



ASSESSING PROFESSIONAL CONDITIONS FOR PERFORMANCE ARTISTS IN CANADA

EXECUTIVE SUMMARY

REPORTS

This document summarizes the key points and findings of the following two reports:

1. Artist-Run Centres and Collectives Conference / Conférence des collectifs et des centres d'artistes autogérés (ARCA), "Assessing Professional Conditions for Performance Artists in Canada: Key Findings and Recommendations," August 2018.
2. Canadian Artists' Representation / Le Front des artistes canadiens (CARFAC) and Regroupement des artistes en arts visuels du Québec (RAAV), "Assessing Professional Conditions for Performance Artists in Canada: Research Findings," November 2018.

CONTEXT AND GOALS

CARFAC and ARCA have been in discussion since 2014 regarding improving the structure of minimum recommended fees for performance the better to respond to the needs of performance artists and presenters alike. Two separate survey projects were designed to gain a better understanding of the current practice of payments to performance artists in Canada. One was designed for artists; the other for presenters, and both were conceived as complementary to the other.

The ARCA survey was circulated May 2–19, 2018, mostly but not exclusively online and within networks of artist-run centres (ARCs) and performance art organizers in Canada. . The goal was to gather information regarding the current conditions offered to performance artists by Canadian performance art presenters and inform CARFAC/RAAV of the best practices of organizations that either specialize in presenting performance art or that regularly include it.

The CARFAC/RAAV survey was conducted between June and November 2018 in order to collect information on current performance practices and assess the CARFAC/RAAV Minimum Recommended Fee Schedule for performance presentation royalties. This survey was conducted in two parts, including: a) an online, bilingual survey for performance artists; and b) interviews with individual performance artists.

The three author organizations listed above – CARFAC, RAAV, and ARCA – retained consultant Mariane Bourcheix-Laporte to conduct research and prepare reports.

ARCA SURVEY: FINDINGS

Participants

The ARCA survey saw 51 participating respondents from ARCs (58.82%), performance festivals (9.8%, Representing most if not all performance festivals in Canada), university/college galleries (9.8%), and public galleries (3.92%), but not museums or commercial galleries. The great majority of participant organizations had existed for more than 10 years (94.12%).

Funding

Most respondent organizations had annual operating budgets /under \$500K. Most reported core grants from government as their most important revenue source and, on average, rated their financial stability as stable to somewhat stable, with ARCs reporting the most stability and festivals the least. Festivals reported project funding as their primary source of performance programming funding and devoted the greatest share of their budgets (between 50–75% and 100%) to performance programming in the context of an overall average share of between 10–25% and 25–50%.

Presentation Venues

While performance was usually programmed via one-off events featuring a single artist/collective (62.5%), festivals were programmed via annual or biennial festivals (100%) while also sometimes presenting event series and one-off events. ARCs tended to favour their organizations' exhibition spaces as presentation venues while festivals mostly used a partner organization's exhibition space or a site-specific/public space.

Admissions and Fees

In the vast majority of cases (93.75%), admission to events was free. Asked if they paid 2018 CARFAC/RAAV suggested minimum fees (for multiple performances in a single evening, major stand-alone performances, solo exhibitions, or performances in the context of group exhibitions or ongoing showcases/events), responses ran the gamut from "always" to "never"; however, the responses seemed to suggest a fidelity to the fee structure, paying the exact recommended fee "sometimes to most of the time." Payment of higher fees ranged from "sometimes" to "most of the time," with the occasional "always," while payment of lower fees was usually "never to sometimes," or occasionally "never." A consensus of sorts emerged that the recommended fees for performance in a setting of multiple performances in a single evening were not high enough, with respondents in every category indicating they ranged from "adequate" to "too low." In determining fees, most organizations took into account a project's budget and the form and duration of the artwork, but 42.86% simply paid all artists the same fee. Most organizations either sometimes or always paid higher rates for collectives.

Other Artist Supports

With regard to artists' travel and lodging costs, overall respondents were able to pay the full amount "most of the time to always" – with festivals in particular paying only full amounts (i.e., responding "never" to paying partial amounts or no support). Meanwhile, per diem support was less predictable, with responses ranging between "never" and "most of the time". Payment of artists' production costs skewed toward full coverage with responses usually ranging from "sometimes" to "most of the time," while responses indicating no support ranged from "never" to "sometimes."

CARFAC/RAAV SURVEY: FINDINGS

Participants

The CARFAC/RAAV survey saw responses from 154 respondents, 95% of whom identified as professional Canadian artists and 5% as members of artist collectives. Quebec and Ontario were best represented, with lower turnouts from Western Canada, New Brunswick, and Newfoundland and Labrador, and no responses from Prince Edward Island, Nova Scotia, and the Territories. 45% of respondents identified as members of equity-seeking groups¹. Respondents displayed an average self-identified career level of Mid-Career to Established, leaning toward Mid-Career.

