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**Matthews B (Barry)**

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**From:** Ian McGhee [ian@sparcproject.co.uk]  
**Sent:** 15 February 2007 11:57  
**To:** Cultural Bill Consultation  
**Subject:** CULTURE (SCOTLAND) BILL CONSULTATION

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Dear Mr. Matthews,

Thank you for affording us the opportunity to comment on the draft Bill. Our views are contained in the attached response to the questions you posed. If you require any further information please get in touch.

Regards, Ian McGhee

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## **Draft Culture (Scotland) Bill - Consultation Questions**

### **Local Cultural Entitlements**

1. Widening access to culture and creative experiences must be supported and participation will increase as more opportunities are made available. The only caveat we would offer concerns the term “entitlements” when it is explicitly stated that these entitlements are not guaranteed. There is more than a whiff of Orwell or at least New Labour spin about an entitlement which is nothing of the kind.
2. We can see benefits to be derived from explicitly bringing culture within the scope of the community planning process.
3. The main beneficial effect of cultural and creative activity in areas of social exclusion is in the raising of self-esteem and self-confidence among the population. Participation in creativity can be the precursor to employment, education and training. The trick is for the authorities to have available a smooth and not too steep pathway from “fun stuff” to employment.
4. The suggestion that “ideally” cultural planning should be included within an authority’s community planning process prompts the thought that in many cases there will be no such inclusion. This guidance could be made more mandatory.

### **Creative Scotland**

5. There is merit in creating a single national body to promote greater cohesion and coordination. It must, however, be informed by, and derive much of its authority from, powerful local networks. The creation of a single national body must be an aid to and not a substitute for local bodies which actually bring culture to those in most need of it.
6. There must be fears that Creative Scotland will become a creature of the Executive. It is in the nature of art to be questioning of authority and in the nature of politicians to be nervous of controversy. The relationships set out in the Bill make it too easy for the Executive to lean on Creative Scotland and make it just another branch of the civil service. That must be resisted and the powers and functions should be drawn up to favour independence.
7. Yes.

### **National Collections**

8. Yes. There is scope for increasing joint working and coordination but it would be wrong to force these disparate bodies to conform to a single organisational template.
9. Yes.
10. The National Record of Scotland could be a Jimmy Shand compilation. Using “National” and “Scotland” in the title is perhaps tautologous. The Historical Register of Scotland could be a better title.
11. Yes. In view of the Faculty’s historic connection and its ongoing work with the Library, the reservation of a place is justified.
12. Yes.

### **Tainted Objects**

13. We agree that there should be powers to prevent the trade in tainted objects but have concerns about retrospective action. Objects already in the collections should be treated on a case by case basis since many were acquired centuries ago in an entirely different climate of opinion about what constitutes “tainted”. The Elgin Marbles, which are being kept, and the Sioux Ghost Shirt, which Glasgow handed back, are good examples of the difficulties which could be caused by trying to apply one set of rules across the board.
14. Yes. Local authorities may already distribute print and web-based media and there is no reason why they should not also use broadcast media.
15. It would remove any doubt if this power was included in the Bill rather than rely on the rather vague “power to advance well-being”.