or ideal to invest resources in bringing alienated and excluded groups and individuals into mainstream society as active participants is welcomed by the Musicians' Union. Social inclusion means access and participation in music and the arts that is neither determined by class, creed, race, nor any other delineation or social grouping. All music must be available to all people and we are totally committed to ensuring that this is the reality for today and for future generations of Scotland's people. The commission is committed to ensuring that none of Scotland's people are excluded from benefiting from access to culture in its broadest and fullest applications across all of the arts. There already exist excellent examples of how music can build bridges and bring different musical communities together for the benefit of all. The Lochaber Music School embraces classical and traditional music, West Lothian Council's excellent "Crescendo" report and wide-ranging provision for the arts, the Bridgton Music Project in Glasgow. Celtic Connections has a brilliant education programme and Invergordon, in the Highlands where young bands not only receive expert tuition but have the opportunity to perform as support acts to their mentors and heroes.

6. Live Music

- Next to education, access to live performance is the foundation of everything the Musicians' Union does to support and nurture the enjoyment of and participation in music. It covers every discipline in every venue, every recording, film, broadcast and transmission and every web-site and e-commerce exploitation. Our members work successfully in all areas of music, including rock and popular music, jazz, blues, theatre, country, world, bangra, dj, roots, hip-hop, rap, orchestral, classical, folk and traditional music as well as composing and arranging.
- a) ***Folk & Traditional Music:*** One of the most important elements of the cultural strategy is support for our indigenous folk and traditional cultures. There are dedicated courses for Traditional Musicians at the RSAMD (now hugely oversubscribed thanks to the work of Brian McNeill and his colleagues) and at the Gaelic College in Skye. There are also traditional music education officers working for local authorities throughout Scotland. The SAC now invests in our traditional music and also supports the TMSA (Traditional Music and Song Association of Scotland). The Commission must acknowledge that support. Gaelic traditions are alive through the education programme of Feisean nan Gaidheal and An Comann Gaidhealach through the National Mod, which continues to promote the Gaelic language and traditions. Arthur Cormack and Rita Hunter in the Feisean movement are exemplars of what can be done outside the formal sector to provide young people with direct access to their Gaelic cultures and traditions in an engaging and sustainable way through innovative education programmes, which the Commission would do well to study.