Interviews were conducted in person, via phone, or via videoconference with ten established performance artists, with one interview conducted with two artists who work as a collective. The list of interviewees was developed to include a diverse range of perspectives, backgrounds, and places of origin. Findings are presented in anonymous summaries.

Please note that most *but not all* topics were responded to by both survey and interview respondents.

Developing and Maintaining a Performance Practice

Types of Performance Practices and Relationship to Other Artistic Practices

Survey respondents indicated that performance presented in a live context represented between 25–50% and 50–75% of their artistic practice. Live performance was far and away (90.83%) the most common type of performance practice reported.

Relationship Between Performance Practices & Other Visual/Media Arts Practices

Most respondents' performance practices were associated with the visual arts, with interdisciplinary arts and media arts a fairly distant second and third.

Interviewees indicated mostly fluid approaches with regard to defining their practices, maintaining multiple approaches and interplay with other kinds of artistic practices. The importance of developing good relationships with galleries and curators was stressed, as maintaining a practice can be difficult in the absence of presentation opportunities. Residencies were also identified as a means to link up artists with crucial resources (time, space, financial support, etc.). Interviewees also indicated increased demand for performance and that maintaining material or media practices alongside performance could expand available opportunities.

Multiple Presentations of a Given Performance

Survey respondents tended not to present the same performance multiple times. The rate of presentation of the same performance was somewhat higher if presented at *different* festivals/exhibitions.

Interviewees confirmed the above trend, noting that repetition of performances could begin to resemble theatre. Nonetheless, interviewees were open to presenting new iterations of earlier works. Being asked to “redo” a piece from an earlier career stage was also mentioned as potentially problematic. Interviewees who created works that were well suited to multiple presentations noted the potential for touring, with potential to workshop or adjust a work while on tour.

¹ Indigenous, Deaf and disabled, POC, LGBTQ2S+, Official language minority groups

Presentation of Performance in Conjunction with an Exhibition

While presentation of performances with exhibitions was relatively uncommon, respondents generally selected “live performance scheduled outside of opening” as the most frequent presentation mode, with “live performance at opening” a close second.

Interviewees outlined two modes of presenting performance with an exhibition: a) *as a part of* the exhibition (solo or group); and b) *in addition to* the exhibition. Since the CARFAC/RAAV Fee Schedule recommends separate artist’s fees for the second option, the distinction between the two modes can have financial ramifications for the artist. Interviewees also noted that when this distinction is not mutually understood by both artist and presenter, conflicts over fees can arise. Sometimes a presenter will resist paying an additional fee for budgetary reasons, while another presenter may recommend an additional performance as a pretext to bump the artist’s fees even when it entails little extra work for the artist. While this can be lucrative for the artist, it may entail greater work on the artist’s part than the presenter imagines. Interviewees also expressed concern that presenters may misunderstand the nature of performance and request performances that can be experienced casually in the manner of a busker’s act.

Duration of Live Performances

Respondents indicated average durations of live performances between 30 minutes and 5 hours. Few indicated durations longer than 5 hours (13.21%) or very short durations (<10%).

Execution of Live Performances

Most respondents (78.3%) indicated that performances were executed by themselves or by their collective only. Nearly 50% indicated that performances were executed by themselves or their collective together with collaborators.

Production Processes

The survey did not address this issue. Interviewees indicated that the time required to produce a performance work is often far greater than presenters sometimes assume. Timeframes for developing a new work ranged from a month to several years. Rehearsal times could also be high, with one artist indicating that developing a 30-minute piece might take 100 hours of rehearsal. It was also noted that many artists are “always working,” sometimes on multiple projects at once, making assessment of time expenditures difficult. Artist’s fees seldom reflect such time expenditures.

Interviewees also noted the importance of research in developing performance works, which might entail a range of practices, from reading, sketching, and scripting to travel to sustained engagement with “practices, concepts, histories, and communities.” Research activities are not always readily identifiable as such by others. Research leading to an understanding of site and context can be crucial. Certain institutions, such as universities and university galleries, are well suited to support certain artists’ research.

The importance of rehearsal demands access to a rehearsal or production space, as well, in some cases, as the opportunity for a full run-through of a presentation, including technical features such as lighting, audio, projections, etc. Presenters often neglect these aspects and fail to provide adequate resources for them, assuming that artists will “just show up” and begin performing.

