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From: Robert Seaton [robert_h_seaton@yahoo.co.uk]
Sent: 17 January 2005 19:50
To: info
Subject: submission to phase 2 of consultation[Scanned]

Attached is a submission to phase 2 of the consultation from Catriona Black, Robert Seaton, Lis Smith, Ron Turnbull and Murray Tyrrell.

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18/01/2005

Cultural Commission, response to phase 2 of the consultation

Reservations

We have reservations about the questionnaire:

- The list of questions is too long and couched in too technical a language. It would appear to be aimed at arts policy professionals. It should be aimed to secure the widest response from the people of Scotland, to whom the consultation process properly belongs.
- Many questions are loaded and exclude certain answers.
- The questionnaire appears to equate culture with the Arts. Culture is much broader.
- The questionnaire is concerned largely with rearranging the structure of Arts policy-making and management in Scotland. It largely fails to deal with key issues, which must include the ambivalence in Scotland towards indigenous Scots culture, the state of the indigenous languages of Scotland and the amount of money spent by government on culture. The present structure of Arts governance may or may not be the best, but it is not the main issue.

For these reasons, we have given a broad interpretation to the questions.

Cultural Rights, entitlements and responsibilities

Culture is total of a nation's or community's intellectual experience. It is fundamental to national identity.

Every Scottish citizen has the right to be informed about Scotland's history, arts and language. This should be a **constitutional right**. (A mechanism is available for creating constitutional rights: we have constitutional rights presently secured to us through the Scotland Act and Human Rights Act.)

Cultural rights may be secured for Scotland's schoolchildren by making it a **national priority in education** to inform pupils about Scotland's history, arts and language. (The national priorities are made under the Standards in Scotland's Schools Act 2000 and the present national priorities may be found in SI 2000/443).

Cultural rights should be secured **politically** by

- a change in the understanding of culture by the nation's leaders. They must understand culture broadly. Culture includes but is not confined to the Arts. Scotland's history, art, language, music and literature are not means to an end. They are not for social inclusion, for improving outcomes in maths or English at schools, for crime reduction or for encouraging tourism, though all of these are welcome outcomes.
- recognition that, whether or not there is an arms-length body funding the Arts, political responsibility for policy that allows Scotland's culture to flourish lies with the Minister of Culture and the Scottish Government.
- a forum of high status for the leaders in Scottish culture: a National Cultural Assembly.

Some cultural rights should be secured in **law** by

- Providing secure status to Gaelic
- Implementing in domestic law in respect of Scots the rights set out in the

- European Charter for Regional and Minority Languages.
- Providing legal rights to speakers of other minority languages to education in and use of their own language.
- Securing rights to freedom of expression and access to cultural information

Cultural rights may be secured by **international treaty**, as with the language rights in the European Charter for Regional and Minority Languages. To have more than moral force, treaties must also be implemented in domestic law.

Some cultural rights can be secured through **company charters or licences** such as

- in radio and television broadcasting, requiring minimum original content produced in or for Scotland
- for the national companies, requiring they are accessible to the whole of Scotland.

Cultural rights of all Scotland must be examined: there is a concentration of national cultural institutions in Edinburgh. There has been a concentration of lottery funding in Edinburgh and Glasgow. The solution to this is primarily political, but could include duties placed in the charters of national companies, or in the licences of broadcasters.

The Scottish Parliament should be the guardian of cultural rights, entitlements and responsibilities. It must hold the Scottish Government and Ministry of Culture to account. A National Cultural Assembly could lead debate on culture in Scotland.

Cultural leadership

The vacuum existing in cultural leadership results from the treatment of culture as an add-on, or a means to some other end. This means that Scotland is ambivalent about its own indigenous culture, which is treated as marginal. The first aim of cultural leadership should be to bring Scotland's indigenous culture into the mainstream of cultural policy.

There are two aspects to cultural leadership: First, intellectual and inspirational and, second, managerial and policy implementation.

Inspirational leadership should come from cultural actors in the form of a voluntary **National Cultural Assembly** with membership drawn from representatives of cultural organisations, both non-profit and commercial. It should be divided into cultural sectors and have a democratically elected executive. Such an organisation would provide a forum for debate between practitioners.

Managerial and policy leadership should be provided by the Ministry of Culture and the Scottish Government. As part of the Scottish Executive, the Minister of Culture should be answerable to Parliament and ultimately the people for cultural policy.

An **Institute for the Languages of Scotland** should be created to study and to promote the use of Scots and Gaelic across Scotland.