Folk

- Our folk and traditional artists represent Scotland internationally with bands such as Runrig, Capercaillie, Fiddlers Bid, Malinky, the Peatbog Faeries, Blazing Fiddles, Shooglenifty, the Battlefield Band and Salsa Celtica. Solo artists like Dougie McLean, Phil Cunningham, Donnie Munro, Aly Bain and an exciting new generation of performers such as Karine Polwart and Emily Smith ensure that Scotland is represented on every festival roster and our recorded product is sold successfully throughout the world. ~~Celtic Connections~~ is now one of the major European festivals where the cream of Scotland's traditional artists perform and Showcase Scotland, supported by the SAC and the British Council now attracts more than 120 international promoters to Scotland, who are now booking our musicians on that world-wide stage. The festival's education programme is now re-introducing many young people to their own cultural and musical heritage, thus ensuring participation for future generations. The founding by the Scottish Executive, of a Cross Part Parliamentary Sub-committee on Traditional Music and Arts, convened by Cathy Peattie, MSP has successfully highlighted the importance of this sector and we, of course, welcome Sheena Wellington as a member of the Cultural Commission.
- Promote
- b) **Jazz:** As in folk music, this is also an area rightly acknowledged by the SAC. With direct support for the jazz touring network promoters Assembly Direct and smaller subsidies for the artists themselves, other promoters have been encouraged to enter this area. Early lottery meant success for Tom Bancroft's innovative Caber Music label, which has now won industry award for its product featuring Scottish artists such as Brian Kellock and John Rae's "Celtic Feet." The high artistic achievements of Tommy Smith's Scottish National Jazz Orchestra and the more recently founded Youth Jazz Orchestra have highlighted the importance of jazz within the framework of the Scottish music industry. Whilst the Scottish Executive might encourage other agencies to properly support and develop jazz in Scotland, this is a role that can be taken on and recognised by the Commission, with the willing assistance of the Musicians' Union.
- Jazz
- There are now education courses specific to jazz at the Jordanhill Campus of Strathclyde University and at Napier University in Edinburgh. The Scottish National Youth Jazz Orchestra (administered by NYOS) and Richard Michael's Fife Youth Jazz Orchestra are the cherries on an expanding cake and access to jazz for young people is exemplified in these organisations. More curricular support for jazz in schools is necessary to ensure continuing access alongside mainstream music education and the already mentioned "What's Going On" report recognised this gap. The International Jazz Festivals in Glasgow and Edinburgh play an important role in offering a showcase to Scottish based artists alongside musicians from overseas and as importantly, play a major role in tourism for both cities. However, there needs to be more performance opportunities for jazz musicians in Scotland and this is something the Commission can engage with.
- Jazz
- c) **Rock and Popular Music** has been properly addressed by the SAC, with a published strategy for supporting the delivery of contemporary music in Scotland. The New Deal for Musicians programme has also improved access for young people in this sector, but the Commission must ensure that access and participation are available as readily in this area as in any other. Traditionally, there has never been public funding support in this genre, but following recent meetings with both MSP's and major promoters, managers, record labels, etc, the problems of this most sought after arena of the music industry are beginning to be addressed. The Cross Party Parliamentary Sub-committee on Contemporary Music convened by Pauline McNeil MSP has been hugely influential in identifying areas that require sustained support from the Executive to allow young Scottish-based talent to develop.

- Scotland has three of Europe's major promoters, DF Concerts, CPL Management and Regular Music. It can boast some of the great bands successfully selling product world wide. Texas, Blue Nile and Travis are all success stories that Scotland's young people wish to aspire to and there are currently 19 colleges throughout Scotland offering courses in music performance and music technology, aimed specifically at this sector of the music industry. Scotland's new breed of successful bands is exemplified by the fact that no less than three were nominated for the prestigious Mercury Music Prize, namely Franz Ferdinand, Snow Patrol and Belle and Sebastian. We were even more delighted when Franz Ferdinand won the 2004 Award. Thanks to ~~support from the Executive, SAC and Scottish Enterprise~~, we were able to showcase Franz Ferdinand at the 2004 SXSW (South By South West) Music Convention in Texas. (The international promotion of our artists is covered under item 12.)
 - We now have two degree courses specialising in popular music at Paisley University and at Napier University. The sector of the industry most determined by commercial criteria is still worthy of public support and many lessons can be learnt from this sector when addressing public subsidy issues and provision. The Commission should also look at the work done by the sector in bringing music therapy to severely handicapped children and adults through the Drake Music Project and the Nordoff-Robbins Music Therapy programme. The annual Tartan Clef awards run by Nordoff-Robbins have quickly become Scotland's equivalent of the Brit Awards and not only raise the profile of the industry, but provide much needed funding for the work of the charity.
- d) **Theatre:** The Musicians' Union works closely with the TMA (Theatre Management Association), SFT (Scottish Federation of Theatres) and with our sister unions in the SFEU (Scottish Federation of Entertainment Unions) in supporting and maintaining Scotland's network of theatres and the live music provision therein. Music Theatre has seen a huge renaissance during the last decade and with the refurbishment of the Theatre Royal in Glasgow and improvements to the stage of the Playhouse in Edinburgh, it is now possible for the major London West End Touring Companies such as Cameron Mackintosh to invest in Scotland. ATG (Ambassador's Theatre Group) now runs the King's Theatre in Glasgow and may take over the operation of the Theatre Royal, but are currently in negotiation with Scottish Opera. This has brought a new commercial focus to the sector that is welcome and will also provide enhanced employment opportunities.
- Whilst the touring and Christmas Show scene is reasonably healthy, the theatres all struggle financially and many, like the excellent Citizens Theatre in Glasgow, are dark (closed) for far too many weeks in the year. This is often their only means of survival and it is an area that the Commission should examine. The advent of technology has also meant that recorded music for financial reasons replaces live music and where there is live music, the minimum number of musicians are employed, thus denying the audience a proper "live" experience. We do, however, welcome the founding of the National Theatre for Scotland and hope that live music will flourish alongside drama as it does at the National Theatre in London, and that respective producers in Scotland will be encouraged to use live music and music theatre as a key component of the production of the National Theatre in Scotland.

