

Report:
Musicians and the
Entertainment Industry
in
Bermuda

Prepared for

The Hon. Dale Butler, JP, MP
Minister of Community Affairs and Sport

Respectfully submitted by
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FOREWORD & ACKNOWLEDGMENTS

This inquiry has been a fascinating exercise, one made far more interesting and sometimes more painful because, as the son of a musician, I lived through the fortunes of the industry. Policies that dictated what music my dad was permitted to play in the hotels, that imposed themselves on his wages, that at times stunted his musical growth, that shaped his outlook on his job and his country — those policies were the daily fare of my family's life. It is with that history in mind that I have taken special care to represent my findings fairly. While there is certainly blame enough to spread around, the purpose and, I trust, the outcome of this report is to point the way forward, using what has gone before as a launching pad and guide for directions rather than as evidence for assigning fault.

All the players have had their innings of self-interest. Now those interests must be broadened and merged into a collective interest.

At the risk of omitting someone, for which I apologise in advance, I wish to thank those who have made this Report possible. My first line of thanks goes to the Hon. Dale Butler JP MP, Minister of Community Affairs and Sport, for his decades long support of musicians and their craft, culminating in his request for this Inquiry and Report. I trust that he will find the support and will of his Cabinet Colleagues to carry the recommendations forward.

The team I assembled as a focus group took on the project as if it were their own. They worked hard, gave me encouragement and validation, and shared their wisdom. Thank you Gita Blakeney, Tony Brannon, David Dodwell, Laura Gorham, Shine Hayward, Selena Lambert, Derek Morris and James Richardson. You deserve credit for the results this Report may have in reviving the industry. The responsibility is mine alone for any failures, omissions, mistakes or any of the other glitches that can plague a project of this nature.

The managers and staff at the Departments of Community and Cultural Affairs were generous with their help whenever I needed it: Dr. Gary Burgess, Pat Chapman, Jeannie Isaac, Angela Todd and Charleeta Smith. Geof Rothwell at the Bermuda College advised on the design of the questionnaire. Reviewers and consultants Jamie Bacon, Tore Badenduck, Elvie Christie, Sylvia Hayward-Harris and Wolfgang Sterrer gave invaluable advice.

I acknowledge that aspects of the Report may be experienced by some as provocative, particularly those dealing with racism and colonialism, with xenophobia, xenophilia and self-deprecation. These segments are not intended to provoke, but rather to open and give air to old and festering wounds in the interest of promoting their healing.

Bermuda's musicians and entertainers, like its farmers and fishermen, are an independent lot. They perform mainly because of their love for music and its expression. It is their craft that fills church halls, school assemblies, restaurants, lounges and nightclubs. It is their product that underpins every concert hall, movie house, radio station and stereo system. Without performers there would be no records or CDs, no dance halls or DJs, no tuneful ditties or mournful dirges. It is just as incomprehensible to imagine a world without music as one without air or water. Music and its performance brightens all our lives.

It is therefore with gratitude for the music and fervent wishes for a return to health of the entertainment industry that I dedicate this Report to my dad, Lance Hayward.

EXECUTIVE SUMMARY

For over half a century entertainment in Bermuda was linked to Tourism. When the Island's tourist fortunes swelled the entertainment industry flourished. As tourism has declined, so has entertainment. Hotels closed their nightclub facilities and, in many cases, their doors. Even in the best of times, local performers have had to fight for equitable wages and benefits, job security relative to their foreign counterparts, recognition and respect, and even for the dignity of their profession. They formed a Union, which helped in many ways to balance the positions of power held by venue operators who, after all, held the purse strings. Unfortunately, more than one Union administration did more for the President's career than musicians as a whole. Adjustments to the Union's Constitution removed tenure restrictions for its President and clouded election timing and procedures. Eventually, despite all the good the Union had done, it lost the support of entertainers and became a shadow organisation.

The link between entertainment and tourism has meant that tourism employers dictated what music and which musicians got support, who worked and when, and what music or dance themes got performed. Bermuda was being marketed as an "Island" destination and island type performances were what locals were employed to do. Jobs playing the more sophisticated or 'society music' were reserved almost exclusively for foreign and predominantly white musicians, as were the perks and benefits of dressing rooms, health and job insurance, housing and meals.

The decline in tourism numbers began in 1981, the same year as an almost month-long general strike. This event provoked a hardening of hoteliers' attitudes toward the costs of entertainment. The Disco era and the advent of the Las Vegas styled Follies showed hoteliers that live musicians could be replaced by DJs and canned music. Local entertainers facing a shortened season and reduced hours of work attempted to compensate by raising their prices. These all contributed to the downsizing and elimination of house bands and local stage shows. A Union decimated by in-fighting and a small clique of beneficiaries was ineffectual in protecting the interest of entertainers at large. The one policy it had continually influenced, that of the import of foreign entertainers, seemed subject to abuse and engendered resentment in the affected pubs, restaurants and nightclubs.

Strain between employers and performers heightened as the industry declined. Many musicians became discouraged, took second jobs or left the industry altogether. Government policies aimed at shoring up the industry were less than comprehensive, amounting in some cases to little more than a handout.

It is unlikely that tourism will regain the levels that supported the heyday of entertainment. Consequently performers will need to exercise creative energy in developing employment opportunities de-linked from tourism. While entertainers must take the lead in reviving their industry, the government has a key enabling role to play.

A first step would be to break the impasse that has stalled the reformation of the musicians' union.

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The government should immediately appoint a facilitator to assist entertainers in reclaiming and restructuring their union. The government should also lend advice and expertise to ensure that a restructured union has mechanisms in place to carry out its obligations to

- *track and report in a timely manner on its finances;*
- *hold regular and proper elections.*

The government should also lend its assistance and clout to expand the list of venues, indoors and out, available for live performances.

The government should review existing legislation and policies to make them more effective and less onerous.

The government should spearhead collaboration with performers and venue operators in the crafting of Codes of Conduct for all players.

The government should expand its efforts to foster development of all aspects of the performance craft, including

- *education in performance skills as well as relationship and business skills;*
- *recognition and awards schemes;*
- *internships and exchange programs.*

Further recommendations for the Bermuda government and for entertainers and venue operators appear below in the section on Recommendations and in the Solutions Matrix.

INTRODUCTION

Live entertainment in Bermuda has been declining since the early 1980's. The causes for the decline range from those beyond our control, like technology improvements that enable a solo performer to mimic an entire band, to those we brought upon ourselves like over pricing and cultural dislocation. In trying to understand the changes occurring in the entertainment industry it is important to explore what occurred and, if possible, why. More important, however, is to take steps to slow the decline, halting it if we can. Most important is to engage ourselves in revitalizing live music performance.

We start our report with a brief history of the last seven or so decades of the entertainment industry. A narrative listing and, where possible, analysis of the issues that have faced the industry follows. We conclude with recommendations.

We have structured a Problems/Solutions matrix of the issues, by group (see "The Players" below), and the role each group can play in their resolution. This matrix provides a comprehensive presentation of the issues and their potential resolution. We trust this format provides a reasonably clear view of a complex issue.

The text includes recommendations that evolve out of the narrative. These are in italic type. Throughout the text, letters/numbers in brackets refer to specific points in the Solutions Matrix at the end of the Report.

We have included the broadest sweep of proposals, each of which addresses some facet of the issue. It would not be surprising if some recommendations are so obvious they will have already been begun before the Report becomes operative. In such cases their inclusion will be reinforcement. Other recommendations may not be feasible or timely, and some will take longer than others to be embraced or carried out. The entertainment industry is a dynamic societal construct. The work of rebuilding it will occupy us for some time.

THE PLAYERS

When looking at the issues facing the entertainment industry, it quickly became clear that there are three major groups or players. They are:

Musicians - this group includes the musicians themselves as individuals, and collectively as in a union or other association.

Venue owners and operators - this group includes owners and managers of hotels, nightclubs and restaurants, and their associations: the Chamber of Commerce Restaurant Division (CofC), and the Bermuda Hotel Association (BHA) — formerly the Hotel Employers of Bermuda (HEB).

The government - this group includes people of Bermuda and their government, elected and appointed, who are the agents of the people and distributors of the people's authority and funds.

While some issues affect all players, some specifically or mainly involve only one or two. In an attempt to make the report manageable the issues and solutions have been grouped under these headings. Some overlap has been unavoidable.

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METHODOLOGY

This Inquiry was targeted at musicians and entertainers whose livelihoods are linked mainly to tourist entertainment. While classical and folk music are undoubtedly legitimate entertainment the scope of the Inquiry was limited to the music and performances that would be heard and viewed in hotels and nightclubs rather than in concert halls.

As a first step, I assembled a small task force to examine the issues and brainstorm possible solutions. Group members were Gita Blakeney, Tony Brannon, David Dodwell, Laura Gorham, Shine Hayward, Selena Lambert, Derek Morris and James Richardson. This group met three times in April, five times in June and once each in September and October. During the first eight of these meetings the group listed, analysed and posed solutions for the problems facing the live performance industry in Bermuda; the final two meetings were spent reviewing and critiquing the Report's findings. Their work led to the Solutions Matrix, which forms the backbone for the Report's recommendations.

To derive a picture of the industry, historical, current and projected, I conducted one-on-one interviews each of which lasted from one- to one-and-a-half hours. Interviewees included thirty-one musicians/entertainers and agents, ten venue proprietors; and representatives of the principal organisations associated with entertainment, The Bermuda Federation of Musicians and Variety Artists, the Bermuda Arts Council, the Bermuda Chamber of Commerce - Restaurant Division and the Bermuda Hotel Association. In addition, questionnaires were distributed by hand and via email and post to about one hundred ten musicians/entertainers of which forty-seven were returned. I also interviewed current and former parliamentarians, members of the Corporations of Hamilton and St. George, the government's Arts Education Officer, the Principal of the Bermuda School of Music, and the lawyer/consultant for the musician's union Constitution.

To reach as many performers as possible, I hosted a public meeting where entertainers could voice their opinions. This meeting was publicised via newspaper adverts and appearances on local talk shows. Talk show appearances were used also to relay information about the Inquiry, its scope and intentions to the public at large.

Local government policies regarding entertainment came from consultations with representatives of the Departments of Cultural Affairs and Immigration, and the Ministry of Tourism.

I looked at union and, where possible, legislative policies and practices in Australia, Canada, Cyprus, Denmark, France, Germany, the Republic of Ireland, Japan, the Philippines, the UK and the USA.

Searching through the Bermuda Library's vertical and clipping files yielded a wealth of information about the evolution of the entertainment industry and its troubles along the way.

I did not pursue a planned questionnaire of venue operators as the Chamber of Commerce and the Bermuda Hotel Association offered to acquire the information I sought. A database of local entertainers derived from the questionnaires accompanies this Report.

HISTORY

Musicians and entertainers are a unique facet of the job market. Entertainers, including performance musicians, show dancers, comedians, singers and combinations present themselves and their acquired talents to an audience in leisure that pays for the service. As a tourist destination, Bermuda has had a ready supply of people in leisure, many of whom expect to be entertained.

Live music has been an established and accepted part of the entertainment package for tourists in Bermuda at least since the 1930's — it was in the 30's that Bermuda began promoting itself as a summer tourist resort¹. In those early years, most bands were imported and several of those musicians remained in Bermuda, becoming fixtures on the Bermuda musical landscape.² Local bands played mostly for local dance events at halls and patios around the Island.

The musical content of Bermuda's entertainment has been influenced by our neighbours, largely in proportion to their proximity. In the early days of radio, the American music scene dominated that influence. During the years bracketing World War II when Bermuda was host to American and British armed forces, musicians from these countries steered and fertilised the performance ideas of local entertainers. We had our big bands and crooners mirroring those of our visitors. We also had audiences of service-people who wanted to dance and listen to familiar music.

Bermuda also had its share of calypso bands and singers. The mid 1950's saw the rise of calypso music, sparked globally by Harry Belafonte's highly successful recording of the genre. Calypso and related Caribbean entertainment such as limbo, fire-dancing and steel bands became part of Bermuda's mainstream entertainment scene. As we shall see in the section on "Calypso Imposition" below, this aspect of the performance industry was given preference, leading us down a culturally and musically dead end street. At the time, however, groups like the Talbot Brothers and Hubert Smith and his Coral Islanders were highly popular and sought after by repeat visitors.

The 1950's also spawned a local musicians' union, concerned with wage scales and working conditions and the fair distribution of work in the industry. Racial segregation and xenophilia³ overshadowed every issue facing local performers.

During the 1960's and 70's live performance entered a heyday. Tourism grew by over 16% per year between 1965 and 1969, and over 5% per year through the 70's.⁴ Hotels large and small hired musicians in small groups, big bands and society orchestras reminiscent of New York supper clubs.⁵ Hotels had nightclubs employing house bands,

¹ Department of Statistics, Bermuda Government: Facts & Figures 2003.

² Among them were Terry Brannon who opened the 40 Thieves Club, John Riihiluoma who became a retailer of musical instruments, Carl Schectman and John Profit. A later import, Joe Wylie, became Music Director for the Princess group.

³ *Xenophilia* – definition: love of or preference for foreigners.

⁴ *Bermuda Digests of Statistics 1980 – 2000*.

⁵ Interview 26.

lounges supporting quartets or trios, and rotating shows featuring steel bands, limbo or island music. House bands were on the regular payroll, in general working six nights a week year-round with two weeks paid vacation. While there was plenty of work for everyone, the distribution of work reflected the existing policies of racial segregation. The society bands had the best working conditions and job security; their members were predominantly white and foreign. Most black performers were in the smaller combos and rotating show bands and the Island-flavoured troupes. Blacks were not allowed to enter or leave the hotels by the front doors, nor were they enrolled in insurance or pension schemes.

Eventually the local union, the Bermuda Federation of Musicians and Variety Artists (BFMVA), became affiliated with the American Federation of Musicians and won reciprocity for local musicians to work abroad.

The advent of disco music and disco clubs in the 1970's drew visitors away from hotel nightclubs. Hoteliers looking for alternative revenue generators converted their nightclubs from live performance venues to DJ driven disco rooms. In the process they discovered that technology-generated music entertainment could replace live bands. Hotel management itself was shifting from the coat and tie atmosphere to one more casual but highly cost conscious.

In 1979 American showman Greg Thompson brought the Follies, a Las Vegas type of musical review, to the Hamilton Princess Hotel, which changed the whole complexion of the music industry. Over the next decade, the Follies and its copycat reviews in other hotels replaced local shows. Immigration policies prompted by BFMVA representation stipulated that locals also perform, thus some employment continued for dance and show performers but the increasing use of canned music triggered trickle-down displacement for musicians. Local content was literally pushed off the stage by the Vegas-like shows.

By the mid 80's, tourism figures were declining steadily. Growth for the decade averaged less than 1% per year. In 1981 there was a general strike. The drop in tourist arrivals of 13% in that year is attributed to the labour unrest. Among the shifts in hotel management that occurred during the period, responsibility for hiring and firing of entertainment performers was transferred to food and beverage (F&B) managers. Pressure to improve the bottom line led F&B managers to cut costs for which entertainment was a ready target. Faith in and support for the BFMVA was also in decline.

As the 1990's approached, government policy makers were anticipating and in some cases promoting the ascendancy of the International Business sector over Tourism as the Island's primary foreign currency generator. The expansion of the international business sector provided increasing job opportunities for professions like lawyers and accountants, and even for some workers affected by the shift away from Tourism such as domestics, restaurant workers and taxi drivers. However, there were few equivalent job opportunities for displaced entertainers.

Through the 1990's and the turn of the century attrition of entertainment venues continued through hotel downsizing and closure. Also the closure of local flavour nightclubs and restaurants squeezed many entertainers out of the business.

ISSUES

The issues facing the live entertainment industry can be divided initially into those over which we have no control and those over which we can, at some level or another, exert influence. They may all be best tackled with the spirit expressed in the serenity prayer: “God grant [us] the serenity to accept the things [we] cannot change, the courage to change the things [we] can, and the wisdom to know the difference.”

DECLINING TOURISM

Fewer tourists

The ratio of tourists visiting Bermuda during a year to the Island’s resident population was one of the highest in the world, and likely still is. In 1985, as Bermuda approached its peak tourist year, the world’s most visited countries, Italy, France and Spain had ratios of visitors to residents of around 1 to 1, or less (see Table 1). By comparison, island resorts experience numbers of yearly visitors many times their populations. Bermuda, at a ratio of 7.3 visitors to 1 resident (excluding cruise visitors), ranked third behind Jersey in the Channel Islands and Norfolk Island (Australia) in the number of visitors per resident. Bermuda also ranked third, behind Gibraltar and Jersey, in visitors per unit of land area.