Interviewees noted the importance of administrative work surrounding a performance: negotiating fees and material/equipment needs, technical and promotional support, recruiting and coordinating performers, archives and documentation, etc.

Interviewees also identified residencies as useful for providing time, space and financial/material resources. Residencies providing financial support were preferred to those the artist must finance

personally, and residencies offered by universities were identified as particularly beneficial because of access to financial support, resources, and particular communities or audiences.

Costs Associated with Performance Practices

Survey respondents identified materials/props as their highest expense (79.17%), followed by photo/video documentation, travel/accommodation, access to equipment, professional development costs, and paying collaborators/performers.

Interviewees highlighted single-use or expendable materials as a burden that should at least in part be assumed by presenters (and as such comparable to a gallery's installation materials budget). This could happen via an upfront budget, accommodation of an artist's request, or reimbursement after the performance. Collaborators (as distinct from members of a collective) were discussed in two categories: a) those that helped in the performance of a work, and b) those involved in producing materials or props for the work. Interviewees suggested the presenters consider offering a budget for collaborators over and above the artist's fees. Interviewees also lamented not being able to pay collaborators as much as they deserved and underscored the importance of paying well while benefitting from a major grant. The importance of travel – and funding for travel – was discussed, with interviewees noting that when presenting performance works elsewhere in Canada or internationally, the artist cannot simply ship a box of works as in the case of an artist with a material practice. Other expenses discussed included acquiring and maintaining tools, access to research materials, access to studio space, acquiring insurance or permits, and more.

Financial Support for Production

Survey respondents indicated they supported their performance practices primarily through financial support from presenting institutions (49.17%), employment income (48.33%), artist's fees (46.67%), teaching/arts education (40.83%), provincial/territorial arts council grants (36.67%), and Canada Council grants (25%).

While interviewees indicated the importance of maintaining full- or part-time employment in order to sustain their practices, artist's fees were also identified as very important. Since such fees are often not very high, additional fees for activities such as installation and preparation, artist talks, and workshops are beneficial. Grants (federal and provincial) were considered critical, including travel grants, which allow artists to venture beyond the relatively limited opportunities for presenting performance in Canada alone. Many stated that developing works would have been impossible without production grant assistance, while others stated that an artist should not let the absence of a grant stop them from making new work.

Sustainability of Performance Practices

Survey respondents indicated the difficulties involved in sustaining a performance practice, including the need to work in multiple artistic fields or media (i.e., beyond performance alone) to generate sufficient opportunities, the lack of financial remuneration relative to time and effort expended, the lack of commercial opportunities, and more. Respondents also indicated that performance is widely undervalued and misunderstood, and that gaining recognition for it in Canada can be difficult.

Interviewees, too, highlighted the lack of understanding or respect for performance practices in Canada. Even though it is somewhat trendy and people are more comfortable with it, performance still lacks legitimacy in the art world – even among some ARC presenters. Performance was perceived as not being adequately taught in post-secondary institutions or written about in magazines or journals. The practice of performance was also described as having evolved a great deal over the years, and as continuing to evolve today and into the future. Finally, interviewees criticized the CARFAC/RAAV Minimum Recommended Fee Schedule as reinforcing the notion, via too-low fees, that performance is less valuable or less demanding than other art forms.

Institutional Support

Presentation Spaces and Events

Survey respondents identified site-specific/public spaces (66.04%) and ARCs (64.15%) as spaces where they had presented live performances. Between 25% and 50% indicated public galleries, university/college galleries, education institutions, theatres, and spaces such as bars or cafés, while less than 25% selected museums, community centres, commercial galleries, or online platforms.

Types of Events

Survey respondents indicated having presented live performances at events in which multiple performances by multiple artists/collectives were presented (66.04%), followed by group exhibitions, performance art festivals, other art festivals, residencies or workshops, and other venues.

Interviewees listed diverse presentation experiences, from DIY initiatives to performances in the National Gallery of Canada, and appeared to move readily and fluidly between very different performance contexts. Interviewees also noted a growing number of performance festivals, increased opportunities to present in galleries, and greater engagement with performance in site-specific contexts. Still, many indicated difficulties arising from insufficient levels of support in these contexts, as increased opportunities may have been arisen as a result of presenters who themselves were insufficiently experienced with performance art. Interviewees indicated that they had experienced the best support situations in ARCs and smaller public galleries. Such galleries can also often offer curatorial support that festivals, given their “in-and-out” nature, cannot.

Presentation/Institutional Support Opportunities

Survey respondents indicated an average rate of 8.89 paid and 4.27 unpaid opportunities for presenting live performance within the last three years. Artist satisfaction levels were highest for presenting live performance in Canada and participating in residencies/workshops; and lowest for being commissioned to produce performance-based work and for acquisitions of such works by private or public collections.