Pop

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- Composers*
- e) **Composition:** The diversity of performing practices and genres is reflected in the work of Scottish-based composers. While the work of most is centred in one particular genre, there is a strong tendency towards accepting influences from a wide variety of styles and a willingness to work with artists from different backgrounds. Some of the necessary conditions for the development of composers – including what would traditionally be thought of as “art music”, but not exclusively – would be:
- i) early education in music and exposure to a canon of technically or aesthetically advanced work;
 - ii) existence of adequate performing ensembles and opportunities for repeated performances;
 - iii) professional positions which allow financial security and time for personal development;
 - iv) a knowledgeable audience which encourages experimentation;
 - v) a degree of social mobility which allows the development of a sufficiently large pool of talent from which the outstanding individual can emerge.
- While the Commission cannot predict the development of artistic styles or their social popularity, prestige or commercial viability, it can play a vital role in helping to create and sustain the conditions necessary for the large body of experimentation and reflective work which is the bedrock of artistic excellence in any genre.
 - The single most important currency of the world-wide music industry is songs. They are the major source of commercial exploitation (sometimes for the right reasons) for our writers/composers and represent the major source of income around which our industry flourishes. We now have important organisations such as SMC (Scottish Music Centre) and NEMIS (New Music in Scotland) funded directly by the SAC to support and encourage creativity and both PRS (Performing Rights Society) and MCPS (Mechanical Copyright Protection Society) have offices in Scotland. The British Academy for Composers and Songwriters is also establishing closer ties with Scotland, and at a recent meeting with Frank McAveety MSP, Minister for Tourism, Culture and Sport, suggested bring part of the prestigious Ivor Novello Awards to Scotland and in 2005 hosting an International Symposium for Composers featuring all the new recently joined member states of the European Union, where copyright abuse is potentially rife. The ownership and proper exploitation of our member's rights in this sector should be part of the work of the Commission.

7. The National Companies

- A major part of the live music provision, with influence across music in the community, education, media, social inclusion and an obligation to deliver a truly accessible programme of work throughout Scotland, the major recipients of public subsidy via the SAC are our world-class National Companies. The RSNO (Royal Scottish National Orchestra), Scottish Ballet, SCO (Scottish Chamber Orchestra) and Scottish Opera consistently produce the highest quality product and their reputations are deservedly international. They represent a major asset to Scotland and significant resource bases in terms of employment, both full-time and freelance. Those who criticise the National Companies because of the major subsidies they receive often overlook this crucially important factor. They employ and create employment in a wide range of disciplines far beyond the delivery of the artistic product.