Country	Tourists (1,000)	Population (1,000)	Area (km ²)	Ratio (tour/pop)	Ratio (tour/km ²)
Spain	43,235	38,602	504,782	1.1	85.7
France	36,748	55,162	547,026	0.7	67.2
Italy	25,047	57,128	301,225	0.4	83.2
Singapore	2,738	2,558	620	1.1	4,416.1
Hong Kong	2,426	5,456	2,916	0.4	832.0
Puerto Rico	1,532	3,282	9,104	0.5	168.3
Bahamas	1,365	231	13,935	5.9	98.0
Jersey (CI)	1,100	79	116	13.9	9,482.8
Jamaica	572	2,337	10,991	0.2	52.0
Bermuda	406	56	53	7.3	7,660.4
Barbados	359	253	430	1.4	834.9
Trinidad	191	1,185	5,128	0.2	37.2
Gibraltar	86	29	6	3.0	14,333.3
Norfolk Is.	24	2	35	10.0	685.7

Table 1. Ratio of tourists to resident population and land area (selected countries) 1985.⁶

It is quite natural therefore that our economy in general and our entertainment industry in particular would have revolved around tourists — more so than in most jurisdictions. In some ways this has been a benefit in that musicians and entertainers have had a higher profile and greater employment opportunities than if Bermuda had remained an agricultural economy or moved into offshore banking when agriculture declined. The downside to this tourist-centered entertainment is that when tourist numbers fall, as they have been since the late 1980’s, the effect is felt in all areas of performance related entertainment.

⁶ *Bermuda Digest of Statistics 1989; The World in Figures* (London: The Economist Newspaper Ltd., 1987), p. 12.

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In 1987, Bermuda had over 631,000 visitors — the record high for the Island. Of that number, almost 477,000 traveled to Bermuda via air; the rest were on cruise ships. The air visitors are the ones who mainly occupy our hotels and guest cottages. They comprise the dominant audiences for Bermuda’s musicians, singers and dancers.

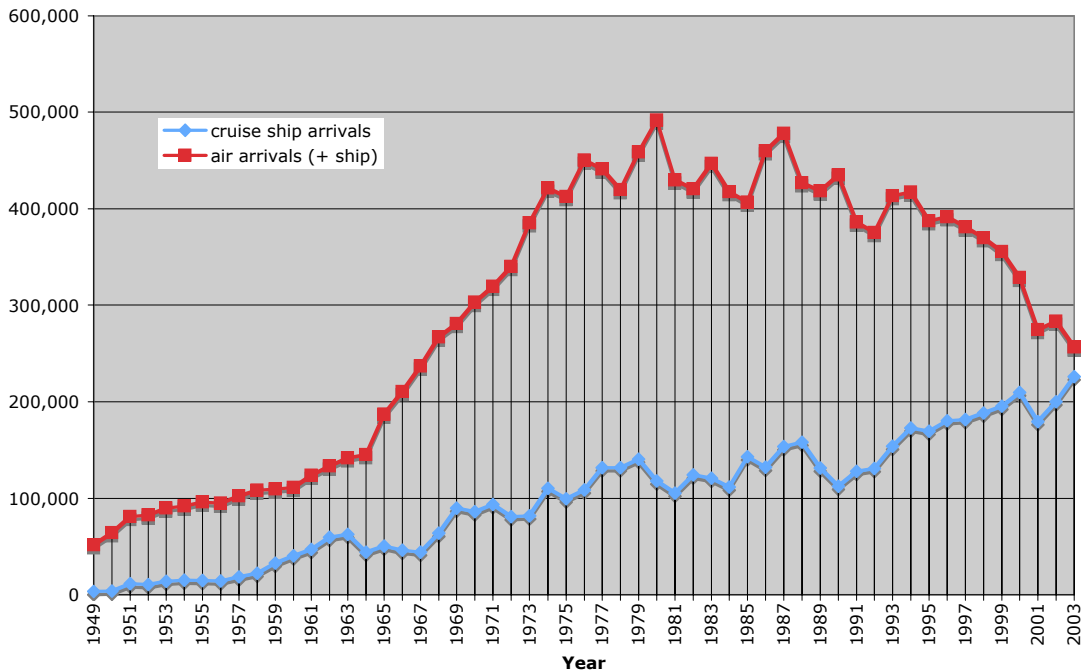


Figure 1. Tourist arrivals 1949-2003. Air arrival statistics for 1949 to 1979 include arrivals on ships other than cruise ships. These passengers are assumed to have moved into tourist residences upon arrival.

From 1988 to 2003, tourists arriving by air declined by an average of over 13,700 per year. The reasons for the decline are varied and complex. Islands to the south and other new destinations have become more competitive and are mining our traditional markets. Our weather is quite temperate, however Bermuda cannot guarantee the same constant intensity of sunshine that visitors look for in a ‘Caribbean’ experience. The price tag for a vacation in our Caribbean counterparts is often more attractive, mainly because their costs of living are less than ours and that is reflected in their rates. The period of deregulation of the airlines, 1978-1983, sent airline ticket costs up, making just getting to a Bermuda vacation more expensive.⁷ In addition, our own progressive increases in labour costs, negotiated between the Bermuda Industrial Union and the Hotel Employers of Bermuda were passed on to visitors — further raising the cost of a Bermuda vacation. Bermuda’s traditional repeat visitor of the 50’s and 60’s have aged and in some cases passed on. And the attraction for new visitors is challenged by our new reputation as an overly expensive and “boring” destination.

⁷ Interview 25.

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Having fewer tourists, however, does not discharge us from the obligation to provide them with entertainment. It may be that providing high quality entertainment is a prerequisite to dispelling the boring label and attracting more tourists.

Fewer hotels and other venues

In the 1970's Bermuda had nine major hotels open. The Southampton Princess Hotel, the largest hotel to be constructed in Bermuda, opened in 1974. Ten new guest houses or cottage colonies opened in 1977. These were boom years for tourism.⁸

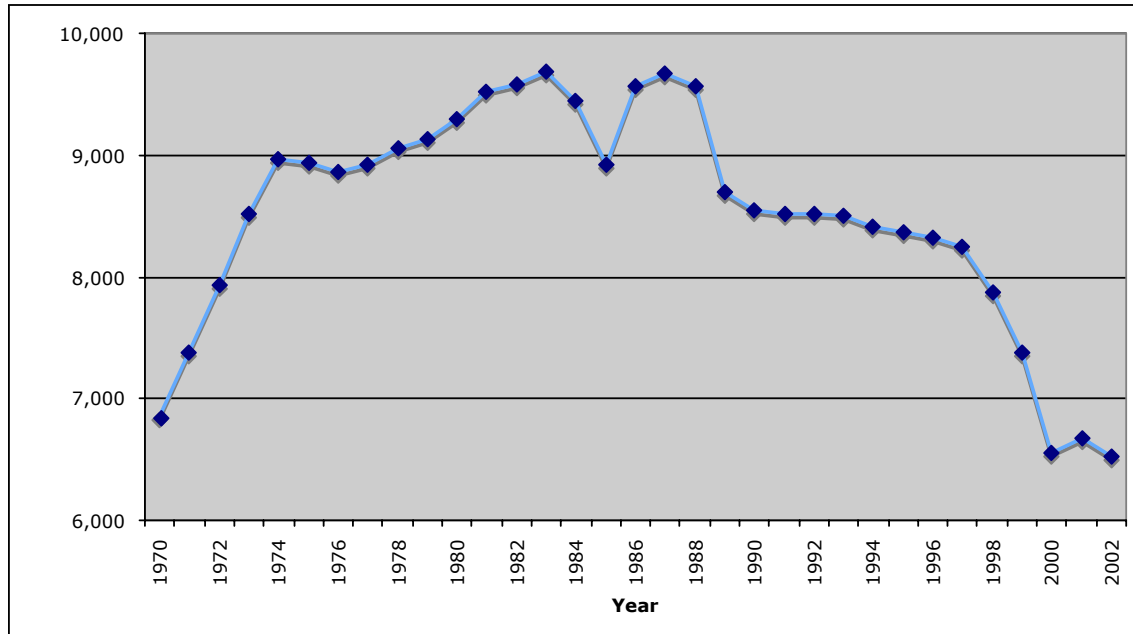


Figure 2. *Tourism Bed Count, yearly average. By the turn of the century, Bermuda had fewer beds for tourists than thirty years earlier in 1970.*

The decline in the industry was heralded in 1983 by the closing of the Coral Island Hotel in November of that year. For two consecutive years in 1987 and 1988, the Island saw fifteen tourist facilities close, including the 478-bed Bermudiana Hotel, while no new facilities opened. Overall, between 1983 and 2002 the tourism industry suffered a net closure of 43 properties, reducing the bed count by 3,168.⁹

Many of the nightclubs that were home to live music have also closed. Some of the more popular names of entertainment spots now gone include the Ecarté, Jungle Room, El Matador, the 40 Thieves Club, the Musicians Club, ABC and the Clayhouse Inn. As tourist accommodations and nightspots have closed — mainly in consequence of declining tourist numbers — the job opportunities for entertainers have shrunk.

Outdoor venues, including beaches, parks and sports stadiums would seem to lend themselves to more extensive use for entertainment. Outdoor venues can take advantage

⁸ See Appendix 2: Licensed Hotel Property Closures and Openings from 1977-1998.

⁹ BHA, "List of Licensed Hotel Property Closures and Openings from 1977-1998"; BHA, "Property Closures between 1990-2000"; BHA, "Properties Closed & Opened 2001-2003"; Department of Tourism, "Bed Count History".

of Bermuda's mild climate and clean environment. Because of the Island's size and high population density, it may be difficult to find a location for outdoor events where noise would not be a problem for neighbours. Other issues of trash and damage to grass have reduced wide acceptance of some venues. Creative solutions will need to be found ranging from sound barriers to including neighbours in the festivities. Similar approaches to other issues will help, as will flexibility and tolerance from all sides. *We must seek more creative use of outdoor venues and practicable solutions to issues of noise and surface damage.* (G2)¹⁰

The Ruth Seaton James Center for the Performing Arts would seem to be an ideal venue for shows reminiscent of the Battles of the Bands. Such events would be useful for showcasing young or new talent and for training in many of the entertainment support systems such as sound, lighting, and stage and performer management. The Bermuda Festival has shown that this venue can be filled when events are well organised and promoted. One assumes the new senior secondary school will have a matching auditorium that can also be utilized. *Existing auditoriums present opportunities for multipurpose service to the entertainment world.* (G2)

Anecdotal reports place street minstrels performing in St. George during the 40's and 50's although to solicit money in this way is currently prohibited in both Hamilton and St. George by legislation, some of it quite ancient.¹¹ The Harbour Night events in Hamilton and the Market Night events in St. George are ripe for a number of innovative entertainment opportunities. One Front Street merchant hires a solo performer to play at the entrance; several nightspots hire entertainment to lure customers; the Chamber of Commerce (CofC) has hired singles and duo entertainers to perform in the street. The Town of St. George also engages a solo performer to roam the Square.

Open-air tourist hubs at the center and ends of the Island lend themselves to busking, public performances of the soapbox type where the audience is moved to donate money or purchase performers' product based mostly on the caliber of one's performance.¹² *To this end WEDCo and the Corporations of Hamilton and St. George may well be open to set aside outdoor venues for busking. This will require some revision of existing laws and policies but if thought through and reviewed until working properly, the town centers as well as the performers could benefit.* (G2)

Public performers in Bermuda seem to lack a certain pizzazz or showmanship observed in street performers in the Americas or Europe. Rather than a criticism, this observation should open an avenue for the expansion of local talent. *Part of the training for entertainers should include aspects of theatre and self-promotion.* (M5)

It is unlikely that Bermuda will see substantial growth in tourism in the near future. *Thus we will need to look outside tourism for growth in the entertainment market. In the long term this may turn out to be a more sustainable path as, with the benefit of hindsight we*

¹⁰ Throughout the text, letters/numbers in brackets refer to specific points in the Solutions Matrix at the end of the Report.

¹¹ The Hamilton Traffic and Sidewalks Ordinance 1988, Section 28(f) states "No person shall sell or offer or expose for sale any goods or services on any street." The penalty is set down in the Municipalities Act 1923. In St. George the activity would be covered by the Advertising Regulations Act of 1911.

¹² Interview 13.

can see the danger in having the entire entertainment industry pegged so tightly to tourism. (G1)

GOVERNMENT ISSUES

The government is an easy target if one looks to assign blame for the things that affected the industry: the downturn in tourism, the decrease in performance venues and the real or perceived decline in performance standards. In fairness, Bermuda's government has at times responded decisively to shore up the entertainment industry as a whole and address the plight of performers in particular. Policies, for example, to encourage hotels to hire locals through legislated concessions via the Hotel Concessions Act, and protect local musicians against unfair competition from foreign musicians via immigration processes, were undoubtedly well intentioned and had some success. However, both these examples have had flaws: the Hotel Concessions Act has proved impracticable, and immigration procedures are challenged by entertainment employers as too cumbersome. The government's intent is compromised by insufficient follow-up.

The government is but one player in what will need to be a community-wide effort to revitalize the performance industry. Its role is key in shaping policy, and in catalyzing performers, employers and the Bermuda public to join the effort.

Philosophy

In the 1960's and earlier, the Bermuda government supported or at least acquiesced in the thrust of hotel operators that local music entertainment be tailored to their chosen tourism image of Bermuda as an "island" destination. Certainly the notion that black entertainers be treated differently and paid less than white ones fit well with the segregation policies of the day. Bermuda had no indigenous music form and our only identifiable performing art, the Gombeys, did not lend itself to in-hotel tourist entertainment. It appears that hoteliers decided that local entertainers they hired would fit the "island" image. The leadership of the BFMVA went along with this move. Although there were many local musicians who were playing the big band sound popular in the USA and young musicians who were tuned in to the early rock music, few of these found jobs in the major tourist hotels. For the subsequent decades, the hoteliers shaped live entertainment. (See section on Dictating to Musicians — the calypso imposition)

Citing economic reasons, hoteliers cut back on live entertainment in the 80's and 90's, replacing it with canned or piped in music. The government intervened when prompted by complaints or unrest but essentially left the industry to fend for itself. The policy was shortsighted insofar as it permitted musicianship to languish, which in turn reduced the overall quality of the entertainment product. Now nearly half of our tourism is afloat on cruise ships that carry their own entertainment with them.¹³

Exit surveys at the airport have long reflected our visitors' dismay at having nothing to do at night and the lack of local entertainment.¹⁴ Several interviewees described Bermuda

¹³ Interview 33.

¹⁴ Interview 4, 49.

as “boring.” *The government can spark a recovery through an incentive policy asserting that live entertainment be part and parcel of hotel vacation experience.*¹⁵ (G14)

While the act of commissioning this Report evidences the current administration’s intention to revitalize Bermuda’s entertainment scene, there are other aspects of the problem where government intervention would help.

As a start, we might recognise that the twin pillars of our economy, tourism and international business, are not economic opponents. Instead, they are complementary aspect of our tourist economy. *The preferred view would be that Bermuda has two kinds of tourism, leisure tourism and business tourism, both of which will have an enhanced experience if we provide them with live entertainment.*¹⁶ (G17)

Education

Most successful musicians had some music training during their formative years. Music training has been found, in addition to developing musicianship, to have a positive effect on a student’s entire education experience.¹⁷ While most of the Island’s private schools have had continuous music programmes for several decades, music education in the public schools has been inconsistent and generally inadequate.

Complaints are that there has been little or no attempt to identify and cultivate students with musical talent and that there is little funding for high-level music attention such as through an “artist in residence” programme in the schools.¹⁸ Several musicians have advocated for a music school where the objective would be to turn out musicians of the caliber of Lance Hayward (piano), Ghandi Burgess (trumpet) and Tootsie Bean (drums).¹⁹ *A music school could also provide a venue for professional musicians to rehearse and experiment.* (G20)

As part of music education, our young people need instruction in music appreciation (G20) so they can discern good music from bad; and diplomacy so they can critique (inspire improvement) rather than criticize (point only to what’s wrong).

The public schools music programme is currently being driven by musician Shine Hayward who holds the post Education Officer (Arts) in the Ministry of Education. His plan is to acquire arts teachers and resources enough to create a continuous program through middle and high schools as a way of feeding young people into the live performance industry. He intends that students identified as having talent will be given special attention to cultivate that talent. *Mr. Hayward should be given the resources he needs to put together a comprehensive and stable performing arts programme as the foundation for a future cadre of skilled and qualified entertainers.* (G20)

¹⁵ Interview 35.

