

Welsh Parliament

**Culture, Communications, Welsh Language, Sport,
and International Relations Committee**

Culture shock

Culture and the new relationship
with the European Union

November 2024



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Culture shock

Culture and the new relationship with the European Union

November 2024



About the Committee

The Committee was established on 23 June 2021. Its remit can be found at:
www.senedd.wales/SeneddCulture

Current Committee membership:



**Committee Chair:
Delyth Jewell MS**
Plaid Cymru



Alun Davies MS
Welsh Labour



Heledd Fychan MS
Plaid Cymru



Laura Anne Jones MS
Welsh Conservatives



Carolyn Thomas MS
Welsh Labour



Lee Waters MS
Welsh Labour

The following Members attended as substitutes during this inquiry:



Siân Gwenllian MS
Plaid Cymru



Joel James MS
Welsh Conservatives

The following Members were also members of the Committee during this inquiry:



Hefin David MS
Welsh Labour



Tom Giffard MS
Welsh Conservatives



Llyr Gruffydd MS
Plaid Cymru

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Chair's foreword

This inquiry goes to the very heart of our shared European history: a history where artists have crossed borders, exchanged ideas and inspirations, and have woven together a shared cultural tapestry. The threads of that tapestry have become frayed, without question, and our inquiry provides a sobering account of how Brexit has affected our culture sector. The cultural cost of weakening ties has been substantial, and this report is our attempt not only to highlight what's being lost, but to push for changes to be introduced – and quickly.

As is so often the case with Brexit, we must look beyond the data to see the effect on real people's lives, because the palpability of what's being lost is not in the graphs, but in the *gaps*: - the gaps in opportunities for new artists, and the broken connections in support that make touring all but unviable for too many performers. Brexit's barriers have slowed the free movement of creativity, ideas, and potential with many artists choosing simply never to tour.

Our culture sector thrives on the immeasurable - since passion, creativity, and talent are its lifeblood. Wales is a nation rich in these elements, but what price are we expecting our artists to pay for pursuing their passion? Our society must find better ways of reflecting the value of the arts to our economy and our way of life. Our artists must be allowed to tell Wales's story to the world.

To date, the complexities of the situation have kept swift solutions out of reach – but this does not mean that we can afford to give up, nor will we. The urgent need to resolve these problems remains of paramount importance: we must do more.

We are immensely grateful to the artists and those working in the culture sector who have shared their stories with us. Their words have helped to shape the stories we, in turn, can tell through this report – and for that, we are truly thankful.

As a committee, the bluntness of the message we've heard stays with us. The stakes remain perilously high. Every week, artists are choosing *not* to pursue new ventures, *not* to make life-changing connections, because of the barriers placed in their path. For the sake of supporting the art and artists that enrich our lives, we must do all we can to find solutions – and we applaud the people who are working tirelessly to do this.

This report embodies our commitment to the sector - to secure a vibrant future for our artists, where light can once again be found to illuminate the way.

A handwritten signature in black ink, appearing to read 'Delyth Jewell'.

Delyth Jewell MS

Committee Chair

Recommendations

Recommendation 1. We call on the Welsh Government to support the recommendation made by the Parliamentary Partnership Assembly in December 2023 (see paragraphs 58 and 59 of this report), and to use all available levers to encourage the UK and EU to progress its actions.Page 27

Recommendation 2. We call on the Welsh Government to set out what guidance and support it provides to creative workers on cross-border working post-Brexit. The response should include detail on what information is available on its website, the role of its export support ad overseas offices, and any funding provided to third parties for advice services.Page 30

Recommendation 3. We call on the Welsh Government to provide its assessment of Brexit’s impact on the culture sector in Wales.....Page 35

Recommendation 4. We call on the Welsh Government to set out what steps it has taken to mitigate the effect of Brexit on the sector, including the financial implications, and what steps it will take in future, in response to this report. Page 36

Recommendation 5. We urge the UK and EU to prioritise new arrangements for creative workers in the upcoming implementation review of the Trade and Cooperation Agreement with a view to progressing the Parliamentary Partnership Assembly’s recommendation on touring artists.....Page 45