- The Scottish Executive and the Commission must accept that there must be stability for these companies to function, to deliver the required programme of work and to plan ahead with any degree of certainty. A critical mass of funding is necessary to ensure that the National Companies can properly function and indeed, survive. These companies can then truly be an asset and be fully utilised to the benefit of the community of Scotland that they must serve. The Musicians' Union has played its part in negotiating new flexible contracts of employment for the Orchestra of Scottish Opera, saving many thousands of pounds for the company over the past two years. For Scottish Ballet we have negotiated new contracts of engagement, again giving more flexibility and achievable savings to the company. The RSNO successfully attracted advancement funding from the SAC lottery programme and again has an innovative and flexible working practice thanks to negotiation between the Society and the Musicians' Union. The SCO has worked successfully in developing new audiences and in innovative education and development work. All four companies have agreed to new media arrangements within their respective contracts that has allowed more lucrative recording work to be undertaken.
- Despite positive moves by the musicians and their Union, circumstances beyond our control and not always linked directly to funding problems have resulted in our members' livelihoods being threatened. Recent experiences at Scottish Opera have sadly not helped in this regard, despite the members of the orchestra's ongoing contracted employment not being subject to possible redundancy. The Musicians' Union is concerned that this company should continue to be able provide the highest quality and range of main-scale opera and to maintain its excellent education and development programmes. The musicians employed by the national companies continually deliver the highest musical standards and represent their most significant investment. The Commission must ensure these major recipients of public funding are properly and efficiently run. It is the Scottish Executive's duty to ensure that this is indeed the case and the companies' responsibility to deliver.
- The National Companies must truly be utilised as a national resource with their facilities available to the wider community, especially where lottery monies have been successfully utilised. Their expertise and available human resource is something upon which collaboration and co-operation can be founded and developed. They must also be encouraged and supported to develop new work, in terms of commissioning from Scotland's resident composers, writers and arrangers. Stability of funding is the key to much of their success, past and future and this is a key issue for the Commission. The national companies feed and sustain the freelance pool of players in Scotland and any demise in one area would inevitably impact negatively on the other, ensuring that Scotland's resource base would diminish. Their relationship with the RSAMD and other centres of learning is also crucial and the sometimes fragile interdependency of freelance employment opportunities and education related opportunities cannot be over stated.
- Support from the local authorities has understandably eroded over recent years. This shortfall in funding causes real problems for the companies but, creatively they are finding new ways of delivering to local authorities so that support is once more forthcoming, albeit on a greatly reduced basis. Partnerships between the Executive, COSLA and the unitary authorities will assist delivery across the broadest of spectres far beyond the remits of the National Companies. Realistic tax breaks would also ensure that business support for the arts is achievable with real benefits to the companies prepared to commit. Arts in Business also has an important role here, especially with those businesses that support the arts for the first time.

- The Commission can re-examine this entire area to make the funding of the arts more commercially viable and attractive to the business community in Scotland and beyond. This is not exclusive to the National Companies but applies across the whole range of arts provision for Scotland. Properly administered and properly accountable and subject to public scrutiny, the National Companies must be an integral part of the cultural life of this nation and should not be a drain on its resources. They can survive and be part of the fabric of Scotland's communities, provided that subsidy is maintained in collaboration with all agencies and funding bodies involved in delivering the cultural life of Scotland.

