

Scottish Artists Union Final Response to the Draft Culture (Scotland) Bill

The following statement was sent in response to the Scottish Executive Consultation of the Draft Culture (Scotland) Bill, 31/3/2007.

The Scottish Artists Union is the pre-eminent representative body for practicing visual and applied artists in Scotland. It is inevitable that the twin pillars of the Culture (Scotland) Bill will affect the working lives of our members: namely the new Creative Scotland agency and the Cultural Entitlements initiative. While there are significant proposals elsewhere in the Bill to be applauded (most especially the laws with regard to Tainted Cultural Objects) we find these two main strategies significantly flawed and a wasted opportunity considering the great cause for optimism that was evidenced in the final report from the Cultural Commission.

At the heart of any new cultural initiative an understanding of the intrinsic value of the arts, and therefore artists, within society is required.

As a matter of policy the SAU states it is essential that visual and applied artists be fully involved in Scottish cultural development in order for it to achieve its true potential. We maintain the view that practicing artists should be placed on all decision-making boards and fully integrated into all cultural planning, contributing to greater levels of transparency.

Furthermore, we call for an appropriate level of remuneration for artists working in publicly funded projects as a clear commitment to valuing the creative practitioner within our culture. We also call for direct research and development funding through awards, stipends and sponsorship to promote new investigation and, in Jack McConnell's words, "...make the development of our creative drive, our imagination, the next major enterprise for our society."

We call for recognition of the special circumstances of artistic work in relation to Tax & VAT where the great majority of artists are significantly disadvantaged by the current systems. We also call for extended support for artists' economic growth and sustainability.

We also expect genuine freedom from party political agendas, which is essential to allow the widest possible artistic development and cultural dynamism.

It is with great regret that we have found the proposed Bill does very little to address our priorities and also fails to recognise the intrinsic value of the arts within our culture. Only the announcement by the Minister for Culture on 21/2/07 that a visual artist will be sought to sit on the Creative Scotland board gives us any hope that the artist is to be recognised at all in this new look cultural landscape. We are very concerned by legislation that fails to identify the artist or any other practitioner. It appears the Executive seeks to place culture at the heart of Scottish society whilst neglecting the wellspring of culture: the creative individual. Instead great mention is made of "talent", "excellence" and the "creative industries".

In our view it is inappropriate for Creative Scotland to have such a heavily slanted enterprise agenda as implied in the guidance to the bill. If culture is to be judged primarily for its economic benefits then there can be little hope for dynamic activity in which experimentation and risk are permitted. Equally concerning is the proposal for Ministerial control over Creative Scotland's actions that appear to be enshrined in the Bill. For their part, the Executive has attempted to explain that powers must be reserved to protect against misuse of money from the public purse. A compromise has been suggested by other organisations proposing an amendment that renders matters of artistic content inviolate. The SAU would not be satisfied with this caveat as we believe that so long as Ministers reserve the power to appoint all board members, set budgets, and direct policy priorities then any notion of artistic freedom is meaningless. We reject the proposition that the advent of Creative Scotland (as described) heralds an improvement on the status quo, and furthermore find it disingenuous that this consultation process asks for such opinions when so many moves have already been made to prepare for the dismantling of the Scottish Arts Council and Scottish Screen.

The centralising agenda that lies at the heart of the Creative Scotland proposition is cast in an even more disturbing light when considered in tandem with Cultural Entitlements. The prime motive of any entitlements agenda should be the promotion of access to the intrinsic value of art, heritage, language etc. that is central to the cultural experience. That was the original intention of cultural rights as described by the Cultural Commission. The phrasing of this Bill, however, places its principal attention on the benefits that can be brought to bear in support of social policy priorities.

What conclusions can we draw from legislation that proposes to bring top-level cultural planning under greater governmental control whilst passing delivery of highly targeted Cultural Entitlements to local authorities with very limited financial support?

Many quarters have criticised the Bill for being "toothless" and not going far enough in terms of placing culture in the position of paramount importance suggested by the First Minister's St. Andrew's Day speech of 2003. The Scottish Artists Union go further in our opinion that, if passed as legislation, the proposed Bill could have dramatic and detrimental results, creating a Scotland in which artists, art and culture are seen as a means to an end (both economically and socially) instead of being valued as the expression of the nation's identity and aspirations.

We in the SAU do not wish to see our culture diminished through ill-considered political planning, particularly as it threatens to leave the Scottish visual artist immeasurably poorer. We urge the Executive to reconsider the proposed legislation.

**Terry Anderson, President of the Scottish Artists Union
On behalf of the Scottish Artists Union**