Interviewees indicated ethical concerns about working without adequate financial compensation, and noted that a single artist being inadequately paid may ultimately have an impact upon everyone. Interviewees were often willing to waive remuneration for particular situation, such as fundraisers, community-based events, events and festivals organized by emerging or underfunded organizations, and so on.

Payment of Performance Presentations Royalties

Survey respondents generally indicated that over the last three years they were usually paid lower, rather than exactly the same as or higher than, the CARFAC/RAAV-recommended fees. This trend was heightened for emerging artists and those from equity-seeking groups.

Interviewees generally reported receiving fees equivalent to or higher than the CARFAC/RAAV-recommended rates for all types of events, except Major Solo Performance, as well as prioritizing performances where presenters did pay these rates. Many artists had in fact referred presenters unfamiliar with performance to the CARFAC/RAAV recommended fee structure and therefore considered it a valuable resource. Interviewees also empathized with presenters’ often-difficult budgetary contexts and stressed the importance of considering presenters’ situations when assessing whether or not fees are adequate.

Artists working in collectives expressed frustration at insufficient remuneration, often having to split a single artist’s fee among the collective’s members. In situations where presenters cannot afford to

pay a collective a larger fee, the collective may seek out other paid opportunities (artist talks, workshops, etc.) to make presenting their performance worthwhile.

Interviewees often indicated a readiness to turn down presentation opportunities when conditions are inadequate, but indicated that as emerging artists they did not always feel such confidence. Respect for one's own work may sometimes be contingent on a willingness to say no.

Other Fees and Financial Support

Survey respondents reported that provision of support for travel or lodging happened "between sometimes and most of the time," followed by production expenses ("sometimes"), with per diems, preparation/ installation/rehearsal fees, and reproduction fees for use of documentation being least frequent.

Interviewees emphasized again the importance of support for travel, given the necessity of the artist's presence and a lack of presentation opportunities in Canada. It was also generally felt that artists should not be expected to pay for travel expenses out of their artist's fees.

Other Support

Asked to identify other types of support they had received in the last three years, survey respondents most often (50%) identified photo documentation, technical support, and free meals/drinks. Between 25% and 50% listed video documentation, paid artist talks/workshops, writing about the performance, and unpaid talks/workshops, while less than 25% listed translation/interpretation and merchandise, swag, or gifts.

Interviewees underlined the need for publicity and promotional support. Some noted having had to educate presenters in how to conduct outreach. The importance of timely, recurrent promotion of a performance prior to presentation was emphasized. For one-time events or events presented in low-capacity spaces, a one-size-fits-all approach to promotion might be insufficient and a case-by-case approach would be preferable.

Documentation of Performance

Considerations for Performance Documentation

Interviewees underlined the importance of documentation as a means to archive or produce traces of performance works. Some respondents felt that works that had not been documented – however important they may have been when they were performed – simply ceased to exist. The importance of documentation for promoting one's practice and applying for grants was also emphasized. Some interviewees indicated preferences for certain forms of documentation over others, sometimes in relation to the nature or context of the performance, and also indicated that documentation might even play a role in an artist's research process.

Some interviewees lamented that presenters did not always provide adequate support for or sufficiently high quality of documentation, or did not consider it a vital component of the suite of supports provided to the artist. Often respondents for such reasons recalled hiring documenters out of pocket – sometimes a significant expense. It was also noted that presenters experienced with performance tended to provide better documentation support.

Payment of Reproduction Copyright Royalties

Interviewees' experiences with regard to being paid for the reproduction of documentation of their work varied widely. Artists are often asked to provide documentary materials (which are often not

deemed to be artworks) for free, and in fact, some presenters cannot afford to pay for them adequately. Sometimes presenters will assume such expenses are covered by the artist's fee.

Use of Performance Documentation

Interviewees indicated that friction may arise between artists and presenters over how performance documentation may be used – for instance, where a presenter wishes to screen the documentation as part of an exhibition, but the artist does not wish it because it is “not part of the work.” Some presenters may use documentation as a “cheap and easy” way to fill gallery space.

Ownership of Copyright of Performance Documentation

41.05% of artists/collectives reported retaining sole ownership over copyright of documentation over the last three years – with an equivalent portion reporting shared ownership with their collective, the documenter, or the presenting institution. In some cases, the documenter (27.37%) or the presenting institution (15.79%) held sole copyright ownership. Survey respondents underlined a great need for better standards and best practices regarding documentation and artist's copyright.

