

Matthews B (Barry)

From: JENNINGS Simon [sjenning@miscorp.ed.ac.uk]
Sent: 28 March 2007 17:48
To: Cultural Bill Consultation
Subject: Draft Culture Bill - University of Edinburgh response.
Importance: High

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Dear Barry,

I attach the University of Edinburgh's response to the consultation on the Draft Culture Bill.

In lieu of attaching the respondent information form, I confirm that this response is on behalf of the University, that the University is content for this response to be made publicly available and that I am happy to be contacted in relation to any aspect of the response.

I would be most grateful if you could confirm receipt of this submission by return of e-mail.

Kind regards,

Simon

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Draft Culture (Scotland) Bill: Consultation Document Response from the University of Edinburgh

March 2007

1. Background and introduction

The University of Edinburgh welcomes this opportunity to comment on the Draft Culture (Scotland) Bill and the aims it is intended to achieve. In common with many other higher education institutions in Scotland, the University is a major contributor to cultural life at local, national and international levels. In addition to training graduates for, and undertaking research in, the creative industries the University holds and exhibits manuscript, archive, artefact and fine art collections, hosts numerous concerts, lectures, recitals, performances and exhibitions, is engaged with the UNESCO Edinburgh City of Literature initiative, provides the majority of the venues for the Edinburgh Fringe Festival and spends circa £2M per annum on non-core teaching and research activities related to cultural engagement. Universities Scotland estimates that the Scottish HE sector as a whole spends over £10M per annum on cultural activities and it is therefore vital that the views of the sector can be incorporated into the proposed governance structures for culture.

2. Local cultural entitlements

Qs 1-4: The University does not wish to comment on this section of the draft Bill.

3. Creative Scotland

Q5. Do you agree that there should be a single national cultural development body?

The University does not wish to express a specific view on the creation of the single body, Creative Scotland, but is keen to stress that the draft Bill implies a very narrow range of cultural actors within Scotland and fails to acknowledge higher education's contribution to the creative sector and does not provide appropriate formal means of dialogue with the relevant institutions in relation to this. The multiplicity of contributions the higher education sector makes to the creative sector as outlined in the introduction to this response and in answer to question six below and it is important that the governance structures for cultural activity in Scotland are framed in such a way as to enable close and effective collaboration between our universities and our cultural bodies.

Q6. Do you agree with the remit proposed for Creative Scotland? Has it the right powers and functions?

In general, yes, but the Bill fails to acknowledge the important cultural collections in libraries, museums and galleries which Universities make available through exhibitions, through access to institutional libraries and through loans to other cultural bodies. It also fails to recognise the close connections between culture and education and the significant contribution which cultural activities in our universities make to the wider population in Scotland.

The valuable materials in these collections currently lie outwith the national collections and, as such, the notion of a distributed national collection, or formal

recognition of Creative Scotland's role in supporting such collections needs to be considered again during further drafting of the Bill. Collections held by Universities would benefit from central support in matters relating to their preservation, exhibition, interpretation, and management as a resource of value to the Nation. This, in turn would contribute positively to the cultural landscape of Scotland. Given the existing close working relations enjoyed by the relevant staff in the University, the local authority and the national institutions, there would be the possibility to combine such measures with exploration of the university sector's ability to offer enhanced cultural entitlements.

Q7. Do you agree that Creative Scotland should work in concert with the Scottish Executive to implement national cultural policy?

Yes, although, the body will require an appropriate level of independence in order to enable it to act as a guardian of culture in Scotland and act as an advocate for the arts and cultural sectors. Whilst the proposed quality assurance framework is broadly to be welcomed in its aspiration to raise standards, it is suggested that practical measures such as financial support for distributed collections contingent on undertaking outreach and engagement activities may better effect the desired outcomes. Such activity could be taken forward as part of a national cultural policy, to be developed under the stewardship of Creative Scotland in consultation with the relevant stakeholders in the arts and cultural sectors.

4. National Collections

Q8. Do you agree that the National Collections should remain as constitutionally separate centres of excellence?

The University believes it is appropriate that the National collections are given roles in offering advice to local libraries, museums galleries. The University of Edinburgh already enjoys strong links with the national cultural bodies and is keen that the Bill be revised to ensure formal links are maintained, rather than diluted as the current draft suggests. In addition to the important role of providing academic advice and guidance in relation to the management of national collections (in particular the NLS) there are already positive working links, for example in the joint Library Management system used by the NLS, through joint membership of bodies such as the Visual Arts Research Institute Edinburgh (VARIE) and the 32 year long partnership between the Talbot Rice Gallery and the Scottish Arts Council. Such links are strengthened and underpinned by recognition of the university sector's contribution to our nation's culture in its participation in the governance structures of our cultural bodies and this should not be diluted.

Q9. Do you think the powers and functions proposed for the Collections in the draft Bill are right? If not, how would you improve them? The University understands the Executive's desire to modernise the National Library of Scotland Board of Trustees and the application of the Executive's general principle of not reserving places on public bodies for particular organisations or people. However, the proposed changes to the governance of the National Library have the potential to impact adversely on the higher education sector through removing any representation of the sector from the Board. A close and effective working relationship between the NLS and Scotland's higher education institutions is vital for the effective support of research. Diminution of interaction with the higher education sector could be detrimental both to the national collections and to the university community

Q10. What do you think of the name 'National Record of Scotland'?

The University does not wish to comment on this proposed name.

Q11. Do you agree that the Faculty of Advocates should be able to contribute to the board of the National Library by having at least one representative? Yes, however, whilst such an arrangement recognises the close working relationship which must exist between the Faculty and the National Library in relation to legal deposit, it ignores the similar symbiotic relationship which is enjoyed between the University sector and the National Library of Scotland. This close working relationship is underpinned by sector representation on the NLS Board of Trustees and a similar mechanism to that planned for the Faculty of Advocates.

Q12. Do you agree that the Collections have the appropriate powers to obtain, loan and dispose of objects for or from their collections? If not, what would you change?

The draft Bill should be amended with a view to ending the 1925 National Library of Scotland Act's anachronism which casts the University of Edinburgh Librarian in the role of arbitrator between the National Library of Scotland and the Faculty of Advocates on matters of what constitutes a "legal publication". The University works closely with both the Faculty and the NLS on core areas of its business and the legislation therefore places an Officer of the University in an invidious position between the two organisations with the potential to detrimentally damage the University's working relationship with one or both. In light of this, the University strongly recommends that an alternate and impartial arbitrator is identified and the draft legislation amended accordingly.

5. Dealing in tainted cultural objects

Q13. Do you agree that an offence similar to that in the 2003 Act should be introduced in Scotland?

The University welcomes the proposals to standardise legislation in this area across the UK.

6. Powers of local authorities to broadcast information

Qs 14-15: The University does not wish to comment on this section of the draft Bill.