¹⁶ Interview 49.

¹⁷ “Research has shown that musical study develops critical thinking and self discipline skills and improves a child’s early cognitive development, basic math and reading abilities, self-esteem, SAT scores, ability to work in teams, spatial reasoning skills, and school attendance. Also, researchers have found that children involved with music education are more likely to graduate from high school and attend college, and are less likely to be involved with gangs and substance abuse.” - Persellin, D. C. (2002). *Research on Music Teaching and Learning During Elementary School Years*, from <http://www.music-research.org>.

¹⁸ Survey 31.

¹⁹ Interviews 8, 37.

Legislative policies

The government has legislative powers that can be used to foster health in the entertainment industry. As an example, the Hotel Concessions Act provides tax relief as an incentive to hire local entertainers. Unfortunately, several aspects of the Act linked to entertainment are not working as expected.²⁰ It appears, for example, that when hotels renovate they have not provided local entertainment, as required, after the renovations are complete.²¹ One aspect of the Concessions Act defers or removes the tax on alcohol and raises questions about exorbitant prices for mixed drinks at some establishments.

The government has an obligation to monitor and enforce the legislation it enacts. It has also an obligation to review this and other policies intended to support local entertainment and revise them if necessary. Once revised, a similar concessions policy might be effective with smaller venues. (V11)

Another well-meaning policy seems to work in ways not intended. The Liquor Licensing legislation allows restaurants/pubs to become pseudo nightclubs by being able to stay open just as late while paying one-third the licensing fees, in effect squeezing genuine nightclubs out of business.²² At the same time *de facto* nightclubs — such as Hubie’s on Angle Street which is supporting a band one night a week — have to close at 10pm; a hardship for the bands, the venues and their clients, particularly tourists. *The Liquor Licensing legislation ought be revised so that legitimate nightclubs do not face unfair competition from restaurants/pubs.* (V11)

Many musicians and venue operators are unclear on who is responsible for rendering employment tax and the hospital levy. The issue hinges on whether a particular performer is an “employee” or an “independent contractor”. *The government could help by delivering clarity on tax policies. An entertainers’ association has a role to play in schooling its members on this and other relevant government policies.* (G13)

Most employers hiring musicians pay the maximum payroll tax rate of 12.75%.²³ Employers pay eight percent of this; the remainder is supposed to be deducted from the employees’ wages. In its worst light, it appears that employers are being taxed to hire entertainers. The Republic of Ireland has a tax policy designed to encourage creativity in which artists (along with songwriters and other artistic creators) can claim exemption from taxation on their domestic earnings.²⁴ *One incentive that might be offered locally is some relief on the employment tax for performers and for employers who hire local entertainers.* (V11)

In dealing with employers, it would be helpful to remember that the carrot is likely to be more effective in the long run than the stick. Providing benefits, then soliciting aid is likely to work far more smoothly for all involved than imposing contentious policies then having to monitor, enforce and punish.

²⁰ Interview 35.

²¹ Interview 40.

²² Interview 34; The Liquor Licence Act 1974, second and third schedules.

²³ Interview 6; Payroll Tax Act 1995 (as amended).

²⁴ See Appendix 6: Policies from other countries.

Immigration (see also “Foreign entertainers” below)

Perhaps the most troublesome of government policies is linked to the issue of foreign versus local entertainers. Headline acts like the great singers Sarah Vaughn and Tom Jones, and great musicians like Count Basie and Duke Ellington are not the subject of contention as in most cases local performers have provided the opening acts for these international stars. However, when lesser entertainers from overseas have been imported, local performers have often felt unfairly treated. In some cases, foreign entertainers have had contracts and work permits that give them employment the whole year through, and may have been provided with benefits of housing and meals. Local entertainers are rarely afforded such perks and even more rarely have had work guaranteed through the winter months. While the details of situations have changed over the years, the perception persists that money that could go to unemployed or under-employed local musicians was instead going to musicians imported from overseas.

The issue is not simple. Venue operators of theme restaurants or pubs may justifiably wish to have a musical outfit that reflects their niche clientele. Local performers may feel their repertoires can adequately fulfill the proprietor’s needs while the proprietors themselves may hold a different view. Some local performers have expressed the view that capable locals should not be out of work if there is work available and that the wishes of venue operators should not take precedence if local livelihood is at stake. Venue operators counter with questions about real capability and resentment that they may be denied autonomous management of their private establishments.

The issue is further complicated by the legacy of past policies. As explained in the section below (Dictating to musicians — the Calypso imposition), hoteliers once insisted that local performers play only calypso type music, to the point that performers who did not devote their repertoires to so called ‘island music’ were not hired. Present day proprietors generally view older calypso-playing musicians with disdain and declare emphatically that this music does not suit their clientele.

Variations of a policy theme have been put into place at times over the years. That theme said, in essence:

- a proprietor must place a suitably worded newspaper advert for the position and show that those who applied, if any, were not fit for the position;
- if a suitable Bermudian entertainer is not available a proprietor may hire someone from overseas; and
- if a venue does hire a foreign entertainer, it must also hire a local to play alongside.

This policy worked with the hotels, to some degree. As one example of its success, when the Follies show was introduced to Bermuda at the Hamilton Princess Hotel, immigration policy stipulated that local acts perform also. Were it not for that policy, the hotel would have brought in additional foreign entertainment.²⁵ However, smaller venues have resisted the policy, claiming their revenue streams might be stretched to hire two outfits for the same audience. In some cases, the intent of the policy was thwarted by having

²⁵ Interview 23.

local entertainers perform at times when audiences were guaranteed to be small, giving credence to claims that locals were unsuitable. In some cases adverts were placed that appeared tailor made for a particular foreign entertainer, worded so that virtually no local could fit the criteria.²⁶

Another facet of the policy theme was for the Department of Immigration to seek comments from the BFMVA on each application for a work permit for a foreign entertainer. While sensible on the surface, and working satisfactorily in other locales²⁷ the policy as practiced here is subject to misunderstanding and abuse, and consequently mistrust.²⁸ Venue operators complain that the turnaround time for applications has been unacceptably lengthened by the policy.²⁹ They suspect that for quite some time, perhaps a decade or more, the union has not been fully functional and applications have been vetted solely by the erstwhile President and routinely given thumbs down. The union for its part claimed never to know whether its objections on a given application were accepted or not. The policy as practiced satisfies no one completely.³⁰

The goal must be to balance the need local entertainers have to be employed with the needs of venue operators to find appropriate entertainment for their venues. The processes of attaining the goal should enable rather than hinder the camaraderie and cross fertilization that can occur when foreign and local musicians are not cast into competitive roles.

A spirit of cooperation could facilitate the passage of work permit applications. However, the Department of Immigration must work with venue operators and local entertainers to streamline the process. (G16) An entertainers' union could be a realistic assessor of music talent and assist musicians below standard to improve their craft and develop a suitable self-promotional packet. (M7) An entertainers' association must accept that an atmosphere of fear and mistrust works against the industry in general and local entertainers in particular, and must operate in ways that instead foster cooperation and trust. (V10) Entertainers must become skilled and versatile enough to satisfy all but the most narrow of music niches. (M7)

At one time, foreign musicians paid dues to the local musicians union, a practice common in other jurisdictions. *A renewed union or association should re-establish reciprocal agreements with overseas unions. (G12)*

Cruise ships

At one time, passengers on cruise ships were steered to nighttime entertainment in our hotels and nightclubs. Apparently that no longer occurs. Certainly the “Bermuda Project” put together by John White and the “Bermuda Live” by Exotique, both in 2001, could have benefited from cruise passengers as both shows failed because of low attendance. Neither event was attended by passengers from cruise ships in port at the time.³¹

²⁶ Interview 20, RG ad sample (BIC).

²⁷ Canada, Ireland and the UK, for example.

²⁸ Interview 40.

²⁹ Interview 6.

³⁰ Interview 7.

³¹ Interviews 25, 26.

The government should move to re-establish the cooperation that once existed enabling cruise ship passengers to attend events featuring local performers and local entertainers to perform onboard.³² (G9) In addition, some way acceptable to venue operators and the performers' association ought be found for cruise ship and local musicians to jam together. (M8)

PERFORMERS' ISSUES

Without being fully aware of it, Bermuda's performers have effectively been steered toward mediocrity by practices that encouraged primitive island-type shows and music, and discouraged professional aspirations (see below: Dictating to musicians — the Calypso imposition). However, there is more at stake than condemning this legacy. It is more important that musicians reject the forces, those past and those current, that would have them aim for anything less than excellence. In today's restricted market, live music has to be very good to get attention. While some performers have been able to obtain steady employment, others have had difficulty. Many of the factors are outside of the performers direct influence. There are, however, aspects of the issues that entertainers themselves can address.

Criticisms about entertainers

- Unreliability, as in showing up late or showing up without adequate equipment to do the job, or sometimes not showing up at all;³³
- Poor work ethic, as in playing shortened sets and taking extended breaks, 'fraternising' with guests, turning up drunk or drugged (this issue is compounded by the role alcohol plays in tourist entertainment),³⁴
- Poor musicianship, as in displaying limited technique and repertoire (not wanting to learn so-called standards),³⁵ shoddy renditions of songs, not staying current to music trends or changes in audience preferences;³⁶
- Lack of pride and cultivation of professionalism, as in overly casual appearance and presentation, poorly maintained equipment, and inadequate attention to upgrading skills and repertoires;
- Lack of organizational, promotional and business skills;
- Claims of overpricing;³⁷
- Poor attitude, difficulty or unwillingness to communicate, inflexibility and lack of humility;
- Backbiting within the industry, as in musicians talking negatively about each other, undercutting each other, not acknowledging each other's musicianship;³⁸

³² Interview 44.

³³ Interviews 5, 35

³⁴ Interviews 1, 28.

³⁵ Interview 26.

³⁶ Interview 8.

³⁷ Interview 5.

³⁸ Interview 8.

- Insensitivity, as in playing overly loud, or playing to the performer's taste rather than to that of the audience.

These criticisms do not apply in the same degree to all performers. There are many good and steady musicians some of whom are fully employed in their craft. However, the climate of disdain caused by the worst offenders affects everyone.

Most of these issues are related to training and professional conduct. These skills and qualities would, in other professions, be imparted by the educational curriculum and an 'apprenticeship' period during which one is inculcated with mores and principles. *There is a role here for mentors and a performers' association to instill professional and ethical values in budding entertainers.* (M1)

The issue of pricing is a troublesome one. A majority of respondents to the questionnaire did not answer the question "how much are you paid for performing?" Upon further probing, the primary concern that emerged was of being undercut by other performers. Such a situation is ripe for exploitation by employers — they know the prices asked by every seeker of work, while the seekers each know only their own asking price. During the good years, musicians were getting good wages. When work was cut back and the season shortened, some tried to compensate for the shorter workweek and shorter season by increasing their prices. The wage scales agreed upon by the HEB and the BFMVA in their Collective Bargaining Agreement (1985-1988) were also thought by some to be inflationary. *However, the concept of a standardized minimum wage has merit.* (C1)

Music performers need to take the initiative for being responsible, reliable and professional employees. (M1, M13) *They must also develop a pride in their craft; advance their technique, repertoire and presentation; and seek to acquire support skills of marketing and business organisation.* (M5, M6) *It would help for performers to view communication and relationship-building skills as vital to success in employment and in relationships with colleagues.*³⁹ (M10)

Criticisms from entertainers

- Mistrust, poor communication and unhealthy relationship between venue operators and musicians;
- Disc Jockeys taking jobs formerly done by musicians. (DJs don't have to pay for the music they're spinning and musicians lose out twice — they don't get the job and they don't get paid for the music being played at that particular job.);
- Electronic backup for singers and instrumentalists cuts into work for musicians. Sometimes pre-recorded backup masks inferior musicianship;
- No major educational programs in place to encourage young people to become musicians; no school or marching bands of note;⁴⁰
- Lack of respect for musicians;

³⁹ Interview 26.

⁴⁰ Interview 12.

- Difficult to practice adequately if working daytime job; difficult to support oneself (not to mention a family) if not working a daytime job;
- Hotel food and beverage managers have a poor attitude toward and opinion of local musicians (see section below: Entertainment as food and beverage line item);
- Ineffective musicians' union, consequently poor representation to employers' unions/associations and no champion for performers' benefits (pensions, health insurance, workmen's compensation/sick benefits);
- Entertainers are under-recognised, under-respected and underpaid;
- Entertainment support industry is underdeveloped (song writers, producers, distributors, recording studio graphic artists);⁴¹
- Lack of exposure to other music and musicians;
- Much of the music currently popular offers little musical challenge (musicians don't have to know their instruments to play two or three chords). If performers can't grow musically and mentally then participating in the industry is a waste of time.⁴²

Many of these issues require organised effort for them to be addressed. *A first step for entertainers will be to re-vitalise their union or to form a new association.* (M14)

Discerning listeners will inevitably prefer good live music to canned music. *A campaign to educate local audiences in support of live music would best be initiated and sustained by an entertainers' association.* (C2) *Similarly, issues of wages, benefits, negotiations with employers, education, respect and an industry infrastructure would most effectively be tackled by an association or union.* (C1)

Respect and pride are related. If pride and self-respect are present and high among entertainers, respect from the outside, whether from employers, audiences or the broader community, will be easier to achieve. As a way of increasing pride, it would be useful to record and display the academic and professional accomplishments of our musical giants. *A performers' association in partnership with the government would do justice by instituting regular Award Ceremonies, music history units in our schools and ultimately a Performing Artists Hall of Fame.* (G19)

Technology

Technological development has had a major impact on live music performance. Electronic pianos with their multiple sound outputs increased the versatility of performers. The development of electronic instruments from saxophones to drums allowed skilled musicians to expand their product. They also gave new or less skilled musicians the ability to sound better than they actually were.⁴³ Further electronic evolution produced keyboard synthesizers that could imitate most backup musicians or singers, leading eventually to backups recorded on CDs that replicated the best of bandsmen. The advantage for the performer included reduced costs for backup music and

⁴¹ Survey 31.

⁴² Interviews 26, 37.

⁴³ Interview 20.

the reduced relationship issues from not having to deal with live bandmen. The downsides are that there are now fewer jobs for former sidemen, fewer opportunities for the exchange of musical ideas and techniques, and a greater likelihood of musical isolation. While canned music is cheaper, the listener is deprived of the live experience.

The disco era spawned professional mobile disk jockeys who were able to play any recorded music at any venue. For less than the price of a band, event holders could have their selection of music and music types. Professional DJs became MCs, sometimes imposing their own personalities on the music and the events. (See section on Discos below) While the art of being a DJ is attractive to those interested in music and technology, all music and entertainment depends on live performance, whether of the moment or recorded.

Electronic gaming machines were another technological development that intruded into the entertainment scene. The proliferation of gaming machines in some bars and nightclubs in 2002 put some entertainers out of work.⁴⁴ Electronic gambling entertainment was more convenient and more lucrative to venue operators than live music. The recent ban on gaming machines may inspire club owners to return to live entertainment.⁴⁵ *Should gaming or casinos be permitted in the future the facilities should be licensed and their licenses require live entertainment.* (G21)

Technology can enhance or short-circuit professional development and distort the presentation of entertainment. *Audiences will need to be educated so as to discern between musicians who use technology to disguise their ability and those who use it to advance their musicianship. The ideal vectors for such audience education are music schools and a musicians' association.* (M12)

The Bermuda Federation of Musicians and Variety Artists (The Musicians' Union)

Individual musicians have limited ability to influence the larger music industry. Their ability as individuals to negotiate for wages and benefits is also limited. Some performers do well at this, some do not. The evolution of the industry has produced two bodies that represent entertainment employers. The Chamber of Commerce Restaurant Division (CofC) acts much as a union for restaurant and pub owners. The Bermuda Hotel Association (BHA) performs a similar function for hoteliers. In this climate it is essential that performing artists have an association to represent their collective interests in dealing with employers and with the government. A brief history of the musicians' union in Bermuda follows.

Life was hard for local musicians in the 1950's and early 1960's. Wages were depressed, working conditions were poor and expectations of their musicianship were low. While foreign bands worked all year through, locals would get a note in September to 'take a hike' until the spring.⁴⁶ Foreign and white band members had lockers in dressing rooms⁴⁷ while black local entertainers had to change clothes in the kitchens or in the open area

⁴⁴ Interview 41

⁴⁵ Taylor, M. "Bar owners predict job losses from gaming ban". *The Royal Gazette*. 1 July 2004.