8. Broadcasting

- Whilst the Scottish Executive has no direct remit for broadcasters, they must establish close ties with the current terrestrial deliverers, both BBC and commercial, to ensure that the specific needs of Scotland are met. The Musicians' Union is concerned that with the dramatic growth in digital formatting, satellite and cable, the protection of the BBC, for example, as a public service broadcaster has never been more necessary. The BBCSSO (BBC Scottish Symphony Orchestra) is the sole "live" survivor in Scotland following the demise of the BBC Scottish Radio Orchestra some years ago. The MU has worked closely with the BBC to ensure its commitment to its orchestras is maintained and the BBCSSO, having survived ill advised and unworkable merger attempts in 1992 to merge with the Orchestra of Scottish Opera, is now providing an excellent programme of work throughout Scotland. It faces a healthy future when the BBCSSO moves into its new home at the Candleriggs, where the City Halls and Fruitmarket are currently in the process of a multi-million pound investment and rebuild led by Glasgow City Council and Glasgow Cultural Enterprises, which is also responsible for programming and managing the Glasgow Royal Concert Hall. This new media/education and performance/recording centre will compliment BBC Scotland's move to Pacific Quay, another exciting and innovative development.
- We have considerable concerns about the future funding of the BBC as set out in the "Davies Review" and are opposed to a separate digital license fee and the sale of BBC Resources. This, we believe, would destroy the BBC's own production base and we would also wish that BBC Worldwide be fully owned by the corporation, so that the profits from its merchandising arm can be wholly invested back into BBC programmes. The Musicians' Union is committed to the BBC remaining a public service broadcaster, funded by the license fee system being increased by RPI + 2% per annum in order to take account of the BBC's need to develop its digital service delivery.
- The impending BBC Charter Review has concentrated everyone's attention on its role in Scotland and the Musicians' Union has responded to the White Paper on Charter Review, with the following conclusions outlined by the Union's General Secretary; John Smith: *The BBC should continue to inform, educate and entertain the nation by providing the widest range of programmes and not in any way diminish its role as a cultural patron and advocate. The BBC's political independence must be guaranteed and its Governors made aware of their regulatory duties. Despite the growth of rival services, 93% of the UK populace watch or listen to the BBC every week and 44% of people interviewed in a recent survey cited the BBC as their prime source of information on Iraq. The average audience for the 6.30pm regional news bulletin last year was 5.7 million and BBC Radio 3 is the world's largest commissioner of music. The BBC must be supported and its services built on and improved. Now is not the time to dismantle the BBC.*

- Whilst technology advances inexorably, there are still many areas of rural Scotland which are neither served by Channel 5 nor can be reached by the mobile communications network. There has also been a steady decline in the amount of live music broadcast, particularly on television and this decline should be halted. Indeed, the commitment made by the Scottish Media Group to both live performance and new music is almost non-existent. With the sale of its significant 28% shareholding in the SRH (Scottish Radio Holdings) to Emap, SMG is now a prime target for takeover by the more powerful Carlton/Granada Group, which is in turn under the corporate gaze of Clear Channel. This will ensure that no broadcaster based in Scotland is Scottish-owned, making the positioning of BBC Scotland even more important. The latest FM station to open in Scotland, SAGA FM, based in Glasgow, has no commitment to live music whatsoever. The Commission should closely examine the respective charters to ensure that a monopoly does not rule, and the criterion of making money for shareholders is not the sole *raison d'être*. With ownership of the printed media also mostly outside Scotland territorially, there is little individual agencies or representative bodies can do to ensure the needs of the people of Scotland are met without the direct intervention, where appropriate, of the Scottish Executive. The economic importance of broadcasting is critically important to Scotland's economy. Employment, now sadly more short term and freelance offered by that industry in Scotland, is nonetheless hugely significant and must be recognised by the Commission and the Scottish Executive.

9. Recording & Film Production

- There is no shortage of recorded product and Scotland has a wide range of labels covering all genres of music. Particularly successful are the smaller labels covering specific areas such as dance, folk and jazz. There is no "major" label in Scotland, but this diversity of smaller labels create a significant whole and feed into the London based industry where our bands and artists enjoy great success. Significant players include Greentrax, Chemical Underground, Caber, BGS Scotdisc and Linn, who also manufacture and market state of the art sound engineering equipment from their dedicated facility in Eaglesham. The Musicians' Union has successfully negotiated "in house" recording agreements with all of the National Companies and with the BBC. Multi-track recording facilities are also available in Scotland with CAVA Sound Workshops representing the leading edge. This, again, is an area for the Commission to examine to further develop Scotland's justifiably earned high reputation in the area of audio sound recordings. All our label and studio facilities operate predominantly in the commercial sector so are denied access to specific public funding subsidies, although the SAC has introduced recording and touring subsidies over the last three years that have been incredibly successful.
- If Scotland is to play a major role in film production, then a dedicated sound stage is necessary. We certainly have the musicians in every possible genre, consistently performing at the highest levels. The qualifications for what constitute a "British" or "Scottish" film must also be re-examined. With the music budget usually at between 4% to 7% of the overall budget, even films that receive funding via Scottish Screen can source the music overseas and still satisfy the "British" criteria. Craig Armstrong is our most successful film-score composer, who works and records in Hollywood and London from his Glasgow base. Paul-Leonard Morgan is one of new breed of film and television composers and is gaining an increasing reputation for the quality of his work. Composers such as William Sweeney, Andrew Cruickshank and Sally Beamish have all won coveted BAFTA Awards, whilst Eddie McGuire was a winner in the 2004 British Academy of Composers Awards.