Scotland's **public broadcasting** must be controlled in Scotland. Cultural leadership will count for little if the budget and the scheduling of the most powerful medium are not controlled in Scotland.

Local leadership: Arts and education are policy areas devolved presently to local authorities. It is right that there should be local accountability for cultural policy. Cultural funding for local government should not be divided into 32 pro-rata portions. Government should allow funding to support local initiatives.

We express no view on the **arms-length principle**. It has gained a bad name because it has not been observed. The Scottish Arts Council is often blamed for decisions, the reasons for which lie in lack of funding of the Arts and lack of financial encouragement for initiative in the Arts from central government.

Pan-sectoral planning

Unless there is an increase in the funding of culture, pan-sectoral planning will only ever be a battle between cultural sectors for survival.

Education for the Arts should be the priority for the first decade of planning. It should aim at counteracting the decline in engagement in the Arts. To do so, it must expose citizens to the Arts at an early age.

Funding arrangements

The Ministry of Culture and the Scottish Executive must be politically accountable for the Scottish budget, and therefore for cultural spending.

No answer to questions on funding arrangements makes any sense if the Scottish Executive does not recognise it does not provide sufficient funding for culture. In relation to GDP, central government funding for culture in Scotland is half that of Denmark, and about a tenth of that of Taiwan. Scotland will lose its cultural talent if there are not both more opportunities and better pay.

There are disadvantages to central government funding: it can have certain arbitrary results: for example, state-subsidised theatre companies can provide a production to a theatre for less than its real cost. This puts unsubsidised companies at a disadvantage. Having a single source of patronage also threatens freedom of expression.

To ease the arbitrary impact of state patronage and maximise artistic freedom, a greater diversity of funding sources should be available. These sources should encourage initiative. For instance:

- Local authorities should have more funding for culture and more autonomy in deciding how to spend it.
- A central government fund should support local authority initiatives (rather than be divided in 32 pro rata shares to the 32 local authorities)
- Scottish artists and cultural organisations should be able to work free of tax up to a certain income cap.
- Local authorities should be given the option of freeing cultural actors from business rates and council tax.
- Donations to cultural organisations should be free of tax.
- Purchase of original art works should be free of VAT and capital gains tax.
- Voluntary work for cultural organisations could be claimable as a tax credit
- The Ministry of Culture should seek agreements with the private sector such as that of the Irish Government with local airlines that provides artists with free air

- travel.
- The Ministry of Culture or the Arts Council should provide endowments to certain institutions, allowing them to manage their resources without the need of making applications to government every year.
 - Government should adopt policies that promote culture, such as the French and Danish policy of spending 1% of the budget of any building project on art.
 - Making BBC Scotland an autonomous body with power over its own budget would vastly increase the overall spend on culture in Scotland. In 2003/04 £2.8 billion was raised in UK licence fees of which Scotland's share would be roughly one tenth - £280 million. The BBC Scotland budget was £160 million.

Standards and evaluation

Culture is to be valued for itself, and not for its usefulness as a tool to achieve some other goal. It is impossible to arrive at definitive, objective cultural or artistic standards. A diversity of funding sources and assessment of cultural policy through the democratic accountability of central and local government and through public debate led by the National Cultural Assembly might reduce to an extent the need to attempt objective assessment.

Operations and Administration

Scotland has led the world in creating the Scottish Cultural Resources Access Network. A Digital Scottish Archive could be formed as a new national institution.

Scotland's devolved status means that Scottish institutions are disadvantaged in participating in international bodies like the UN or EU or applying for and receiving funding available through the cultural programmes of those bodies. Scotland's cultural leadership must find a way to gain access.

Local Authorities

Central government should ensure funding follows local initiatives.

National

- National companies should not be at arms-length. They should be the direct responsibility of the Minister of Culture. National companies should be directly funded by the Ministry of Culture
- Their role should be to promote artistic excellence, to advance and promote Scottish culture, to serve a wide Scottish audience across the whole of Scotland and to represent Scotland abroad.
- There appears to be no intrinsic reason why standards and commitment expected of national companies should be different from those of any other organisation supported by the state.

New national institutions could be considered, for instance:

- A national digital archive
- A national musical theatre
- A national touring theatre

Cross-cutting

A dedicated Ministry of Culture would provide a better basis for cooperation with education, sport and tourism, and with UK bodies.

Training can be provided for managers across the cultural sector, using schemes such as the Clore Duffield Trust.

This response comes from the discussions of an informal cultural policy group and is endorsed by:-

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