⁴⁶ Interview 21.

⁴⁷ Interview 28.

backstage.⁴⁸ As stated in the section on calypso (below), the hotels wanted locals to play only Island type music.⁴⁹ One hotel manager went so far as to say Bermudian performers should ‘run around with grass skirts on and no shoes and just jump up and down.’⁵⁰ A local troupe that hired a music director and choreographer to fine-tune their show were rewarded with complaints from the hotels that their act was “too professional.”⁵¹

This type of treatment spurred local musicians and entertainers to band together. They founded Bermuda Musicians and Entertainers Union, as it was originally called, in the early 1950’s. Notes of an early meeting suggest that the top priorities were wages in general and the establishment of a minimum wage in particular. The notes also made reference to some hostility in the community about the Union’s existence.⁵² In 1965 the Bermuda Legislature passed the Trade Union Act and in April 1966 the BFMVA registered as a trade union with the Registrar General. The BFMVA was modeled after similar organisations in Canada and the USA and its Constitution reflected theirs.

The Musicians Union became a focal point for two perennial struggles in Bermuda, distribution of economic and policy benefits between blacks and whites, and between Bermudians and foreigners.

For example, from the standpoint of the hotel owners and upper management, who invariably were white, and Bermuda’s power structure at the time, also white, it would have been quite proper that a foreign white musician at a given venue be elevated to the post of Music Director (elevating a black local to such a position of power over white musicians would have been unheard of). From the standpoint of black local musicians, having a foreigner who had been imported originally to work as a musician given the power to hire, fire and dictate conditions was an affront— a betrayal of their birthright and, in some cases, of their professional seniority. Perhaps the ultimate expression in those days of the ensuing resentment was the insertion in the Musicians Union Constitution of a clause restricting Executive Committee posts in the Union to persons “born in Bermuda.”⁵³

As the Union’s membership and its strength grew, it became a respected negotiator for musicians’ issues. It achieved numerous gains for entertainers including reciprocal performance opportunities in the Canada, the UK and the USA; government support for the protection of jobs for local musicians; and agreements with hoteliers on wages, working conditions and a guaranteed working season. The union set up funding schemes for sick benefits and scholarships for promising young musicians.

Along with the union’s growing influence, the position of union President began to wield greater weight and notability in the community. Unfortunately, the power lent itself to abuses. Numerous comments from ordinary and Executive members of the union indicate that at least two presidents of the body derived more benefit from the union’s power than did the membership. They and/or their bands had the cream of the jobs when plentiful,

⁴⁸ Interview 39.

⁴⁹ Interviews, 9, 42.

⁵⁰ Interview 39, citing Pierre Rollinger, general manager of Bermudiana Hotel.

⁵¹ Interview 39.

⁵² Minutes of a meeting of the Bermuda Musicians and Entertainers Union, Sunday 7 February 1954.

⁵³ Bermuda Federation of Musicians and Variety Artists, Constitution, Clause 15.2.

and worked steadily even when jobs were scarce. Perhaps the most damning evidence is in the changes made to the BFMVA's Constitution in 1974.⁵⁴ The overall effect of these changes was to make it difficult if not impossible to unseat a sitting President and, to a lesser extent, other Executive Officers.

Many musicians have felt that the union leadership at times was more inclined to placate hoteliers than champion the causes of the membership. We heard from ordinary and Executive members that having working performers in leadership positions created conflicts in that it can be difficult to negotiate persuasively with one's own employers. Loss of faith in the leadership combined with the downturn in jobs in the 1980's led to a decline in union membership to the point where it is questionable whether the BFMVA has been able to meet its own Constitutional obligations of Annual General Membership meetings or monthly Executive Committee meetings. The organisation has also not fulfilled the requirements of the Trade Union legislation for submitting audited accounts.

There is a pressing need for an organisation to represent the interests of entertainers and musicians. When the hotels cut back entertainment as their first step in reducing costs, the cuts would not likely have been so dramatic or so deep if the Musicians Union had had a stronger presence.⁵⁵ Performers are seeking such an association. Hoteliers would also welcome a strong union if for no other reason than it is more efficient to negotiate with a single representative entity than a multitude of individual musicians.⁵⁶

An effective performers' association would be able to provide or negotiate for the following benefits and services:

- Fair wages including overtime and holiday pay;
- Pensions, sick pay and health insurance;
- Reciprocity for locals wanting to work abroad;
- Fair practice in the hiring of local vs. foreign performers;
- Training in skills of marketing and self promotion, and contracting;
- A Code of Conduct for performers;
- Realistic assessment of musicianship;
- A website for listing available performers, and job and training opportunities locally and overseas;
- A building with practice and teaching rooms and a performance hall;
- Liaise with meeting planners in the larger 'exempted companies' to line up performance possibilities for new or experienced members;
- Performance, recording and publishing copyright services;
- Monitor the live performance scene.

⁵⁴ see Appendix 4: The BFMVA Constitution – significant changes.

⁵⁵ Interview 25.

⁵⁶ Interview 35.

Inquiry into and Report on

MUSICIANS AND THE ENTERTAINMENT INDUSTRY IN BERMUDA

In reconstructing an effective association of performers, it may be impossible to do justice to the goals of an association within the existing union framework. The legacy of political baggage and abuses of power may be an insurmountable drag. The work to displace Executive members hanging on to power, build up the membership, restructure the Constitution, and overcome the culture of ill will may sap the initiative of even the best-intentioned new blood.

The current situation is untenable. The Union has lost the confidence of musicians who, consequently, are reluctant to join. Without members, the Union has limited funds, few activities, if any, and virtually zero effectiveness. In addition, the Union's failure for several years to submit audited statements of accounts to the Registrar General as required by Section 18 of the Trade Union Act puts the government in an awkward position.

A union or professional association of performers is the most vital ingredient in the industry's recovery. It may be more productive to make a new start, incorporating the strengths of the existing union format while avoiding the traditionally adversarial style and potential for concentration and abuses of power. In particular, it may be better if the leader of the organisation is not a working musician, and for there to be term limits for Executive Committee members. A first step for the government would be to appoint a facilitator to assist entertainers in working through the existing obstacles to revitalizing or reforming the Musicians Union. (M14)

VENUE OPERATORS' ISSUES

Bermuda's venues for musical performances include hotels, restaurants, pubs and nightclubs. Some issues involve all venues; some are specific to one or another of the categories. We will deal with the more common issues first.

The general decline in venues was dealt with at the beginning of this section. Many of the concerns expressed by venue operators have already been listed in the segments on government and performers. Similarly, several criticisms of vendors are already in the record.

Perhaps the biggest obstacle to resolving issues is the residual mistrust, in some cases hostility, and generally poor relationship and communication between vendors and musicians. On one hand, there is among some venue operators a negative perception and a lack of respect for local musicians. On the other is resentment that venue owners dictate what is required of musicians, sometimes driven more by their personal tastes or theme,⁵⁷ than by genuine customer preferences; that venue operators take advantage of entertainers for wages and benefits; and that vendors sometimes seem to prefer foreign entertainers to locals.

It is not easy to sort fiction from fact. As an example, we were told repeatedly that the costs and effort to bring in foreign entertainment was so much greater than hiring locals

⁵⁷ Interview 17.

that it was only done as a last resort. However, one local entertainment employer boasted of being able to get foreign entertainment far cheaper than local performers.⁵⁸

Hotel policies

Several “events” were significant in the evolution of entertainment in hotels beginning in the 1960’s with the growth in Bermuda’s tourist fortunes. The disco phenomenon, the arrival of Greg Thompson’s Follies, the hotel workers strike in 1981 and the placing of Food and Beverage managers in position to hire and fire musicians were all entertainment milestones. Before reviewing these events it will be good to explore the power of the hotels to shape Bermuda’s musical identity.

Hotels have been the major employers of entertainment in Bermuda. In that light, musicians and music development owe a great debt to the owners and operators of these venue providers. During the period of growth in tourism, hotels expanded their facilities. All the major hotels had nightclubs and several had lounges and other more intimate entertainment rooms. The nightclubs featured house bands and a weekly rotation of various shows and musical reviews. While the house bands typically played “society music,” the reviews had more of a Caribbean island flavour.

Dictating to musicians — the Calypso imposition

Bermuda’s black peoples have their roots largely in the Caribbean. Immigrants from the Islands brought with them the rhythm and dance forms that have survived in Bermuda as the Gombeys. They also brought the Calypso music form that had taken hold in Trinidad and was popular throughout the West Indies. Calypsos are stories, often spontaneous, about people or current events put to simple melodies and rhythmic music thought to be rooted in the habanera, a dance form originating in Havana, Cuba.⁵⁹

While calypso music has its place in the cultural origins of many in Bermuda’s black population, its role is not central to Bermudian culture. Calypso became a phenomenon, worldwide as in Bermuda, with the release in 1956 of Harry Belafonte’s record album by that name.

Bermudian hoteliers in the late fifties and sixties began insisting that local musicians play calypso — they wanted in Bermuda what they were hearing in the Caribbean islands.⁶⁰ Musicians were told they would have to play calypso. Those who agreed to play calypso kept their jobs. This cultural struggle, for surely that is what it was, was reflected in the internal struggles of the Musicians Union. While several non-calypsonians served as Union President for a term or so, executive positions have been dominated by entertainers associated with the calypso genre. Several musicians expressed the opinion that one Union president tacitly agreed with the hoteliers that local entertainment in the hotels should be of that Caribbean island flavour. However, the people who made the decision about calypso being the local music of choice in the hotels weren’t operating in

⁵⁸ Interview 3.

⁵⁹ Adams, A. A. (1955, May 1955). Whence came the Calypso. *The Caribbean*, 8(10), pp. 218-220, 230, 235.

⁶⁰ Interview 22.

Bermuda's or musicians' best interest. Inadvertently they throttled local music development.⁶¹

The immediate outcome was that among black performers, only those willing to present an island/calypso front would be hired. Those who would not yield to this cultural imposition just would not get work.

In Trinidad and other Caribbean islands calypso thrived from the competitions at which composers and performers could do musical battle. These varied from small gatherings in market towns to the large annual carnivals. Bermuda has no markets or festivals or carnival or any other similar gatherings — no native mechanisms for calypso to be passed down and perpetuated. We are physically too distant for calypso activity in the Caribbean to have much regeneration effect here. Consequently, except for the period when calypso music was in demand by hoteliers and their tourist visitors, the art form has little local cultural sustenance.

Alongside the lack of nourishment for the genre, there is virtually no cultural space for its evolution. There is little requirement or opportunity for experimentation in chord or rhythm structure. There is little demand for the genre among local audiences. There are no theory courses or practical examinations and thus no way to move or measure progress. And there are no stages of professional advancement available, either for experimentation or remuneration.

Unfortunately, as for a time only the calypso-singing entertainers were getting steady work, there was little payoff for young, or older, musicians to pursue non-calypso music. And as calypso is more an art form than a technical proficiency, those who were playing the music and getting the paying jobs had little inspiration to better their raw musicianship — in many cases their repertoires remained limited and their performances repetitious.⁶² There are few opportunities and little encouragement for aspiring musicians to pursue the genre. The market for calypso as a musical product would appear to be on the wane.⁶³

The imposition of calypso as Bermuda's 'national' music form and the insistence that local black entertainers not only be calypsonians but retain a musically primitive approach to their craft has deprived a generation or two of musicians of the will and wherewithal to evolve musically. We are left with a generation of aging calypsonians with few, if any, young entertainers to fill their cultural footsteps, and a generation or two of budding musicians who have few models of success to inspire them.

Even for the most serious of musicians, denial of financial remuneration provides little incentive to maintain a practice regime (a musician who gets paid for his work is inspired to devote time to the betterment of his craft). Little practice means little possibility of growth. Thus, chances that a purely Bermudian music form would be launched from serious musicians were minimised. Chances that an indigenous music signature would evolve out of the calypso or DJ culture, for a time the only ones being paid to work, is also minimal. Thus that decision three or four decades ago to make calypso the music of

⁶¹ Interview 22.

⁶² Interview 32.

⁶³ Interview 26.

record for Bermuda steered our creative energy into a stream of music that had a limited future. It has deprived us of the conditions that would foster the unfolding of a truly Bermudian music art form.

In light of the unnatural focus on calypso music it would be easy to condemn the music form and reject its performance. Such attitude and action would be wrong, unjust and counter productive. No matter how or why calypso music gained prominence, it now has a legitimate place in our music culture. By far most musicians who have embraced calypso did so innocently. They must not be made to feel guilt or remorse; the damage done to their potential growth is already too much punishment. At the same time we must address the issue of giving adequate and balanced exposure to local music expressions other than those bearing the traditional “Island” flavour. *This means that to the degree this still occurs, hotels and other music employers must cease insisting that Bermudian music be cloaked in the Caribbean garb. It means also that the playing of Bermudian music over the airwaves must include a fair representation of all styles.* (C3) Calypso music should neither be exalted nor rejected.

While today’s hoteliers will say, quite rightly, that they were not the ones who stunted the growth of music and musicians all those years ago, *it would be helpful if they would understand and commit to resolving the bitterness caused by their predecessors’ policies and the very real legacy today’s musicians have inherited.* (V10)

Employers of entertainment in Bermuda may be correct in their assessment of the level of development, or lack of same, in Bermuda’s older musicians, but they also have inherited the sins of their fathers, as it were.

Of course there is no guarantee that, given a more supportive employment environment, an indigenous music form would have developed in Bermuda over these years. The population pool is relatively small and the pressures of maintaining our standard of living are high. However, the examples, among others, of the rise of reggae in Jamaica and the mambo in Cuba, and their global acceptance, illustrate what can occur when an Island’s performers of music are supported, nurtured and acknowledged. We must also not forget that from our tiny island and its small population base emerged the Bermuda sloop rig that revolutionized sailing around the world in the 17th century.⁶⁴

The effort to recover a vibrant performance industry will require education and training for youngsters, recognition and accelerated training for those found to be talented or gifted, support for the infrastructure of music development (instruments, practice facilities, performance venues, performance organisation, competition, recognition), and inspiration for performance careers (employment and employment benefits). (G20)

Foreign entertainment (see also “Immigration” above)

There has been a continuing struggle in Bermuda around the issue of foreign entertainment. Most local musicians at one time or another have viewed foreign musicians as depriving locals of work. However, with Bermuda’s limited audience pool, even the best of local performers become old hat to local audiences after not very long. In this light, foreign musicians provide a variety beyond the capability of our limited pool of

⁶⁴ <http://www.nationmaster.com/encyclopedia/Bermuda-sloop>.

local performers. This is an inevitable dynamic of a small community. There are also tendencies on the part of some Bermudians to look down on things Bermudian, an attitude that works against the acceptance of local performers by local audiences. This report is not the place for an in-depth look at self-hatred and its counterpart xenophobia.⁶⁵ However, it seems useful to note that cultural self-deprecation is among the recognised legacies of racism, colonialism and other forms of mass oppression.⁶⁶

The issue of foreign entertainers competing with locals for jobs crops up in every jurisdiction we were able to contact. Policies for dealing with the issue varied slightly in detail. In general the government agency charged with immigration matters will approve a request to hire a foreign musician once the local musicians' association affirms that there isn't a local musician who could do the job.⁶⁷ In some countries, promoters were required to hire local performers to play at the same venue alongside the foreign entertainers.

Bermuda's policies dealing with foreign entertainers are described in the section on Immigration above.

The policies that require venue operators to hire Bermudians alongside foreign entertainers have drawbacks. Some venue operators have devised ways to thwart the intent of the policy while appearing to carry it out.

- Hiring a three or four piece band then cutting it down to a duo or single;
- Placing the foreign band at predictably high-turnout times or days;
- Placing the local band at a time of day or day of the week or location that almost guarantees low audience turn out;
- Using the engineered low turnout to make a case that the local band is costing them money, or not good enough, or playing the wrong kind of music (this is not to say that all such claims are bogus).

The ill feelings that arise from such practices also work against local entertainers. As the prevalence of Bermudians as wait or bar staff diminishes,⁶⁸ the influence of ethnic prejudices works more to the advantage of non-Bermudian entertainment. Reports of hostility and aggressive behaviour from foreign staff toward Bermudians are discouraging. Although we heard no matching reports of inappropriate behaviour by locals toward foreigners, that is not evidence that they do not occur.

However, the exploiting of such behaviour to make local entertainers feel inferior or unwelcome at a venue is unconscionable, and should be stamped out.

The reality is that while the behaviour may well be stemmed, the feelings that prompted the behaviour are likely to persist in response to the policy.

