

Visual Arts Voice

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Ministry shelves Banister Report on Status

Text of a letter from the Ministry of Small Business, Tourism & Culture to CARFAC BC Board

March 14, 2001

Dear Mr. Friesen:

I am responding to your recent letters addressed to Maya Russell and Dan Goy. Both Ms. Russell and Mr. Goy have left the Ministry for other positions, but I am pleased to respond on behalf of the Minister's Office.

Sandra Banister submitted her report a year ago. Since that time the Ministry has reviewed the costs and the benefits of her recommendations and considered them in the context of government priorities. In particular, the idea of an Art Agency Agreement Act and an Artists Legal Advice program were given careful consideration.

While these proposals have some merit they also entail major challenges. In describing the need for Art Agency Agreement legislation, the Banister report presented the theoretical problem, but did not cite actual British Columbia examples to support it. Before introducing legislation, government is obliged to present a convincing argument that a statute is urgently needed now and that there is no viable alternative. The Banister report did not go that far in its arguments. Moreover there was concern that the measure might have the unintended outcome of limiting sales opportunities for artists, while adding red tape for small businesses.

After careful consideration, therefore, the minister elected not to proceed with legislation at this time.

The idea of Legal Aid for artists came down to an issue of cost. The Legal Aid program administered by the

Ministry of Attorney General is challenged to deliver its current programs. Introducing free legal aid to artists at this time would have required the outlay of considerable resources, which at this time are not available.

However, the report did make a strong case for providing training and improved information and services to artists in ways that are easily accessible.

The Ministry has had discussions with the legal community and the cultural sector about cost-effective ways of getting practical information to artists. These discussions will continue and it is our hope that a practical and affordable model can be developed.

With respect to the issues you raised about government's commitment to arts and culture in general let me make the following points:

- The Arts Council established by statute in 1996, is the first legally independent arts authority in British Columbia. In the years since its establishment, the Council has done a credible job distributing resources in a manner that has encouraged artistic development in all disciplines.

- While supporting Health and Education as the public's top priorities, government has maintained funding for culture for the past four years. In addition, government created a special \$4.8 million Arts and Heritage millennium fund that supported cultural initiatives throughout the province.

- Government negotiated a multi-year infrastructure agreement with the federal government that will assist capital projects in the arts.



- In 1999, the Minister of Small Business, Tourism and Culture hosted a symposium on Culture and the new economy. This conference focused attention on the opportunities for creative people in an economy that is relying more and more on information.

- Film development incentives, established by the government, have had a direct, positive impact on cultural workers including visual artists who are increasingly contributing to the success of the film industry.

- Working with the Emily Carr School of Art, the Ministry has developed entrepreneurial training courses for young artists.

Gerard Janssen, the Minister responsible for culture, continues to fight for greater recognition of the cultural sector and the vital contribution it makes to British Columbia's economy and quality of life.

Thank you for your continuing interest in issues affecting artists and the cultural sector and for the support services CARFAC provides to artists in British Columbia.

Yours truly,

Julie Jackson
Ministerial Assistant