- Film companies and independent film producers should be made aware of the potentially huge resource base that exists here in Scotland. The role of the independent producer is becoming increasingly more important as witnessed by the recent merger of Wark Clements and Real World. The role they play in producing quality broadcast independently for the BBC must also be recognised, as exemplified by Neon Productions, based in Glasgow.
- No better example of success in the world of film music is represented by the RSNO. They have now made more than 60 recordings of film soundtracks for an independent American company. Top film music composers such as Gerry Goldsmith, Elmer Bernstein, John Debney and Joel McNealy have travelled to Scotland to record with the RSNO and want to use this orchestra for their film music commissions in future. This opportunity is denied whilst we have no dedicated sound stage. The RSNO has now won five German audio industry awards and even back in 1997 was the first recipient of the coveted "Gramophone" award for the newly introduced category of best film score recording.
- From composition to sound recording, we have everything necessary in Scotland to deliver a long-term commitment to the success of the film industry here, to the major benefit of Scotland's economy and as importantly, to provide enhanced employment opportunities for many in the cultural industries.

10. Intellectual Copyright & New Technology

- The delivery and distribution of music via the Internet has profound implications for the music industry. Performer's intellectual property rights need to be protected to take account of the new delivery systems and also need to be extended to include the audiovisual field and internet services. The proposals in the EU Directive on "Copyright in the Information Society" particularly in relation to moral rights, should apply equally to performers. The Musicians' Union has sought the support of the Scottish Executive at both European and WIPO (World Intellectual Property Organisation) discussions, to resist the attempts of powerful American TV and film producers to weaken the protections for performers. Composers and the exploitation of their moral rights are a major issue for us.
- A number of other European countries have introduced a blank tape levy, recognising that musical performances are often copied, thus depriving performers of income. The Musicians' Union would ask the Scottish Executive to look at the possibilities of introducing a blank tape levy to be used either for the benefit of performers, or for payments to be individually distributed and the Commission could also consider this request.
- Within the overall control of the PRS (Performing Rights Society), the sampling of live and recorded music in Scotland needs review. There is more performance within Scotland of our indigenous and traditional music than the equivalent in England and Wales, but much is lost because of the current PRS sampling methods. The area of copyrighted arrangements of the traditional repertoire is one of the most important issues for our members. PRS tend to maximise return to composers and publishers whose work features on the larger UK wide radio stations. The situation has improved since our response to the Cultural Strategy in 2001/2002 and PRS now has a much stronger identity, along with MCPS in Scotland and accounts to its Scottish-based members in a much more efficient way. The advent of the PRS Foundation has further enhanced its reputation and has assisted many projects promoting live performance. The Musicians' Union would request the Commission to examine this area in collaboration with PRS and MCPS to find a more equitable method for sampling in Scotland.

