

Scotland - a response to Artist Exhibition Payment Rights

There are no formal agreements with national funding bodies to support exhibition payment rights in Scotland, other than some general good practice guidelines - all agreements are between individual organisations / galleries.

The need to reinstate Exhibition Payment Rights, formed part of a unanimous decision at the 2012 Scottish Artist Union (SAU) AGM. A motion – became subject of a petition – demanding that arts funding body Creative Scotland (CS) provided a reliable, accessible and effective infrastructure for artists and makers focused on the long-term sustainability of the sector and its organisations. This should include making contracts, use of SAU recommended minimum rates, and making payment of exhibition fees mandatory to funded organisations. SAU, which hosted an event with WAGE (Working Artists and the Greater Economy - a New York art activist group) in September 2012, urged Creative Scotland to 'monitor implementation of all of these measures within grant and investment requirements'.

Over the last 3 years, the SAU has carried out surveys to gain a clear understanding of artists' working conditions throughout the country. In the 2014 SAU artist survey, 78% of the membership stated that they seldom or never receive an exhibition fee (4% indicated always) - a Scottish Arts Council report of 2002 stated 84% did not get exhibition payment fees. Indicating that the situation remains the same over the last 10 years. In the same survey 48% of artists said they seldom receive a contract when agreeing to exhibit work.

Statistics bring into sharp focus the parallel paths that artists follow nowadays as they seek to develop their visibility whilst sustaining a professional practice. Often, they must decide between participation in gallery exhibitions that provide little or no tangible financial support but offer a much-needed critical framework for their practice, and the lure of fee-paid commissions and short-term residencies that, if nothing else, pay the professional and domestic bills. When the survey asked if artists have ever turned down exhibition opportunities because of a lack of exhibition fee, the vast majority said never. Creative Scotland gives strong encouragement through guidelines, but currently doesn't do anything specific regarding EPR. There is no formal application or implementation of industry rates, however CS is keen to bring changes and EPR is possibly something to include in the forthcoming Visual Arts Review. It has been informally agreed that the current system is insufficient to support / ensure payments and that 'language' used in guidelines will be reviewed.

Although these discussions have been delayed due to internal re-organisation of Creative Scotland the SAU were pleased to announce in October 2014 that new Creative Scotland Project Funding Applications and Guidelines now endorse the use of SAU Rates of Pay - 'Creative Scotland are committed, through any activities we support, to ensure that artists are paid appropriately for their time and effort. We therefore expect applications to reference relevant industry standards on rates of remuneration – such as those outlined by the Musicians Union, the Scottish Artists Union, EQUITY, BECTU, or the Writers Guild'.

The SAU believe that Creative Scotland understand that EPR needs to sit within a bigger conversation about rights, fundamental to the creative industries. The rights of the artist need to be established and their inclusion within the broader context of intellectual property rights. The SAU will be discussing how to take this issue forward with CS early in 2015 as part of the Visual Arts Review.

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