Hoteliers and other venue operators may justifiably complain about intransigent attitudes among some local entertainers toward foreign entertainment but their own interests will

⁶⁵ xenophobia, definition: fear or hatred of foreigners.

⁶⁶ Sue PhD, D. W., & Sue, D. (1990). *Counseling the Culturally Different - Theory and Practice*. New York: John Wiley & Sons.

⁶⁷ See Appendix 6: Policies from other countries.

⁶⁸ Department of Statistics 2003 Employment Survey.

be best served if they appreciate the historic punitive role that a foreign workforce has played in these Islands. As employers, they hold a position of power that has in the past been exploited. *Venue operators are also in position to lead in the effort toward healing and reconstruction of the industry.* (V10)

In formulating and implementing policies, legislators and government departments must attempt to balance competing needs of local performers with those of venue operators and audiences. They must also keep in mind the human concerns for pride and autonomy that their policies may trigger. (G16) Heavy-handed policies may resolve an issue on paper but create disharmony in practice.

Discos

The disco craze in the 1970's contributed to the demise of nightclub entertainment in the hotels. Younger guests preferred attending discos at venues outside the hotel to the in-house nightclub fare. As nightclub attendance started to wane hotels began laying off their live musicians and either closing their nightclubs or converting them to discos.⁶⁹ Not only were discos cheaper to operate, because DJs were cheaper than live musicians, hotels learned that they could package the music. With a DJ they could have virtually every form of music on tap to suit whatever an audience could want at the very moment they wanted it.⁷⁰

Older visitors were still listening to the Talbot Brothers who continued to play at one hotel for many years, however their numbers were diminishing. In the main, hotel entertainment rooms were converted to discos and then to something else. Hotel nightclubs never came back.⁷¹

The Follies – the introduction and spread of Las Vegas style entertainment

At the Hamilton Princess, hoteliers were offered another alternative to expensive local live entertainment. When Greg Thompson proposed to put on a Las Vegas styled show far cheaper than the cost of local entertainment, the hoteliers were ready.

Within a few years Greg Thompson and the Follies had taken over the entertainment at two of the island's largest hotels. Other hotels followed the lead and put in Follies look-alike shows. Quite suddenly and rapidly, the remaining musicians began to lose their jobs or experience trickle down.⁷² For example at the Hamilton Princess, the house band was downsized to a quartet and relocated to the Gazebo, where a trio had been previously; the trio was now out of work. At the Southampton Princess, when Greg Thompson's routine took over the Empire Room, the hotel dispensed with local acts that used to open the show; thus ended the rotation circuit.

⁶⁹ Interviews 15, 35.

⁷⁰ Interview 37.

⁷¹ Interview 35.

⁷² Interviews 22, 27, 34.

Entertainment as food and beverage line item

By far the most common factor mentioned by interviewees, from musicians and entertainers to managers, was the move by hotels that gave food and beverage (F&B) managers the power to hire and fire musicians.

During the entertainment heyday, the larger hotels had entertainment directors who knew the music business. In smaller outfits, the hotel managers themselves handled entertainment.⁷³ These directors and managers generally had a keen and discerning interest in entertainment and viewed it as an essential element in the overall tourist experience. Some Hotels expected the nightclub rooms to stand on their own in making money, instead of viewing them as part of the guest experience. Hotel nightclubs with an outlet for food and drinks were expecting the cover charges and drinks to generate enough money to pay for the entertainment. So long as the room did fairly well everything was fine.⁷⁴ When hotel administrators decided to streamline their budgets, it may have seemed quite appropriate to shift entertainment to the duties of F&B managers. However, once entertainment was reduced to a line item on the F&B account sheet, it was fairly automatic that entertainment would be the first to be cut. The balance sheet at the end of the day would show that the biggest expense was salaries for the band — there was no profit return on the band.

If the room wasn't doing well then purely for economic reasons F&B would cut the band back from a quartet to a trio, then to a duo. Eventually they were advocating why have entertainment at all? The argument was that the hotel could just put TVs in all the rooms, raise the room rate and get rid of entertainment altogether. While such a move looked good on paper, in reality it resulted in people wandering around the hotel wondering where's the live entertainment.⁷⁵

Entertainers and some hoteliers still argue that salaries for performers should no more be charged to the food and beverage bottom line than should air conditioning, elevator service or swimming pool maintenance and life-guarding.⁷⁶

Leading the complaints about F&B managers were:

- They don't understand the music industry and were unfamiliar with the music scene;⁷⁷
- They were generally not at home with live music;
- Their opinions were generally that local musicians were little more than an expense item — one to be trimmed when cutting costs;⁷⁸

⁷³ Interview 25.

⁷⁴ Interview 26.

⁷⁵ Interview 28.

⁷⁶ Interviews 20, 25, 28, 49.

⁷⁷ Interview 18.

⁷⁸ Interviews, 20, 42.

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- They don't know how to present live entertainment in the hotels;
- They frequently don't relay the correct information about the hotel's entertainment to the newspapers so often the dates, times and places of music performances are incorrect;⁷⁹
- When typical F&B managers have to hire entertainers they don't know what to look for and can't tell bad entertainers from good;⁸⁰
- They tended to look for inexpensive calypsonians rather than for skilled musicians who have studied music.⁸¹

When a nightclub's revenue declined the decision was that the hotel could no longer support live music.

A core problem was the change in attitude at the top toward providing and promoting entertainment. In the 70's social directors were very actively promoting shows; the hotels created brochures about their nightclub show. All staff in hotels — waiters, housekeepers and managers — were constantly reminding guests about the evening's entertainment. Maitre Ds would let taxi drivers bringing guests in free. Local entertainers could bring in guests to see the show. The atmosphere was congenial and supportive all round, reflecting the historical hospitality of the predominantly Bermudian staff.⁸²

Starting in the early 1980's hotels metamorphosed from staff- and guest-friendly tourist facilities into more corporate-like entities focused on the bottom line.⁸³ In that climate it was highly unlikely that an F&B manager, even if he was knowledgeable about music and musicians, would resist cutting a band from quartet to trio to shore up the bottom line.

Of decisions made by hotel administration, the one putting food and beverage managers in charge of entertainment was the proverbial last straw. The closing down of nightclubs spelled the end of the rotating shows and unemployment for the entertainers who performed in them.⁸⁴ This policy certainly caused the most friction in hotel/performer relations. It also has the widest ramifications in that it not only affected the quality of entertainment displayed in the hotel but also the health of the music industry as a whole.

ECONOMICS

Bermuda as an economic story has several aspects that make it unique.

- The Island is a picturesque and mostly well-preserved semi-tropical environment.
- It is located next door to an affluent zone of an affluent country (east coast of USA).
- It has cordial and hospitable people.
- It has a creative business class.

⁷⁹ Interview 44.

⁸⁰ Interview 26.

⁸¹ Interview 37.

⁸² Interview 27.

⁸³ Interviews 25, 29, 30, 31.

⁸⁴ Interview 25.

- It has ample and expert banking and legal services.

These factors put Bermuda at the leading edge of attractive tourist and business destinations. Bermuda also has

- a high standard of living
- where everything has to be imported and
- a high population density which means demand for many resources outstrips supply.

These factors increase the cost of living and doing business in Bermuda. They also contribute to the cost of a Bermuda vacation.

Bermuda was in the past able to justify its higher than average costs for a vacation because we possessed a superior product. However, the product itself has deteriorated. Bermuda has become more built-up, traffic is more dense and moves faster, overall cordiality has declined, and entertainment has dropped in availability and quality.

Meanwhile, the downturn in employment for entertainers is compounded by escalating costs.

Effect on entertainers

From the entertainers' side, a shorter season, fewer nights of work per week and rising living costs justified charging higher prices.⁸⁵ The costs of performance — instruments and other equipment, music charts, outfits and transportation — like the costs experienced by tourist facilities are much higher in Bermuda than elsewhere.⁸⁶ As entertainment work declined, many if not most entertainers took day jobs to supplement their incomes. A day job would leave entertainers less than fully energetic for a night's performance and left little time for solo practice, rehearsals with other bandsmen and music development. Finding the time for reflection, a prerequisite for composing, is virtually impossible.⁸⁷

As Bermuda has no record companies offering lucrative contracts, performers in Bermuda looking to be recorded will usually have to front the money for recording, production and sustained marketing. The market for locally recorded music is small in Bermuda and almost non-existent overseas. In addition, the low 'release rate' of albums from local musicians doesn't do enough to keep their names in the public eye. Unless entertainers can sell the finished product at the venues where they perform, it is very difficult just to break even.⁸⁸ The big picture is that there's little opportunity to make a living as an entertainer — thus little incentive. All the old bands have broken up which makes it difficult to rehearse (no one knows if they will ever play together again). The industry is disjointed; no longer solid. There's no viability.⁸⁹ It's hard to aspire to professionalism if performers are not getting work.⁹⁰ Because the whole industry was shrinking, few younger musicians are interested in it as a career. Discouraged older

⁸⁵ Interview 25.

⁸⁶ Interview 23.

⁸⁷ Interview 17.

⁸⁸ Interview 14.

⁸⁹ Interviews 25, 27.

⁹⁰ Interview 33.

musicians are giving up or moving on.⁹¹ There's just not enough work to encourage new blood.⁹²

Effect on venues

Most venues, hotels in particular, have been experiencing steadily escalating labour and maintenance costs. Nightclubs weren't making money, and the costs for production, lighting, electronics and service were high even before an entertainer arrived onstage. During the 'Golden Years' of tourism, hoteliers included people like Daniel Ludwig, one of the richest men in the world. His ilk would do things because they wanted to, not necessarily as moneymakers. Undoubtedly, when wages for staff and entertainment were low, hotel profits were high. As wage-earners, including entertainers, negotiated progressively higher salaries in all sectors of the economy, costs of doing business ate into revenues that were already shrinking due to declining tourist arrivals. At some point, even the flushes of hotels balked.

The overall effect has been of the mythical dragon devouring itself by the tail. Hoteliers, because of the relentless rise in entertainment costs, tried to shore up their bottom lines hotels by firing their live musicians (local and foreign). However, because the major portion of the entertainment industry was linked to tourism, the effect was to move all but a few performers out of the field entirely, effectively lowering the quantity and overall quality of the entertainment product.⁹³ High costs of a Bermuda vacation and little entertainment, some of it less than ideal, reduces Bermuda's attractiveness and further depresses tourist numbers.

A few hoteliers hold that entertainment ought not be viewed as a profit center. Unfortunately, such an attitude is difficult to justify in a depressed tourism market.

GENERAL ISSUES

The General Strike - 1981

In April 1981 a strike by hospital and government workers led to a general strike that lasted for 25 days. While the strike did not directly involve most entertainers, or their union, it did have far reaching ramifications that affected them. Some fourteen hotels were crippled by mass staff walkouts. As a consequence, the BHA cancelled reservations and advised tourists already on the Island to leave.⁹⁴ Tourism on the Island was suspended.

One effect attributed to the general strike was a reversal in forward bookings.⁹⁵ Certainly the year was notable for the dramatic drop in tourist visitors to the Island — air arrivals and cruise ship passengers fell by over 75,000 that year, the largest drop in Bermuda's tourism history. The rise in wages effected by the strike meant rising costs to the hotels. The drop in tourist arrivals because of the strike resulted in reduced hotel revenues, at

⁹¹ Interview 17.

⁹² Interview 42.

⁹³ Interview 34.

⁹⁴ Phillip MBE, I. P. (2003). *Bermuda Industrial Union History*: Bermuda Industrial Union.

⁹⁵ Interview 25.

least for that year. Perhaps the biggest injury was to the quality of cordiality that was inherent in Bermudian culture. The growth of enmity between hotel staffs, assembled into a force through their unions, and hotel owners in alignment with the owner class in government, made a sense of partnership difficult. It is then highly likely there was a direct link between the effect of the strike on hotel income and worker/management hostility, and the hardening in subsequent years of hotels' attitude toward the bottom line.

Infrastructure

Bermuda has a limited management structure in place to promote artists. Artists have to push themselves in addition to focusing on their craft.⁹⁶ In addition, the industry has been focused on its performance aspects — gigs, shows, parades, recitals. Other aspects of the industry such as studio artists, songwriters, producers, distribution, and airplay are underdeveloped.⁹⁷

Without adequate promotion, hotel managers and other potential employers may not be fully aware of Bermuda's talent pool.⁹⁸

Airplay

Exposure for local entertainers on radio stations has improved in recent years, assisted by pressure from the Broadcast Commission. Current policies on the major stations call for a minimum of one local artist per broadcast hour. Additionally there are one or more segments of up to one hour each devoted to local performers. Quality is an issue. One station reported that only fifteen to twenty percent of CDs received were of broadcast quality. The policy moves are in the right direction but will need monitoring, review and revision if and when local production of recorded music expands.

*Radio station program directors suggest that performers seeking airplay produce a quality product and market it well with station DJ's and programming departments as well as with the general media.*⁹⁹ (C3)

Audience attitudes

Audiences for entertainment have changed and continue to do so. Tastes of modern audiences are highly influenced by the music fare on radio, television and portable music players. Since much of commercial music is enhanced, overdubbed, sampled and multi-tracked, it is virtually impossible for local live performers to match the complex and sometimes lavish productions seen on MTV or the highly engineered product on videos, CDs and DVDs.¹⁰⁰

There is also the issue of the size of Bermuda's audience pool. As mentioned earlier, even the best performers will become stale to the same audience.

⁹⁶ Interview 17.

⁹⁷ Survey 31.

⁹⁸ Interview 27.

⁹⁹ Darlene Ming, Program Director: Bermuda Broadcasting Company; Mike Bishop, Program Director: DeFontes Broadcasting Co.

¹⁰⁰ Interviews 19, 23, 25, 28.

Appreciation of local performers would be enhanced by re-education of the Bermudian audience. The objectives would be to:

- develop critical skills so that audience members can distinguish between talent and technology, between skill and hype, between brilliance and glitz;
- develop pride in local performers, past and present, and their contributions to our collective culture;
- develop a sense of the importance of music and performance to our cultural heritage and to our tourism industry.

As part of music education, our young people need instruction in music appreciation so they can discern good music from bad; and diplomacy so they can as easily encourage effort as criticize constructively. (G20)

Race and ethnicity

Despite the admirable gains Bermuda has made toward racial and ethnic tolerance, the entertainment scene has many steps yet to go.

Historically, whites were owners of hotels, clubs, restaurants, with blacks as performers and low-level staff. Our imported workers on the entertainment scene were mostly white and the locals mostly black. A trek around the City shows that white-owned clubs typically have a white band and white staff; the only black staff are bouncers. Black owned clubs have a more pronounced polarization. Very few spots, “Chewstick” being a notable example, truly cater to everyone.¹⁰¹

While the content of the polarisation shifts in the music world, the fact of it persists whether we look at rock music, folk music, calypso/Island music, gospel, classical or jazz. The latter two do experience more racial and ethnic mixing than most but not enough for us to feel that the gaps have been bridged.

The point of import for us is when those charged with hiring of local entertainment are white and foreign. The complaint is that foreign staff don’t know the local entertainers and aren’t part of the local information networks where such knowledge can usually be found.

It may be difficult to engineer an end to the social, class, racial and ethnic stratification in our community. However, in as much as the international business sector has put in place orientation programs for their foreign employees, the same would be valuable in softening the instinctive edges that persist in tourism and entertainment. (V12)

Violence

Over recent months several entertainment events, indoor and outdoor, have been plagued with violence. This follows a trend in society generally of increasing resort to violence in resolving conflicts. We are aware that in some genres of music, so-called ‘gangsta rap’ for example, the lyrics explicitly exalt and incite violence. Some young people apparently are drawn to such events by the possibility that violence will break out. *We will need a*

¹⁰¹ Survey 47.

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concerted effort to identify and counter the forces promoting violence, and to provide alternatives to violence as a means of dealing with conflicts. Ways must be explored to discourage and counter entertainers who incite violence, including heightened security. Promoters of such events must be held accountable for the conduct of the acts they engage. It would be helpful to establish a Code of Conduct for promoters that included expectations of civil behaviour from their hired entertainers. (G15)

WHAT CAN BE DONE?

Tourism has been the greatest employer of entertainment in the past but can no longer be counted on to provide the financial juice for music development. This means we will need to be creative in locating and nurturing other avenues of employment and expression for current and future performers. This does not mean that the links between tourism and entertainment ought to be severed. Nor does it mean that the development of the performing arts ought to be done in isolation from the fortunes of leisure and or business tourism. We must recognise the interdependency of tourism and entertainment. Tourism can occur without entertainment but it becomes more vibrant when entertainment is readily available. Entertainment can likewise survive without tourism, but having ever-renewable audiences enriches the performers' experience and reduces the chances of a performer becoming stale.