11. The Scottish Arts Council & Lottery Funding

- The continuing role of the SAC within the new political system represented by the Scottish Executive is a crucially important one. One issue is certainly whether the National Companies are retained under the SAC's current remit or become directly responsible to the Executive. The SAC has, however, completely changed its previously historically dismissive stance to some forms and genres of music to a much more positive position, which we welcome. With funding for Folk and Traditional Music, Jazz and Popular Music, the commercial sectors are becoming relevant and rightly so. The Musicians' Union welcomes this development, but as already outlined in our response, this must be in addition to and not instead of the necessary subsidies to our National Companies and support for new commissions and work opportunities, especially in areas of music provision, development, access and education. We would also ask the Commission to consider whether those organisations in receipt of SAC funding should have to apply industry standard fee payments to those artists/musicians they engage. Sadly, this has too often not been the case.
- Do we need the SAC at all? Do we need a committee between government and the practitioners and deliverers? Should that committee be the SAC? We are concerned at recent developments in Wales where an attempt to combine some funding agencies by the Welsh Assembly could see the demise of the Welsh Arts Council as currently constituted. We would not want to see this development in Scotland. Scotland's cultural strategy and ability to look to the future, other than in crisis, has been blighted by the major recipients of public subsidy being unable effectively to deliver a programme of sustainable activity. These are key elements arising from our consultation that must be addressed by the Commission. We do know, however, that we need to carefully consider the future role of the SAC within the remit of the Scottish Executive. Accountability, both for the internal administration and decision making processes of the SAC would also be welcome. That would especially apply to appointments made on the respective committees, advisory groups and the Council itself.
- Whilst lottery funding has had a major input to Scotland's cultural life, the application process and criteria for awards seem to have become increasingly complicated. This process will often discourage genuine applicants from even entering the process. As the first recipients were for capital and not revenue based initiatives, the Commission must be satisfied that those investments already made are still being properly utilised and exploited to the benefit of the wider community they could potentially serve.
- The Scottish Arts Council's remit needs to be able to expand and develop and the Commission might even consider whether the SAC needs to be more independent and less reliant on its funding from the Executive. The Executive sometimes expects too much of the SAC, especially with regard to continuous requests for political and/or policy briefings. This means that the "arms length" principal often breaks down. The SAC also needs long term stability and this whole area is a challenge which we hope the Commission will embrace. The SAC has a critical function that we do not want to see diminish.