Recommendation 6. We call on the Welsh Government to include cross-border creative work as a priority in a clear, coherent strategy setting out its ambition for UK-EU and Wales-EU relations.Page 45

Recommendation 7. We call on the Welsh Government to provide its current views on how Wales is represented in UK-EU governance structures in response to this report.Page 45

Recommendation 8. We call on the Welsh Government to champion these issues at intergovernmental meetings. It should take practical steps, such as suggesting the following as standing agenda items until the situation improves:

- i. improving post-Brexit arrangements for creative workers, including via the upcoming TCA implementation review; and

- ii. UK association to Erasmus+ and Creative Europe.

The Welsh Government should report to this Committee at least once a term on relevant intergovernmental discussions on these specific matters for the remainder of the Sixth Senedd..... Page 48

Recommendation 9. We call on the Welsh Government to confirm what data and evidence it is using to inform decisions in this area, including to include touring artists as a priority for the implementation review of the Trade and Cooperation Agreement. Page 55

Recommendation 10. We call on the Welsh Government to provide its assessment of how its priorities for the implementation review of the Trade and Cooperation Agreement will address all of the elements that need to work together to facilitate cross-border creative work..... Page 55

Recommendation 11. We support the Legislation, Justice and Constitution Committee’s call for the establishment of a new Welsh Government advisory group on UK-EU relations. This should include representative bodies from the culture sector..... Page 55

Recommendation 12. We call on the Welsh Government to set out how it has engaged with stakeholders on the matters covered by this inquiry since January 2021, including key findings and steps taken in response..... Page 56

Recommendation 13. We call on the Welsh Government to incorporate the Committee’s findings into its future culture and international relations strategies. Page 56

Recommendation 14. We call on the Welsh Government to maintain a dialogue with the Irish Government on this issue as part of their ongoing and future cooperation, and to scope, where possible, what additional support could be jointly provided while awaiting a UK-EU-led solution..... Page 58

Introduction

Background

- 1.** The United Kingdom’s (“the UK”) membership of the European Union (“the EU”) guaranteed freedom of movement for persons, goods, services and capital. This allowed touring performers and professional culture workers (“creative workers”) to work cross-border as they would domestically for the most part.
- 2.** The UK’s exit from the EU, and the terms of its post-Brexit relationship with the EU, changed this significantly from 1 January 2021.
- 3.** The rules for cross-border creative working between the UK and EU post-Brexit are complex because the UK and EU could not agree rules for this specific scenario during negotiations on the Trade and Cooperation Agreement (“TCA”). There are different elements that need to work together to facilitate cross-border working, some of which are covered by the TCA to varying degrees. Others fall outside of the TCA so that what is not covered is just as important as what is.
- 4.** The upcoming implementation review of the TCA provides relevant and timely context for this inquiry which aims to assess the effects of the UK’s new relationship with the EU on the culture sector in Wales.
- 5.** The matters in this inquiry span multiple UK and Welsh Government responsibilities and departments covering primarily UK-EU relations, trade, culture, and immigration. These cover reserved and devolved competence. As such, we have returned to our long-held views on how Wales is represented in UK-EU relations.
- 6.** There are two parts to this report. In Part One, for the first time, we present the first comprehensive body of evidence of the effects of Brexit on the culture sector in Wales. We also outline the evidence we received on the Committee’s role in helping the sector to navigate the many post-Brexit challenges it faces. Witnesses urged us to act, and in response, we make a number of commitments.
- 7.** In Part Two, we set out the constitutional landscape and the levers available to us, and to the Welsh Government to influence and bring about improvements.

Terms of reference

8. The terms of reference for this inquiry were published on 24 July 2023. We asked for evidence about:

- the impact of the new relationship on artists and creative workers touring and working cross-border (including touring and working in Wales);
- the impact of new trading arrangements relating to cultural activity;
- the availability of guidance and support for the sector relating to the new relationship between the UK and EU;
- any changes to the UK-EU relationship that might improve cross-border working for the culture sector.