Interviewees stressed the importance for artists of retaining ownership of copyright over the documentation of their work, while acknowledging that the presenter ought to be able to use that documentation for certain purposes (e.g., promotion, archives, etc.). Few respondents had experienced situations in which they did not retain ownership of copyright of their performance documentation, but those that did found these situations quite problematic. Interviewees were mostly comfortable, however, with sharing ownership of copyright with and crediting the photographers/videographers who had produced the documentation. The need for guidelines to facilitate artists in copyright ownership negotiations with presenters and to establish clear understandings between parties involved was emphasized.

CARFAC/RAAV Minimum Recommended Performance Presentation Royalties

Structure and Clarity of CARFAC/RAAV Minimum Recommended Performance Presentation Royalties

Interviewees expressed various concerns with the general fee-schedule structure. For instance, the schedule made it easier for some presenters to simply pay the minimum and not be amenable toward negotiating higher fees for specific projects.

Concerns were also expressed that Section A.1.5 (Performance Presentation Royalties) was inadequate or irrelevant to certain kinds of performance practices, and made assumptions about the nature of performance that were not always true or did not account for specificities of a presentation or how it was produced.

Interviewees also noted that the Fee Schedule creates a hierarchy of presentation contexts, whereby an artist who presented a performance work at a festival might be paid twice as much (\$398) as when presenting the exact same work as part of an evening of multiple performances (\$199) or as a major stand-alone performance (\$1,996). It was also noted that such variations in fees might be viewed opportunistically by the presenter (seeking to pay lower fees by shifting the performance context) and “confusedly” by the performer. Further, a number of interviewees did not know that minimum recommended fees for major stand-alone performances corresponded to the fee for solo exhibitions, an equivalency that has also been a source of confusion.

Interviewees also expressed the need for the CARFAC/RAAV Minimum Recommended Fee Schedule to include recommendations for performance presented in the context of a conference or symposium.

Evaluation of CARFAC/RAAV Minimum Recommended Performance Presentation Royalties

Overall, survey respondents rated the various CARFAC/RAAV recommended minimum fees as being short of adequate.

Interviewees, too, concurred that the minimum recommended fees are set too low. Those for Performance Works in a Setting of Multiple Performances in a Single Evening, in particular, were deemed to be unsustainable. Such low recommended minimum fees may also devalue performance and create/support hierarchies between visual/media arts practices. For the most part, though, recommended minimum fees for major stand-alone solo performances and/or the inclusion of performance in group exhibitions were adequate.

Festival Contexts

Survey respondents mostly indicated that the CARFAC/RAAV Minimum Recommended Fee Schedule should include fees for each additional performance presented after the 1st performance (71.13%) and long-duration performances in the context of a festival (61.86%).

Collective Performance

Survey respondents also agreed (62.89%) that the Fee Schedule should establish fees for presenting collective performance based on the number of participating artists/members of a collective.

Additional Factors

Asked to identify additional factors that should be used to determine fees paid to artists, survey responses ranged from duration of artwork (46.39%), through artist's professional experience, presentation venue, number of artists/collectives in a setting of multiple performances, and form of artwork, to size of public (16.49%). Notably, 38.14% of respondents selected "none, all artists should be paid the same fee." Interviewees questioned the wisdom of "adding layers of complexity" to the Fee Schedule, via inclusion of the various additional factors mentioned above, and possibly creating further hierarchies.

Durational Performance

There was broad agreement that the Fee Schedule should provide guidance vis-à-vis remuneration of durational and collective performance, though not so radically as to discourage presenters from soliciting such works. Some interviewees proposed that instead of establishing separate fees, CARFAC/RAAV should establish best practice guidelines for presenters, with considerations for increasing fees based on these criteria. Some interviewees felt the additional labour involved in presenting durational performance warranted higher fees and warned that not doing so might influence artists' creative choices away from producing such works—or, in response to the monetary incentive, toward them. The risk of creating further hierarchies between modes of practice was also noted. It was broadly agreed that the existing Single Performance (Festival) Each Additional Performance category might also be used as a model for durational performance, such that the performance would be remunerated at 30% of the single work rate each additional day or programming slot through which it unfolds.

Collective Performance

There was a general consensus among interviewees that the CARFAC/RAAV Minimum Recommended Fee Schedule should make recommendations with regard to remuneration of performance by artist collectives. Individual members of a collective should receive adequate compensation for their input rather than be forced to split a single artist's fee between them. Interviewees held back from supporting a model, however, wherein each member of a collective, regardless of size, would be recommended to receive a single artist's fee, because: a) presenters would be discouraged from programming work by larger collectives; and b) it is unlikely that all performers in a larger group have equal creative input into the work.