Should we encourage young entertainers to become the new Talbot Brothers? That genre of music is relatively easy to play but has no deep local underpinnings and a limited future. It cannot be considered a mainstay of future music development. Our young people must be inspired to excel in their craft, and for that to occur, the community must put in place incentives for younger people to choose performing arts as a profession and seek for ways to foster the creative genius in our young people.

As broad themes we recommend the following:

Improve the entertainment product: that is, elevate the caliber of entertainers through enhanced music education, exchange programs, and devotion to craft development. Empower the performers through enabling their ability to build a strong association.

Expand the outlets for live entertainment: that means, adopt a creative approach to venues by making more use of non-commercial indoor venues, facilitating greater use of outdoor venues and building cooperative relationships with venue operators.

Enhance the entertainment infrastructure: that means build the supportive structure that enlivens entertainment, including increased recognition and promotion; and provide protection against unfair competition without being protectionist.

The following two sections expand on these recommendation themes.

RECOMMENDATIONS:

A complete listing of recommendations resides in the Matrix.

GOVERNMENT/PEOPLE (EDUCATE, ACTIVATE, LEGISLATE - AS LAST RESORT)

Musicians and their Union

- As a priority, appoint a facilitator to assist musicians in revitalizing or revamping their union.
- Advise and assist Musicians Union in setting up accounts tracking and other essential systems.
- Assist in finding new venues.
- Facilitate more extensive use of existing auditoriums, especially Ruth Seaton James Center for the Performing Arts.
- Facilitate increased use of existing commercial venues through expanded tax concessions.
- Facilitate increased use of outdoor venues; seek creative solutions to noise and other problems.
- Monitor and attempt to replicate venue success stories – e.g. Hubie’s.
- Facilitate expansion of street performers to include busking in tourist hubs.

Foster development

- Educate and train all public school students in music theory and practice, toward exams and qualifications. Establish a music programme that is continuous from primary through senior schools. Initiate public/private sector cooperation in creation of a Performing Arts School.
- Train also in: rehearsal discipline, presentation and showmanship, technology, business and marketing skills, communications and relationship-building skills, audience skills.
- Shore up the career fields open to live music performers: performance, tours, recording, teaching, studio musician, instrument repair.
- Shore up the music infrastructure: recording, CD production, graphic arts, marketing, and agent services.
- Initiate and expand artist support schemes: grants, bursaries, awards, internships (e.g. send to New Orleans for three years at half the cost, or to Cuba at one tenth cost of local “sabbatical”).
- Initiate and expand exchange programmes: invite Master Class caliber musicians to perform here and conduct workshops.
- Initiate and support showcase events.

Instill pride

- Launch Hall of Fame for past greats (and not so great pioneers). Engage musicians’ association and venue operators in the process.

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- Keep track of our musical exports (Pinky Steede, Johnny Vibes...).
- Present awards and other forms of recognition.
- Make use of expanded list of local entertainers (e.g. in tourist promotions).

Review and fortify existing policies

- Review and, where necessary, revise existing legislation including:
 - The Hotel Concessions Act
 - The Liquor Licensing Act.
- Review Immigration policies.

VENUES - HOTELS/NIGHTCLUBS/RESTAURANTS (VIEW PERFORMERS AS VALUE ADDED)

- Compensate fairly; make written contracts a standard procedure.
- View entertainment as a venue enhancement rather than just another cost.
- Refrain from destructive practices; treat entertainers with respect due professionals.
- Make use of the Musicians Union as a gateway to procuring suitable entertainers and a sounding board for reporting unsuitable ones.

MUSICIANS AND THEIR ASSOCIATION (TREAT MUSIC AS PROFESSION)

Reclaim and rebuild or replace the musicians' union

- Restore essential procedures and safeguards to Constitution, e.g., avoid inherent conflicts when Musicians Union president is also a working musician.
- Promote local performers.
- Inspire and attract young performers;¹⁰² offer opportunities for experience.
- Launch and maintain website and post on it lists of available musicians, ads for jobs; immigration, tourism and customs policies; workshops, tours, ventures; new local CDs and videos; upcoming performance events; grievance and other procedures; provide chat room for entertainers and members (see sample at <<http://www.musicians.co.uk>>).
- Acquire premises
- Offer training in marketing, developing a business plan,
- Initiate a Code of Conduct to elevate standards of performance and behaviour.
- Host, either solely or in cooperation with others, concerts featuring local musicians (e.g. Lunch & concert at RSJ).
- Initiate and support outdoor entertainment events featuring the broadest possible array of local performers.

Constantly upgrade

- Gain Theory and practical qualifications.
- Acquire business and promotional skills.

¹⁰² Interviews 8, 12.

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- Develop self-respect and pride and a constructive attitude in dealing with peers and potential employers.

SOLUTIONS MATRIX

Matrix Notes:

This matrix grew out of the dedicated work of a small task force that listed, analysed and posed solutions for the problems facing the live performance industry in Bermuda. Group members were Gita Blakeney, Tony Brannon, David Dodwell, Laura Gorham, Shine Hayward, Selena Lambert, Derek Morris and James Richardson. I am grateful for their support and energy. Their contributions, in intellect and passion, encouragement, and even providing lunch, have given this project a dynamic lift and formed a foundation for whatever success it may achieve.

The listing of problems and solutions should not be taken as universal; that is, not every problem listed applies to every performer or venue operator (whatever the case may be). While an identified problem may apply to a single case or the entire industry, no constructive purpose is served by an assumption either way. The order of the list was determined by the order in which the issues were raised.

The matrix consists of two parts: 1) the problems/issues facing the industry and 2) proposed solutions. Both parts are further divided to acknowledge the different roles played by a) the government and people of Bermuda (G), b) the performing artists and their union or other association (M), c) the venue operators (V), and issues common to all three groups (C). Venue operators include hotels, restaurants and nightclubs. While they are all potential employers of musicians/entertainers, their size, number and type of clientele differ. Thus the solutions in the vendors list are to be read with the limitations of a given venue in mind.

We have tried to eliminate duplication. Where, however, a problem spans the spectrum of the groups, some duplication seemed unavoidable.

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	PROBLEMS	SOLUTIONS			
Code	Govt & People	Government & People	Musicians/Entertainers	Venue Operators	Cross ref.
G1	Declining tourism industry.	<p>Improve the product (facilities, workforce, entertainment). Heighten local awareness of tourism. Instill pride in the product. Look outside tourism for growth in entertainment market.</p>	<p>Improve the product (upgrade skills repertoire, presentation). Balance “doing what we like” with doing what is in demand, what sells.</p>	<p>Improve the product (‘showcase’ local entertainment, upgrade settings).</p>	G14, G17
G2	Shortage of venues for live performances.	<p>Introduce incentives and encouragement for all venues to hire local musicians & entertainers. Reduce bureaucracy (Immigration). Introduce policy that all hotels above a certain size must have live entertainment. Reduce taxes for venues, e.g. fix and expand Hotel Concessions Act concept to include restaurants and nightclubs that feature live entertainment. Review Liquor License legislation that allows pubs/ restaurants to compete with <i>bona fide</i> nightclubs. Facilitate use of outdoor venues paying particular attention to resolving noise and surface damage issues. Intercede with the Corporations of Hamilton and St. George, and Quangos (WEDCo, BLDC, <i>et al</i>) where practicable. Make use of Senior school auditoriums as multipurpose training and event venues.</p>	<p>Be creative in seeking unusual or underutilized venues for performing. Seek creative resolution of neighbour issues such as noise and surface damage.</p>	<p>Potential venues should consider creative ways to offer live local music to patrons.</p>	G16, V1, V11
G3	Customer preferences not matched by offerings from many musicians.	<p>Identify local (via survey) and visitor (add question(s) to exit surveys already being done) customer preferences.</p>	<p>Identify one’s own genre (musical identity, style and repertoire) and promote.</p>	<p>Identify local and visitor customer preferences. Communicate customer preferences to musicians.</p>	M3
G4	Seasonality.	<p>Market off-season.</p>	<p>Market off-season to locals.</p>	<p>Market off-season to locals.</p>	

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	PROBLEMS	SOLUTIONS			
Code	Govt & People	Government & People	Musicians/Entertainers	Venue Operators	Cross ref.
G5	Lack of identification and cultivation of local talent.	Offer incentives for music/art students, e.g. scholarships and internships, locally and abroad. Showcase local talent including best talent from the Island's schools. Be sure to include locals in target audience.	Set up schemes for mentoring our young talent.	Showcase local talent including best talent from the Island's schools.	G10, M7, V8
G6	Lack of pride in our music and musicians. Hotel managers not aware of Bermuda talent.	Implement national campaign to heighten awareness of local performers — past & present.	Continuously upgrade and develop local talent. Join with govt and venues in implementing national campaign to heighten awareness of local performers — past & present.	Join with govt and musicians in implementing national campaign to heighten awareness of local performers — past & present.	V12, C3
G7	Lack of exposure to other music and musicians.	Pursue structured exchanges of talent with other countries.	Union to arrange and members to attend workshops & jam sessions. Visit other countries to perform.	Host workshops & jam sessions.	G9, M4, M8, M14
G8	Attitude.	Educate for life skills; communication; self-respect; pride and ownership; work ethic. Establish Code(s) of Conduct in cooperation with musicians and vendors.	Communicate effectively with vendors. Work with government and vendors to put Code(s) of Conduct into place.	Communicate effectively with musicians. Work with government and musicians to put Code(s) of Conduct into place.	M1, V12
G9	Limited audience pool.	Make use of local musicians at every possible entertainment opportunity. Facilitate attendance at local events by cruise ship passengers.	Vary performances frequently to minimize tedium.	Vendors expand marketing (to preferred customer base). Hoteliers & larger clubs to rotate entertainment.	

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	PROBLEMS	SOLUTIONS			
Code	Govt & People	Government & People	Musicians/Entertainers	Venue Operators	Cross ref.
G10	Locals feel they are being displaced by foreigners.	<p>Implement musician exchange with other countries.</p> <p>Review and refine policies to support local performers.</p> <p>Establish policy of work permit “package” e.g. that if vendor makes case that no funds are available for hiring foreign AND local band, can make contribution to performing arts by having foreign artist hold workshops and perform at schools (local performers or bands to be first on menu of choices).</p>	<p>Broaden horizons – seek overseas work.</p> <p>Musicians’ Union to monitor performance venues for compliance with policies.</p>	<p>Heighten awareness of local entertainment.</p> <p>Work with Musicians’ Union to improve local product.</p>	G7, G16, V8, M14
G11	Lack of feedback and communication between government, vendors and musicians.	Facilitate communication and understanding between musicians (Union) and vendors (e.g. through regular, structured get-togethers).	Promote communication and understanding over confrontation.	Promote communication and understanding over confrontation.	
G12	Foreign musicians do not pay dues to Musicians’ Union.	Assist Union in negotiating reciprocal agreements. Enshrine concept in government policy.	Union to make reciprocal agreements with other countries. Union to monitor – should be enshrined in Constitution.	Endorse and follow through on policies that make for a secure Union.	M14
G13	Lack of clarity on Taxes: whether performer is an "employee" or "independent contractor."	Acquire and disseminate (via workshops for vendors and musicians, if necessary) clarity on tax policies and on who is responsible for collecting performers’ taxes.	<p>Get clarity on policies and follow them.</p> <p>Union to educate musicians on tax and other imperatives.</p>	Operate supportively in an area where independent contractors may be traditionally uninformed.	M14
G14	Lack of understanding that we have to provide entertainment for tourists.	Make presentations to hoteliers, vendors and the international business sector (esp. food and beverage mgrs., conventions planners, and destination mgmt. companies) on the importance of live performance to the vitality of tourism.	<p>Develop and promote respect for the industry and its performers; in part through example.</p> <p>Union to cooperate with government in getting the message out.</p>	Review past or existing mindsets; move toward viewing entertainment to be as vital as elevators and swimming pools; napkins and ice water.	

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PROBLEMS		SOLUTIONS			
Code	Govt & People	Government & People	Musicians/Entertainers	Venue Operators	Cross ref.
G15	Violence.	<p>Identify and address social dysfunction.</p> <p>Require ‘bond’ for promoters.</p> <p>Establish a Code of Conduct for promoters, employers, and local and foreign musicians (include quality of equipment, dependability and work ethic); broadcast and enforce the code.</p> <p>Hold promoters responsible for the conduct of acts they hire and any results of that conduct.</p> <p>Greater police presence at tourist venues.</p>	<p>Contribute to and abide by Code of Conduct. Refuse to perform material that contains or infers anti-social behaviour.</p>	<p>Engage the level and type of security measures to match occasion, type of event and culture of event.</p> <p>Insure clarity on expectations vendors have of invited clientele: (dress, age, deportment = Code of Conduct). Enforce the Code.</p> <p>Set conditions (e.g. no profanity) and enforce adherence.</p>	M1, M2
G16	Immigration process takes too long.	<p>Establish and promote policy that foreign musicians contribute (workshops/visits to schools) to local culture/community/health of LOCAL music industry.</p> <p>In formulating and implementing policies, legislators and government departments must attempt to balance competing needs of local performers with those of venue operators and audiences. They must also keep in mind the human concerns for pride and autonomy that their policies may trigger.</p>	<p>Musicians Union to make swift and judicious responses to Immigration requests for review of work-permit applications.</p>	<p>Explore creative ways to shorten the process, e.g. provide Musicians Union with ‘heads up’ info.</p>	G2, M14
G17	Tourism vs. international business (focus).	<p>Rethink focus: tourism is the FOUNDATION of the economy. We have business tourism and leisure tourism.</p> <p>Need help/lead the community to get the tourism “flavour in the air.”</p>	<p>Musicians Union to explore performance opportunities for members with meeting/convention planners in the int’l business sector.</p>	<p>Assertively explore opportunities for local performers at private dinner events.</p>	M14
G18	Benefits: pensions, insurance, overtime and holiday pay.	<p>Facilitate and assist musicians and vendors to establish benefits options (a tripartite effort).</p>	<p>Join with vendors and government to enshrine employee benefits for musicians.</p>	<p>Join with musicians and government to enshrine employee benefits for musicians.</p>	C1

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PROBLEMS		SOLUTIONS			
<i>Code</i>	<i>Govt & People</i>	<i>Government & People</i>	<i>Musicians/Entertainers</i>	<i>Venue Operators</i>	<i>Cross ref.</i>
G19	Not enough respect for local musicians.	Refrain from derogatory comments, no matter how well meaning. Actively pursue respect-building events: e.g. awards, celebrations, recognition kits for schools.	Develop professional attitude and demeanor. Musicians' Union to promote respectability through workshops, awards, celebrations.	Actively adopt a respectful attitude toward local performers and industry as a whole.	G6, M6, M14, V5, V12, C1
G20	Inconsistent music education. No "artist in residence" programme in schools.	Conceive and install and fully support comprehensive performing arts program at all levels of education system. Give recognition and accelerated training for those found to be talented or gifted. Provide support for the infrastructure of music development, i.e. instruments, practice facilities, performance venues, performance organisation, competition, recognition. Provide ongoing support and inspiration for performance careers including employment and employment benefits. Include instruction in music appreciation as part of music education. Hire local professional musicians to work inside the education system. Consider development of a performing arts school.	View 'artist in residence' as a potential employment avenue. Look for other creative applications of talent.		C2, C4
G21	Gaming as entertainment.	If gaming machines or casinos are permitted in the future the facilities should be licensed and their licenses require live entertainment.			V11

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	PROBLEMS		SOLUTIONS		
Code	Musicians/Entertainers	Government & People	Musicians/Entertainers	Venue Operators	Cross ref.
M1	Variable dependability and work ethic.	These are issues that extend deep into the Bermudian culture and need addressing as part of basic education/socialisation.	Develop professional attitude. Musicians' Union to craft and put into practice a Performers' Code of Conduct.	Spell out expectations, as in a contract. Bring dependability and work ethic issues to the attention of the Musicians' Union.	M6, M14
M2	Drugs and alcohol abuse. (This issue is compounded by the role alcohol plays in tourist entertainment.)	Seek and make available programmes for prevention and rehabilitation of drug/alcohol abuse and addiction.	Musicians' Union to boost awareness among performers of the destructive nature of drug/alcohol culture, and make arrangements with the Employee Assistance Program (EAP) or similar organisation to deal with existing problems.	Greater support for and use of "drugs don't work here" types of programme. ¹⁰³	M14
M3	Match music style to customer.		Stay current on consumer tastes.		G3
M4	Availability /capability of various styles of music.		Get clarity on vendors' expectations (checklist).	Get clarity on musicians' expectations (checklist).	G3
M5	Lack of coordination, organisation, business acumen.	Include performers in seminars/workshops held for small businesses.	View selves as business. Assertively develop business acumen, or hire someone to handle business side. Engage in ongoing personal development. Musicians' Union to assemble library; hold workshops; share information on business oriented conventions and education.	Advise, assist and coach, to the degree possible, performers in business practices.	M14, C3, C4
M6	Lack of pride and cultivation of professionalism.	Continue with awards; publicise well. Add other forms of recognition, including grants.	Invest in self; engage in ongoing development of craft, and assertive self-promotion. Musicians Union to assist performers in	Promote artists in adverts, posters and on marquee. Pay entertainers adequately. Provide adequate staging,	G5, G6, G19, M1, M14, V6, C1, C3

¹⁰³ Interview 49.

