

## **Paradise Entitled?**

I was flicking through my Christmas present, '1000 Places to See Before You Die', and checked Promised Land, Nirvana and Utopia (it's the default position for eternal optimists). They weren't there. Ah well, maybe the next edition... Expectations are never so big that they can't be larger, and are directly correlated to the scale of frustration when they're unfulfilled.

The cultural sector in Scotland has travelled in hope rather than expectation throughout most of the last twenty-five years but on St Andrews Day three years ago they heard sweet words from an unexpected source. The most senior politician in the land was placing creativity and culture at the core of his new executive's being.

The poetry of the First Minister's declaration, "...we can now make the development of our creative drive, our imagination, the next major enterprise of our society...", borrowed impressively from Robert Kennedy and the South Bank's Jude Kelly. It was, I believe, a genuine wish on his behalf to bring the arts, film, libraries and heritage much further up the public agenda.

From poetry to the more prosaic business of turning those words into action then required reviewing legislation and policy, challenging accepted bureaucratic thinking, and giving budget-holders sleepless nights. Mundane, process-driven, boring stuff to most – and certainly to the creative free spirits who would ultimately be at the sharp-end of any change - but utterly necessary if any long-lasting change was to be made to an increasingly inequitable current position.

Looking at the draft Culture Bill, Scotland's first ever, it's worth recalling why it's there – what was felt to be so broke that it needed to be fixed. The original impulse came a month before the St Andrew's Day speech when the Cabinet spent a special session, at the First Minister's calling, discussing culture from the aspect of all Ministerial portfolios.

It was an upbeat conversation that found unanimous agreement of culture's centrality in the country. It also recognised an unequal provision of cultural activity and facilities across Scotland by the public sector. The notion of defining a citizen's rights to culture was first mooted at this meeting, and endorsed the following month publicly in 'that speech', as one way of redressing this imbalance.

Rights, and their corollary entitlements, were intended as a mechanism to ensure that all boats were lifted on the same rising tide of clearer national standards. They would do it by addressing the main reason for the inequity – the current, 30 year-old legislation that requires local government to make 'adequate' cultural provision. On that one ambiguous word has hinged over thirty different local

authority interpretations across Scotland resulting in thirty very different levels of cultural provision.

The Cultural Commission was given the task of defining how such a system might work in practice and, after a year of input from the cultural sector, found the hardest part was getting past peoples' perception of the words themselves.

Their recommendations focussed on the process. Have a handful of aspirational objectives (rights). Let them inform the creation of a set of national minimum standards for the public sector. Use these as guidance to inform practical local interpretations of their delivery (entitlements). Stay awake! I told you this was mundane and harder to digest than today's turkey leftovers.

The original vision, and the Commission's conclusion, is ambitious. Entitlements are expected to cover improving access to, and quality of, museum and library collections. They're expected to develop awareness of cultural activity. They're expected to create more opportunities for folk to get involved in film production, arts workshops, writing, performing, listening and watching. No shortage of expectations.

None of these are small ambitions. None of them can be achieved quickly. For the most part they involve changing budgets in public sector bodies and, even harder, changing mindsets there too. It was intended to be a twenty-year project to achieve genuine systemic change (which is a non-election timescale worthy of applause).

What the rights/entitlements approach is not intended to do, and never was, is be directive about what is produced by creative people. New national standards will be for the public sector, not for artists ("I'm sorry, that brush work doesn't quite come up to the minimum required..."). Nor is it about government dictating a diet of prescribed culture for every citizen ("It's Friday and you haven't had your opera yet...").

Key to success of the recommended process was legislation giving direct responsibility to specific parts of the public sector for ensuring the standards and entitlements were formulated and then delivered. At both national and local levels this was to involve a coalition of interested parties (including the voluntary and private sectors) – a fairly radical departure from the norm.

So will it work? No, not the way the draft bill is at the moment. The Bill pulls the punch – it offers guidance to local authorities rather than unambiguous responsibility for ensuring delivery. We end up with a fancier way of saying 'adequate'. This part of the draft bill seems feart, maybe because the Executive doesn't want to upset local government. Although the more likely reason is that entitlements will cost.

There is no way the First Minister and his Cabinet's ambition to universally raise the quality and range of cultural provision in the public sector can be done for the same money. But civil servants won't want to give local government a legislative weapon they can use against them, "Yes, we'll happily raise standards – now give us the money to do it".

In my mongrel career I've been a local government officer and an elected member – guidance can, and will, be worked round. Legislation can't be. Using the entitlement system to implement it has the benefit of generating a two-way process between the two arms of government. This creates a gradual raising of provision and standards in a more strategic, affordable way. Guidance is helpful in that process, but supplementary. Somebody needs to be told they're responsible for driving to the destination.

I heard some (fairly reliable) gossip the original legislation's 'adequate' wording was inserted by civil servants of the time to allow local government off the compulsory hook. Last week the Permanent Secretary candidly admitted temerity in the current senior civil service. There is a real danger of history repeating itself if the draft bill remains unaltered.

Will it deliver "...the next major enterprise of our society"? Not at the moment. Utopia may never be on the cards but the First Minister's expectations, and his vision that started this off, certainly should be. It will need his reengagement with the process to ensure that vision is not lost.

(1100 words)

***Bryan Beattie is Director of the cultural consultancy, Creative Services. He was Adviser to the Minister for Culture from 2003-2005 and a member of the Cultural Commission secretariat.***