

## **Connecting Culture and Commerce – getting the right balance**

**National Gallery**

**26 January 2007**

### **Closing Remarks**

This conference has been all about how cultural institutions can strike the right balance between fulfilling their primary mission, and undertaking commercial activity. In one sense, none of us would disagree with Alastair Beard (Deputy Director, Tate) in concluding forthrightly that the mission is paramount. As he said: “museums only have cultural objectives” and everything should be defined by the mission.

However, as we have been reminded by Tony Travers (Director, Greater London Group, LSE) in his most stimulating survey of the various impacts of museums and galleries in Britain, museums have multiple purposes, and indeed are unique in the range of impacts they may have on society around them.

It would be just as true to say that economics is paramount, and institutions can only do what they can afford. Not everything that a museum would like to do is paid for from its core funding. We have heard evidence today that some museums actually lose money in attempting to fulfil their educational objectives. How is this to be paid for, especially when museums are competing (again quoting Tony Travers) with private sector enterprises within a “flexible well-funded leisure sector”?

Even if we accept Tony Travers’ persuasive evidence that the economic benefits have been underplayed, and that the wider economic impact of museums and galleries in Britain is worth some billions of pounds, it is still hard for conservative legislators to accept that museums and galleries have the same impact on GDP as, say, the music industry or the media more generally. We recall Gretchen Wagner’s (General Counsel and Secretary ARTstor) remarking to the effect that legislators tend to be

tortoise-like in their caution, and that certainly seems to be right in when it comes to extending copyright permissions and exceptions to facilitate the work of museums.

This is not to say that museums should not unify to lobby for changes in copyright legislation to reflect their public benefit activities. Indeed, the Museums Copyright Group has been undertaking this work for many years and, to echo and respond to Nick Poole (Director, MDA), there is already a “copyright manifesto” for museums which can be dusted down for the next lobbying effort. The MCG will be trying again, working with MDA and the Libraries and Archives Copyright Alliance (LACA) to have the law changed.

In the meantime, perhaps we should take heart from Tony Travers’ observation that the gap between success and failure (for the sector as a whole) is small. While the contribution that copyright exploitation can make to the bottom line of the sector may, as a proportion of overall revenues, be small, it could nevertheless make the difference between success and failure. So, while of course we should keep the educational and cultural mission of institutions at the forefront, economic realities have to be acknowledged as well. In that context, the observations of Sara Milne (CEO, Science & Media LLP) that museum professionals need greater commercial know-how, ring true.

Changes in legislation, especially where this is now driven at an international level, can take place at glacial rates. Where there is a need to engage with other parties – copyright owners or rights holders – institutions need to take matters into their own hands. It is through concerted effort through organisations such as the Museums Copyright Group that progress can be made. As Gretchen Wagner has reminded us, if positions are entrenched and legislation is unlikely to be amended any time soon, community-based solutions may provide the answer.

From the various challenges thrown down in the course of today’s conference, some encouragingly concrete and practical pieces of work begin to emerge, which the MCG will seek to take forward through the appropriate forum:

- the need for a consistent approach across the sector to differentiate between commercial and non-commercial uses
- the development of common definitions for such key concepts as “scholarly”, “academic”, “educational” etc
- a renewed push to develop a coherent licensing environment, especially through such initiatives as the proposed MCG DACS scheme for the licensing of digital copies of works in museum collections for non-commercial purposes.

Whether the activities of museums involve commercial exploitation, or the fulfilment of their primary objectives, all institutions are concerned with the primary objective of seeking to increase their creative impact, and wanting to leverage their intangible assets more efficiently and more effectively. This conference has raised many fascinating themes, some of which are undoubtedly critical to the debate. The MCG can take inspiration from the day as it continues to work for the sector.

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