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	PROBLEMS	SOLUTIONS			
Code	Musicians/Entertainers	Government & People	Musicians/Entertainers	Venue Operators	Cross ref.
			producing and marketing a record (CD/DVD) of their body of work.	lighting, equipment and placement. Support awards events.	
M7	Lack of quality assessment and standards of performer excellence.	Develop and expand music programme in schools — elementary through high school Reward excellence in performance. Allocate greater financial investment in performing arts for artistic development, and a Performing Arts Academy.	Work with vendors and govt. to create rating system for performers. Advocate Code of Conduct for Convention managers.	Seek and promote quality in hiring performers. Reject temptation to be driven exclusively or primarily by the bottom line. Convention and other event managers to charge only reasonable markups/service fees.	G5
M8	Lack of exposure to other music and musicians.	Facilitate tripartite consultation for visiting foreign bands (e.g. off cruise ships) to be able to jam with locals. Pursue creative exchange with other countries.	Seek opportunities to listen to and perform with high caliber visiting musicians.	Invite local performers, through Musicians' Union, to observe visiting musicians, when appropriate.	
M9	Lack of marketing and promotion.	Promote local performers in tourism events locally and abroad. Include marketing and promotion skills in music education.	Assemble press kit (CD/DVD, bio, photos). Establish a relationship with PR firm. Take advantage of free press (e.g. Living section at RG).		V9, C3
M10	Mistrust. Poor relationship/communication between vendors and musicians.	Publish all Policies: Immigration, tourism and Codes of Conduct. Include communication and relationship-building in core education.	Make and honour contracts (spelling out length of employment, pay, taxes, etc.) (the Union has role in this). Ask all pertinent questions before signing contract. Be willing to compromise and negotiate. Develop communication and relationship-building skills.	Make and honour contracts as standard procedure with performers. Be willing to compromise, negotiate; be creative (e.g. offer dinner).	V10, M14
M11	Attitudes.	Set the example of integrity, reliability	Be willing to go the extra mile. Be flexible	Respect musicians as	G8

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PROBLEMS		SOLUTIONS			
<i>Code</i>	<i>Musicians/Entertainers</i>	<i>Government & People</i>	<i>Musicians/Entertainers</i>	<i>Venue Operators</i>	<i>Cross ref.</i>
		and flexibility.	about performance time if asked (length of set and break).	professionals.	
M12	Technology (e.g. DJs and drum machines).	Educate public about value of live music.	Musicians' Union to educate members on judicious use of technology.	Think live local bands first.	M14
M13	Not staying current to changes in listening habits and preferences (inflexibility).	Initiate twice yearly discourse between Bermuda Hotel Association, Chamber of Commerce (restaurant division), Musicians Union and government.	Stay current. Travel to other communities to hear what's going on. Network. Attend workshops. Work on craft. Develop and act; rehearse and market.	Stay current. Network. Communicate with local musicians (via Union) about their needs.	
M14	Need for an effective Musicians' Union to represent entertainers in negotiations and act in their collective interest.	Appoint a facilitator to assist entertainers in rebuilding the Musicians' Union. Assist the Union in putting into place accounts tracking systems. Set timetable for compliance with legislative requirements.	Reform existing Musicians' Union or form a new association. Consider term limits for the Executive and prohibiting the President from being a working musician. Assure Constitution is aligned with principles of democracy.		G7, G10, G12, G13, G16, G17, G19, M1, M2, M5, M6, M10, M12, C1

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<i>Code</i>	PROBLEMS	SOLUTIONS			<i>Cross ref.</i>
	<i>Venue Operators</i>	<i>Government & People</i>	<i>Musicians/Entertainers</i>	<i>Venue Operators</i>	
V1	Lack of venues (e.g. Sonesta closed nightclub, said it was "wishes of the guests").	New hotels to include "show room" for live entertainment – incorporate into Concessions Act.			G2
V2	Customer preferences.				G3
V3	Match style of music to customer.				G3
V4	Theme venues vs. Bermudian musicians.	Consider policy that steers entrepreneurship toward available local talent.			G3, M4
V5	Negative perception of musicians.				G6, G19
V6	Inconsistent quality of facilities/equipment.		Improve communication with vendors about musicians' needs including setup and the setting.	Improve communication and understanding of musicians' needs (set-up / setting) clarify and express needs re standard/quality of equipment.	M6
V7	Budgeting for entertainment (viability) e.g. bar receipts/cover charge to cover cost of entertainment.			Consider entertainment as a general expense or added value (e.g. expense of a pool not expected to be met from bar receipts).	
V8	Lack of exposure to other music and musicians.		Broaden horizons – seek overseas work.		G7, M8
V9	Lack of marketing and promotion.	Include local musicians in tourism promotions, locally and overseas.	Union to offer courses/workshops on marketing and promotion (possibly liaise with Chamber of Commerce).	Improve/expand marketing of hired musicians.	M9
V10	Mistrust, poor relationship/communication between vendors and	Could play a facilitative role.	Foster mutual understanding with vendors (role for union). Consider	Foster mutual understanding with musicians — be proactive. Consider	M1, M5,

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PROBLEMS		SOLUTIONS			
<i>Code</i>	<i>Venue Operators</i>	<i>Government & People</i>	<i>Musicians/Entertainers</i>	<i>Venue Operators</i>	<i>Cross ref.</i>
	musicians. F&B managers don't understand music industry.		third-party facilitation.	third-party facilitation.	M6
V11	Concessions and tax relief. Legislation allows restaurants/pubs compete with nightclubs.	Fix the Hotel Concessions Act and extend its concept to restaurants and nightclubs. The Liquor Licensing legislation ought to be revised so that legitimate nightclubs do not face unfair competition from restaurants/pubs. Consider relief on payroll tax for performers and those hiring local entertainers.			G2
V12	Hotel food and beverage managers' negative attitude toward, and opinion of, local musicians		Union has a role to play in countering xenophobia through social and professional activities for its members.	Engage orientation programmes for foreign employees to counter social, class, racial and ethnic stratification.	G6, G8, G19

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PROBLEMS		SOLUTIONS			
<i>Code</i>	<i>Common</i>	<i>Government & People</i>	<i>Musicians/Entertainers</i>	<i>Venue Operators</i>	<i>Cross ref.</i>
C1	Musicians not paid enough/prices are too high.	Support establishment of a minimum or “living” wage and other benefits for performers.	Negotiate minimum wage and other benefits.	Honour principle of a minimum wage. End the hiring of the cheapest (perhaps worst) musicians	G18, G19, M6, M14
C2	Audiences “uneducated.”	Educate audiences, starting with music appreciation classes in schools.	Musicians’ Union to launch campaign to educate audiences in support of live entertainment.		G19, G20
C3	Insufficient airplay of local performers.	Monitor, review and revise policies on airplay of local music, particularly as local production of recorded music expands. Encourage adherence. Policy should promote that all types of local music share in airplay time.	Radio station program directors suggest that performers seeking airplay produce a quality product and market it well with station DJ’s and programming departments as well as with the general media. ¹⁰⁴		G6, M5, M6, M9
C4	2/3 of performance industry is underdeveloped: studio artists, songwriters, producers, distribution, air-play (industry is focused on performance aspects — gigs, shows, parades, recitals).	Expand music education to include entertainment infrastructure.	Expand career horizons.		G20, M5

¹⁰⁴ Darlene Ming, Program Director: Bermuda Broadcasting Company; Mike Bishop, Program Director: DeFontes Broadcasting Co.

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APPENDIX 1. ABBREVIATIONS USED

BAT	Bermuda Alliance for Tourism
BFMVA	Bermuda Federation of Musicians and Variety Artists
BHA	Bermuda Hotel Association (formerly HEB – Hotel Employers of Bermuda)
BIU	Bermuda Industrial Union
CofC	Chamber of Commerce
EAP	Employee Assistance Program
F&B	Food and Beverage (managers)
HEB	Hotel Employers of Bermuda (became BHA - Bermuda Hotel Association)
WEDCo	West End Development Corporation

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APPENDIX 2. LICENSED HOTEL PROPERTY CLOSURES & OPENINGS 1977 - 2003

Year	Properties closed (* = properties that closed and later re-opened)	Beds	Properties opened	Beds
1977	Deepdene Manor (Nov)	110	Capt. Williams Bay (Jan)	8
			Mermaid Beach (Feb)	74
			Marley Beach (Feb)	46
			Sun Tan Cottages (Mar)	14
			Trevelyan Guest House (Mar)	8
			Loughlands Guest House (Apr)	43
			Longtail Cliffs (Jul)	48
			Harbour Lights (Sep)	9
			Burch's Guest House (Oct)	12
			Sandpiper Apts (Dec)	12
1978	Teucer Place (May)	10	Honey Hill Apts (Mar)	10
	Harbour Lights (Jul)	9	Granaway Guest House (Jun)	10
	Bills Dream (Oct)	6	Tree Tops (Jun)	6
1979	South Ridge Apts (Jun)	6	South View Apts (Jan)	6
	Hodgson's Cabins (Nov)	12		
	Trevelyan Guest House (Dec)	8		
1980	Sea Horse Cottages (Dec)	13	Garden House (Apr)	12
	Quarry Apts (Dec)	7	Stonington Beach (Sep)	128
1981	Honey Hill Apts (Oct)	10		
	Sandon Guest House (Dec)	8		
	Fariesville (Dec)	12		
	* Marley Beach Cottages (Dec)	46		
1982	Sun Tan Cottages (May)	18	Barnsdale Apts (Mar)	8
	Southsea Guest House (Jun)	8	Dudley House (Apr)	6
	Bay Ridge Guest House (Oct)	10	Greene's Guest House (May)	10
	Kennington Guest House (Dec)	6	* Marley Beach Cottages (Jun)	8
			Angel's Grotto (Jul)	6
			Kathleen's Dream (Oct)	10
1983	Coral Island Hotel (Nov)	173	Robin's Nest (Mar)	4
	Belle Terre Guest House (Nov)	6	Marula Apts (Aug)	12
	Harringay (Dec)	10		
1984	Tree Tops (May)	6	Ocean Terrace (Jun)	6
	* Lowes Hotel (Nov)	650	Chance It Cottages (Aug)	12

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Year	Properties closed (* = properties that closed and later re-opened)	Beds	Properties opened	Beds
	* Castle Harbour Hotel (Nov)	646	Brightside Apts (Dec)	12
1985	Dudley House (May)	10	La Casa Del Mesa (Jan)	4
	Seward Guest House (Nov)	8	* Club Med (Loews) (Apr)	650
1986	Thalia Guest House (Oct)	8	Fourways Inn (May)	20
	Stu-Kay Guest House (Oct)	14	* Marriott Castle Harbour (Jun)	744
1987	Mermaid West (Jan)	32		
	Buena Vista (Jan)	44		
	The Gables (Feb)	10		
	Waterville Apts (Apr)	24		
	Kathleen's Dream (Aug)	8		
	Tallent Villa (Sep)	16		
	Canada Villa (Oct)	12		
	Sugar Cane Hotel (Dec)	26		
1988	Capt. Williams Bay (Mar)	10		
	Middleton Cottages (Mar)	17		
	White Heron (May)	22		
	Ashley Hall (Aug)	14		
	Bermudiana Hotel (Oct)	478		
	Seven Arches Guest House (Nov)	9		
	Banana Beach (Nov)	54		
1989	Club Med (Mar)	650	Whale Bay Inn (Apr)	10
	South Capers (Mar)	46		
	By Faith Apts (Mar)	10		
1990	Arlington Heights (Mar)	30		
	Archlyn Villa (May)	24		
	Flamingo Beach Club (Oct)	34		
1991	Wainwright Guest House (Feb)	8		
1993	Somerset Bridge Hotel (Mar)	46		
1994	Glencoe (Feb)	82	Vienna Guest Apts (Mar)	12
	Granaway Guest House (Feb)	10		
	Woodbourne Guest House (Mar)	8		
1997	South View Apts (Aug)	6		
	Palm Reef Hotel (Nov)	120		

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Year	Properties closed (* = properties that closed and later re-opened)	Beds	Properties opened	Beds
	Pretty Penny Guest House (Dec)	14		
1998	Cabana Apts (Jan)	16		
	Longtail Cliffs (Mar)	50		
	Chance It Cottages (Mar)	12		
	Canada Villa (Apr)	10		
	Pillar Ville Guest House (Apr)	16		
	Pleasant View (Apr)	12		
	Que Sera Guest House (Apr)	6		
	Lantana (Jul)	130		
	Belmont (Dec)	306		
1999	Marriott's Castle Harbour()	830		
	La Casa Del Masa ()	6		
2000	Glenmar Apts ()	12		
	Palmetto ()	80	Daniel's Head Village ()	162
	Whale Bay Inn ()	10		
2001	Daniel's Head Village (Nov)	162		
2002	White Sands Hotel (Jan)	80	The Wharf Exec. Suites (Jul)	30
	Marula Apts (Mar)	14		
	Sky Top Cottages (Nov)	22		
2003	Breakers Club (Mermaid Beach Club) (Jan)	80	Erith Guest House (Jun)	14
	Angel's Grotto (Feb)	18	Grape Bay Beach Hotel (Jul)	48
	Barnsdale Apts (Mar)	16		
	Loughlands (Jul)	43		
	Newstead (Jul) (to reopen in 2005)	86		
	Royal Heights (May)	12		

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APPENDIX 3. INTERVIEWS

Melvin Alec, Artist Manager
Phil Barnett, pub owner; Chair:
Restaurant Division, Chamber of
Commerce
Kenneth Bean, entertainer; proprietor:
Club Azure
Rob Berry, musician
Tony Brannon, musician
Molly Brown, proprietress: Hubie's
Ghandi Burgess, musician
Dale Butler, Minister of Community
Affairs & Sport
Bryan Butterfield, entertainer
Sandy Butterfield, entertainer
Chamber of Commerce, Restaurant
Division
Earl Darrell, musician
Steve Darrell, musician
Wayne Davis, musician
Eddie DeMello, proprietor: the Music
Box
Kenneth Dill, musician
Quinton Edness, former Minister of
Immigration
Barry Fitzsimmons, musician
Peter Frith, Sales Manager: Fairmont
Southampton Princess Hotel
Lance Furbert, Town Manager:
Corporation of St. George.
Stan Gilbert, musician
Kenny Harris, musician
Keibo Hart, musician
John Harvey, CEO: Bermuda Hotel
Association
Shine Hayward, musician; Education
Officer (Arts): Ministry of Education
Buddy Hill, President: Bermuda Arts
Council
Duke Joell, entertainer
Derrick Morris, CEO: Bermuda Island
Cruises

Peter Profit, musician
Rochelle Quinn, Assistant Convention
Manager: Fairmont Southampton
Princess Hotel
Tom Ray, musician
Howie Rego, musician
James Richardson, musician
George Robinson, former General
Manager: Holiday Inn, Sonesta
Beach, Grotto Bay.
Milton Robinson, musician
Stan Sheppard, proprietor: Ecarté
Artie Simmons, musician
Lloyd Simmons, musician; President:
Bermuda Federation of Musicians
and Variety Artists
Gavin Smith, musician; founding
member: Chewstick
George Smith, entertainer; secretary:
Bermuda Federation of Musicians
and Variety Artists
Gene Steede, entertainer; treasurer:
Bermuda Federation of Musicians
and Variety Artists
King Trott, entertainer
Charles Vaucrosson, lawyer
Elmore Warren, President and Executive
Producer: Fresh Creations (Fresh
TV)
Carol Wills, Project Coordinator:
Corporation of Hamilton
Joe Wylie, musician
John York Skinner, Principal: Bermuda
School of Music

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APPENDIX 4. THE BFMVA CONSTITUTION - SIGNIFICANT CHANGES

In 1974, the Constitution of the BFMVA was revised. The revised Constitution eliminated or altered several clauses, including term limits and election provisions that, arguably, have rendered the organisation un-democratic.