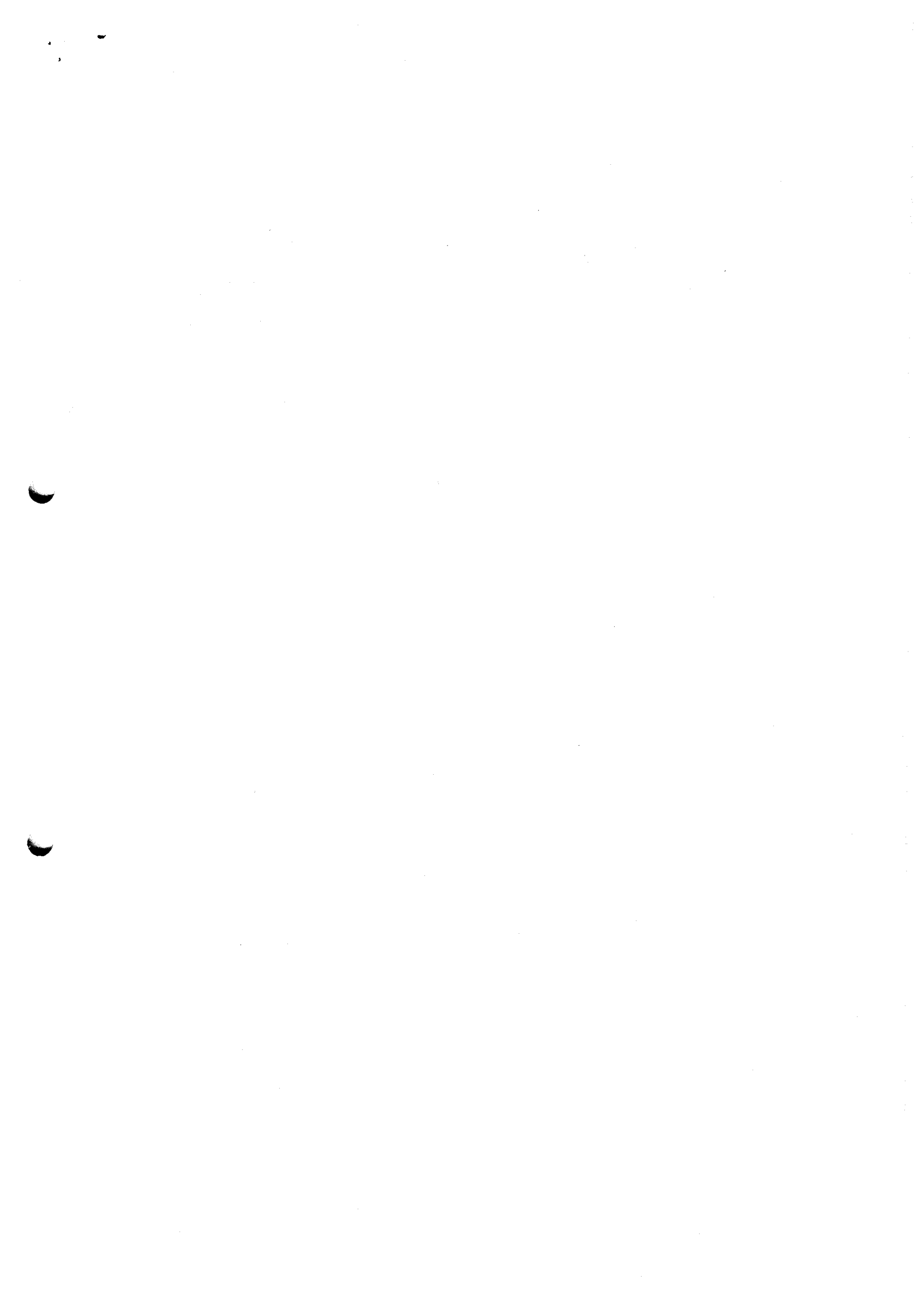
12. The International Promotion of Music and the Arts

- This is a really exciting development and arose out of Scotland's inclusion in the 2003 Smithsonian Folklife Event where it was one of the two non-US featured countries alongside Mali. With Executive support, we were able to take over 40 musicians to Washington to demonstrate the diversity and quality of Scotland's culture. Led by Frank McAveety and James Boyle, the delegation was able to have a major impact on an event that attracts up to 250,000 visitors per day. Following that initiative, both the SAC and Scottish Enterprise considered showcasing Scottish-based talent at the appropriate international arena. SXSW in Austin Texas was the result this year, and 15 Scottish bands (including Franz Ferdinand, Grimm Northern Social, Trashcan Sinatras and Tippi) made such a huge impression that invitations are already in from the organisers for 2005. Showcase Scotland at Celtic Connections has already been mentioned, but is another exciting opportunity to showcase our artists. Ian Smith leads a UK delegation to Womex, the largest international trade fair for folk, world and acoustic musics and will be attending the event in Essen in October, where there will also be representation from the SAC. PopKom and Midem are further opportunities for international exposure for our industry entrepreneurs, many of whom are already successfully and properly exploiting Scottish-based talent. This is possibly one of the most important areas for the Commission to recognise and demonstrates how serious our industry is in promoting itself internationally. The ongoing feasibility study into a Scottish Music Industry Association, funded by the Executive further underlines the importance of access, promotion, representation and support and we are sure that the Commission will wish to engage with us in realising these ambitions.

For any further details or information please contact

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Ian

From: Ian Smith [is1@musiciansunion.org.uk]
Sent: 24 September 2004 14:51
To: info
Subject: Cultural Commission Consultation/The Musicians' Union[Scanned]

FAO James Boyle/Chair

James, Please find attached the response to the consultation process from the Musicians' Union.

A hard copy and covering letter is in the post.

I hope this finds you well.

Regards,

Ian

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24/09/2004