	1966 Constitution ¹⁰⁵		1974 Constitution ¹⁰⁶
13	Lists member benefits: accident, fire, theft, debt		Entire rule removed
15	Establishes Executive Committee as the managing body and sets term limits		Removed
17	Sets out details for election of Executive Committee (10 sub-clauses)		Entire rule removed
18.1	Entitles Executive Officers to attend all meetings ex-officio	15.1	Entitlement removed
18.2	Details selection of President and Vice President		No provision for selection of Pres and V Pres.
		15.2	Stipulates that Executive Committee members must be born in Bermuda
		15.3	Empowers President to allow one non-Bermudian to stand for election to the Executive Committee
19	Appointment of general secretary and assistant secretary		Removed
20.1	Executive Committee management of employees to occur “in consultation with General Secretary”		Altered to “in consultation with the President”
20.2	General Secretary and Assistant Secretary to be ex officio of Executive Committee and have “no voting power at meetings or elections”		Removed

¹⁰⁵ Bermuda Federation of Variety Artists, “Rules.” 1966.

¹⁰⁶ Bermuda Federation of Musicians and Variety Artists, **Constitution**, 1966 (Revised 1974).

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APPENDIX 5. BERMUDA IMMIGRATION POLICIES

The following Immigration policies have been downloaded from the Bermuda Government website and reproduced here, unedited, for the convenience of readers.

POLICY: Job Categories with Special Conditions - REF: W4

Musician and Entertainer
Music Schools Teachers

Purpose:

To define clearly conditions that apply to a number of job categories open to non-Bermudians.

Statement:

Musician and Entertainer

Work permits for foreign entertainers to perform in clubs, pubs and specialised rooms in hotels may be granted, providing a number of conditions are met.

For each non-Bermudian group or individual employed, there will also be the requirement that a Bermudian group or individual (referred to hereafter as the “local group” for ease of reference) is employed by the establishment concerned. The local group, the body recognised as representing Bermudian musicians and other entertainers, namely the Bermuda Federation of Musicians and variety Artists, and the employer should normally agree in advance the number of hours the Bermudians work. The hours worked by the non-Bermudian group should not exceed those allocated to the Bermudian entertainers.

If an employer is unable to find a qualified local group, evidence must be provided to the Department of Immigration demonstrating that Bermudians are not available.

In construing advertisements with respect to musicians and other entertainers, the presumption will be exercised in favour of Bermudians and not be read as unduly restrictive. Note that advertisements should not be framed so that one genre of music dominates, especially if it is one which is not generally a talent of local musicians e.g. opera, hard rock. However, this has to be treated judiciously, as it is not the intention to undermine the commercial viability of a business or the diversity of the Island's tourism product. Also, one is aware of initiatives in the Department of Tourism and the passage of the Hotel Concession Act 2000, which provides the framework for granting incentives for the hiring of local entertainers. On the other hand, non-Bermudian entertainers must not be given an unfair advantage over Bermudians. Advertisements that have clearly been drafted so as to exclude Bermudians will not be accepted.

One option is that, given that the Bermudians in the hospitality industry do not have a guarantee of employment for a year, non-Bermudian entertainers should be treated no differently. The maximum period for a work permit in the entertainment industry would be nine months. Should entertainers be laid-off, non-Bermudian entertainers should be laid-off first.

In addition to the information necessary to process the non-Bermudian entertainer, applicants for work permits must provide a contract, signed by the employer and the Bermudian entertainers, containing the following:

- the type of music to be played;
- the name of the local group to be hired;
- the number of people in the local group;
- the number of hours during which the local group has been hired to perform;
- the number of hours the non-Bermudian entertainer will perform;

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the name and telephone number of the local group's contact person.

The employment of the Bermudian entertainer is a condition of the work permit. If the Bermudian entertainer ceases to be employed, the work permit becomes null and void and the non-Bermudian group or individual must stop work at once.

The Department of Immigration considers the process of reasonable and constructive dialogue among the parties, including the Bermuda Federation of Musicians and Variety Artists, to be of great importance. If, at any time, the parties are unable to come to a mutually acceptable arrangement, then the details of their disagreement should be given to the Department of Immigration when the application to employ the non-Bermudian group is submitted.

The local group will be given equal billing with their foreign counterparts when the employer advertises them.

If the local entertainers are let go during the validity period of the work permit, the employer must inform the Department of Immigration immediately.

Short-term entertainers are treated differently. These are groups, which are hired for a period of less than two weeks – to play at a visiting convention, for example. It is accepted that these people are necessary to the operation of a first-class tourist resort and that the policies for longer-term employment should not apply. However, employers are encouraged not to disregard the employment of a suitably qualified Bermudian group, which is seeking short-term employment.

Music Schools Teachers

Any teacher of music employed, under a work permit, by a music school (“teacher”) may take up paid employment, on an irregular basis, for up to ten (10) hours per week, as a performer outside the school's teaching requirements.

The teacher must not be involved either solo or with a group that has a regular ‘gig’ unless a place of business obtains a work permit to hire the teacher in such capacity, e.g. churches (organist), hotels, restaurants, bars.

The teacher may perform either solo or in the company of others at weddings, receptions, private parties, Philharmonic Society concerts, musical theatrical productions and similar one-off or short-term engagements.

The engagements must be booked through an agent. This will normally be the music school that holds the teacher's work permit but engagement could be through an agency that specializes in organising such events. The agent is responsible for ensuring that qualified Bermudians have first been canvassed for their availability before any request for a performer is filled by a teacher. By “qualified Bermudian” is meant a competent Bermudian musician who plays the instrument being requested by the client. The agent is required to report quarterly to the Chief Immigration Officer, Department of Immigration on the placing of teachers and the reason a qualified Bermudian was not engaged in each case. The quarterly reports are due on 31 March, 30 June, 30 September and 31 December every year and should reach the Department of Immigration no later than 30 days after the due date in each case. Because of the agent's reporting function, the agent is responsible for handling the payment of teachers who must not be paid directly by the client.

Teachers who perform on a voluntary basis have the Minister's tacit permission, under the law, to undertake such work (please see below under “Volunteers”). Voluntary performances by teachers do not count against the weekly ten hours allowance for paid employment.

Teachers who benefit under this policy will have their work permits annotated: “to perform up to ten (10) hours per week”

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Any teacher who abuses privileges granted under this policy will not only have the privileges revoked but could place his or her work permit in jeopardy.

(LAST UPDATED: 7 MARCH 2003)

POLICY: Work Permit Application Types - REF: W7

Purpose:

To define clearly all the various work permit application types for which the Minister's specific permission is required and to advise of the current fees.

Statement:

Every initial standard 1-year to 5-year work permit application that is submitted to the Department of Immigration should be accompanied by a copy of a Statement of Employment as defined at subsection 6(2) of the Employment Act 2000. It is understood that Statements of Employment will not be signed until the work permit has been approved and the employee has accepted the offer. It is at that point that the Statement of Employment must be signed by both the particular employer and the employee and a copy of the signed statement submitted to the Department of Immigration. A Statement of Employment will be required where the application is for a job title change, a promotion or when transferring a person to another employer or another occupation. While Statements of Employment will not normally be required for renewals, it will be necessary to submit one for every work permit, where a contract was not required previously. This can best be done when the work permit is renewed.

A Police Certificate from the applicant's country of residence must be submitted with the initial application where the applicant is coming to Bermuda for the first time.

Short-Term Permit - Entertainer

A short-term permit – entertainer allows a person to be engaged for a single period of 14 days or less as an entertainer.

The application fee for a short-term permit – entertainer is \$254.00 (2002: fees are revised from time-to-time). Where no permission is granted, the application fee is refunded less \$115.00 (2002: fees are revised from time-to-time) processing fee.

Groups of entertainers can be accommodated. The fee for a group of between two and five entertainers is \$254.00 (2002: fees are revised from time-to-time) per person. For a group of more than five entertainers, the application fee is that for five entertainers plus \$127.00 (2002: fees are revised from time-to-time) for each additional person. Where no permission is granted, the application fee is refunded less \$115.00 (2002: fees are revised from time-to-time) processing fee.

Letter of Permission

A letter of permission may be granted, for a period of up to one year, to a not-for-profit organisation, such as a registered charity, for the employment of:

- a coach or teacher of sports
- a coach or teacher of recreation
- clergy
- a speaker
- a musician

There is no fee for a letter of permission.

APPENDIX 6. POLICIES FROM OTHER COUNTRIES

Australia

Australia maintains an open door policy on tours by overseas musicians providing that a few simple rules are observed. They must enter Australia for a specified short term stay on a special visa, be sponsored by an entity of good character that will observe Australian wages and working conditions, guarantee compliance with the terms of the visa, and generate a “*net employment benefit*” in the Australian industry (interpreted to mean “one for one” Australian musicians on the same stage — there were some sensible flexibilities in this policy). They must also consult the relevant trade union. There are no requirements based on criteria like musical standard, status or reputation.¹⁰⁷

Canada

The 1995 introduction of the Status of the Artist Act elevated Canadian artists, including performing artists, to recognised professional status. This recognition combined with the clout of the Musicians’ Guild (Guilde des Musiciens) provides wage entitlements and protection against unfair competition from foreign entertainers. The Guild’s affiliation with the American Federation of Musicians allows reciprocal performance permits between the countries for union members. Performers from other countries must register with the local guild, in effect joining the guild temporarily, and will be permitted to work provided they are deemed not to be taking work away from local performers.¹⁰⁸

Cyprus

The laws governing employment of foreign musicians in Cyprus are antiquated in that responsibilities are shared between the ministries of Labour and Immigration. Sometimes neither knows what the other is doing. The law stipulates Immigration can only grant work permits to foreign musicians after consulting the Labour Ministry. However there is no effective mechanism to check that the work ceases once the permit expires.¹⁰⁹

Denmark

The Danish Musicians Union has a policy regarding foreign musicians based on the Danish law of immigration. The foreign orchestra/artist must apply to the government through the Center of Immigration. The Center of Immigration checks with the Union if the contracts are okay and that the foreign orchestra/artist doesn’t undersell the Danish level of salary, work conditions etc. For artist/bands that are special and “poster acts” like Pavarotti, or the Rolling Stones there is no problem, but they still have to apply for a work permit. Often the agent importing the artist makes the application, but it is always the government that is in charge of the process.¹¹⁰

Danish law states: An alien can obtain a *residence and work permit* in Denmark in order to take employment here ... if there are no qualified individuals currently residing in Denmark who can perform a specific job.¹¹¹

¹⁰⁷ Peter Woodward, Union Advocate, Western Australia (2002), “Supporting Overseas Bands.”

¹⁰⁸ Danielle Cliché, “Status of the Artist or of Arts Organizations?: A Brief Discussion on the Canadian *Status of the Artist Act*” *Canadian Journal of Communication*. Vol 21 No 2, 1996.

¹⁰⁹ Bouli Hadjioannou - *Cyprus Mail: News Articles in English*, 97-11-14.

¹¹⁰ Fischer, L. Information Officer, Danish Musicians Union. Personal communication, 11 August 2004.

¹¹¹ The Danish Immigration Service, <<http://www.udlst.dk/>>www.udlst.dk>.

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France

France has always welcomed foreign performers with open arms. Performing artists, unacknowledged in their home countries around the world, have found refuge and thrived in France. French audiences are discriminating but highly supportive of quality performers — foreigners as well as their own. The French government promotes and adheres to "the principle of subsidizing culture - and the refusal to consider culture as a mere marketable product."¹¹²

Germany

If an organiser wants to book an artist who does not have a German passport, he has to pay tax on this foreign performer at a rate nearly twice the normal tax, possibly as high as 40 %. These taxes not just on the salary for the artist, but also on all 'production costs' including the hotel, meals, even on the beer the musician drinks during the concert.¹¹³

Ireland

The Irish equivalent of the UK's Musicians' Union is the Irish Federation of Musicians and Associated Professions.

Generally, the Irish have a co-operative, coherent and structured approach to encouraging music enterprise and the development of new music. The innovative and national FMC project. FMC (Federation of Music Collectives) is an umbrella organisation designed to encourage the setting up of local music structures and development groups throughout Ireland. Initiatives include music industry training and seminars, business advice, information, contacts, international exchanges, access to recording and rehearsal facilities, and even the lending of instruments and equipment to young hopefuls. One key initiative of this body is the Instrument Bank Scheme which has allocated IR£150,000 to the purchasing of musical instruments (particularly for schools).

The taxation system in the Republic of Ireland has a rather unique approach to encouraging creativity. Under Section 195 of the Taxes Consolidation Act 1997, artists (along with songwriters and other artistic creators) can claim exemption from some income taxation on their domestic earnings. This scheme has actually been in operation since 1969, and over 400 musicians and songwriters currently benefit from this.¹¹⁴

Japan

The Musicians' Union of Japan is seeking arrangements with unions all over the world for a reciprocal "temporary membership fee" to cope with the problem that so many foreign musicians visit Japan to perform.¹¹⁵

Philippines

The Philippines Bureau of Immigration (BI) has tightened the screening of foreign musicians applying for permits to perform in the country in order to protect local talents against the influx of foreign competitors. The Immigration Commissioner signed a memorandum of agreement in August 2004 with the Organisasyon ng Pilipinong Mang-aawit OPM) and Asosasyon ng Musikong Pilipino Inc. (AMP), which provided for new guidelines in the issuance of special

¹¹² Didier, Jacob - Ministry of Foreign Affairs, "France: a land of refuge for foreign artists." *Label France* magazine. N° 55 – July 2004.

¹¹³ *The Mollis* - Editors of FolkWorld; Published 2/98.

¹¹⁴ JoJo Gould, Music Business Journal (2001), "The Republic of Ireland : A Music Industry Overview."

¹¹⁵ The Musicians' Union of Japan < <http://www.mu.or.jp/english/english1.htm>>.

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work permits to foreign artists. The BI will no longer honor or approve any application for work permit not endorsed by the OPM and AMP.

Leaders of the OPM and AMP signed the accord wherein the two organizations agreed to evaluate all applications for work permits by foreign artists filed with the BI on their behalf by their local producers or agents. The two groups also agreed to assist the BI in reporting any violations of immigration rules by foreign performers and their producers so that the proper sanctions could be imposed on the latter. A producer who fails to secure a work permit for a foreign artist before the latter performs a live concert is usually fined P100,000 by the BI; the alien performer is ordered to immediately leave the country.¹¹⁶

UK

The Union is consulted regularly by Work Permits UK regarding non-E.U. applicants seeking work permits to work as musicians in the UK. Only in instances where we can plainly see that they are performing a duty that could not be performed by the resident work force and that the rates of pay are commensurate with Union rates do we approve such applications. We have no policy regarding E.U. members from other member states coming to the UK to work other than trying to ensure that the rates of pay are as explained above.¹¹⁷

USA

All foreign performers, entertainers, and their technical assistants require employment authorization from the U.S. Immigration and Naturalization Service prior to applying for visas to engage in live performances or production of recorded entertainment material (films and video productions). The process for filing visa petitions for performers, entertainers, and their technical assistants is complex. The U.S. Embassy recommends that the promoter, sponsor, or producer of performances or entertainment productions in the United States seek expert counsel from an attorney who has experience in obtaining visa petition approval for members of the entertainment professions.

In order to qualify for H1B classification, which according to the Department of State "applies to persons in a specialty occupation which requires the theoretical and practical application of a body of highly specialized knowledge requiring completion of a specific course of higher education," a performer must have a letter signed by either the American Federation of Musicians or another musicians' union, the American Guild of Musical Artists, attesting that the performer will not be taking jobs from American artists.

Since September 11 2001, all foreigners coming to the United States, including musicians, have been more heavily scrutinized when applying for visas. The process and the delays have been a problem, both for the artists and for the venues that want to bring them in to perform.¹¹⁸

¹¹⁶ Philippines Bureau of Immigration <http://www.immigration.gov.ph/news_updates.php>.

¹¹⁷ Horace Trubridge, Assistant General Secretary - Live Engagements. UK Musicians Union.

¹¹⁸ *The Portland Phoenix*, Portland, Maine <portland-feedback@phx.com>.