Evidence gathering

9. We ran a public consultation from 24 July 2023, to 27 October 2023. We received 17 written responses representing a range of voices from across the culture sector. We also held eight oral evidence sessions between 8 February 2024, and 15 May 2024. Contributors are listed in Annexes 3 and 4 of this report.

10. We received evidence from four UK ministers, six Welsh ministers (including two former First Ministers) and a department of the Irish Government. We also received evidence from members of the House of Lords, the UK-EU Parliamentary Partnership Assembly, and the European Parliament.

11. In addition, we held an engagement event at the Wales-Ireland Other Voices festival in Cardigan on 27 October 2023, where we spoke to touring performers and professional culture workers (“creative workers”) about their experiences of cross-border work before and after Brexit.

12. Between 11 December 2023, and 26 February 2024, the Senedd Commission’s Engagement Team also facilitated ten interviews and one focus group to provide the Committee with the views and experiences of creative workers.

13. We would like to thank everyone who contributed to this inquiry. Your insights have been enlightening, valuable and truly sobering.

14. We would also like to extend a special thank you to our partners in Ireland for responding to our call for evidence. In our report on Wales-Ireland relations,¹ we committed to play our part in enhancing this key international relationship and our counterparts have shared their experience and perspective. We are grateful to the Irish Government for its continued close working with us.

15. In December 2018, our predecessor committee examined the potential impacts of Brexit on the arts sector and creative industries and foretold of the loss of EU funding programmes and new restrictions on touring artists.² During our consultation on Priorities for the Sixth Senedd³ (held in the summer of 2021), respondents urged the Committee to evaluate the effects of Brexit on the culture sector. Now that sufficient time has elapsed since the pandemic for touring to resume, we believe we are better placed to assess these impacts.

16. The rich body of evidence presented in this report comprises both qualitative and quantitative evidence. Whilst the qualitative evidence features throughout the report, the evidence of economic impact is presented in Annex 1. We commend the openness and willingness of the witnesses who shared this information.

¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee report: Wales-Ireland relations: Exploring an old relationship in a new age, October 2023](#)

² [Culture, Welsh Language and Communications Committee report: Brexit, the arts sector, creative industries and the Welsh language, December 2018](#)

³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee consultation: Priorities for the Sixth Senedd](#)

Part One: Evidence of impact

17. The first part of this report outlines the key areas of concern identified by witnesses including trading arrangements, available guidance and support, and the loss of EU funding and networks. We present evidence received of the impact these changes have had on cross-border working and relating to the Committee's role in supporting the sector. We make a number of commitments in response.

1. Trading arrangements

18. For the first time, the sector must navigate complex mobility and trade rules for moving people and their goods. Some witnesses said they feel as though they have experienced a no-deal Brexit. Professor Catherine Barnard told us the sector has been “very badly let down” by the terms of the new UK-EU relationship.⁴

1.1. Moving people

19. The TCA does not specifically cover the movement of creative workers. In addition, EU Member States have some autonomy to decide their approach to the movement of persons where the TCA is silent. As a result, UK creative workers touring in the EU must navigate 27 sets of rules applying to the movement of persons.

20. Witnesses spoke of the complexity of these new arrangements. Baroness Bull described the rules for moving people as a “...patchwork of visa and work permit arrangements in 27 EU countries” that impacts “...people’s ability just to manage”.⁵ Other witnesses supported her view and many said that the new level of administration had increased costs and time.⁶ Small World Theatre told us that the disproportionate amount of administration and the extra costs had reduced its ambition to work in Europe.⁷

21. Conversely, EU artists touring in the UK need only follow one set of rules, which are relatively generous to EU workers. Professor Catherine Barnard explained this means that, “... paradoxically, the EU’s got less incentive to offer a

⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraphs 8, 78-80](#)

⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 8](#)

⁶ [Response to the consultation CEU 14, British Council](#)

⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 105](#)

generous deal to the UK, because its musicians have already got access to our market”.⁸

22. Many witnesses referred to the Schengen 90/180 day-rule⁹ and explained how this had resulted in lost work¹⁰ and income, reduced contract viability, and additional return trips to the UK between performances, either to renew visas or to stay within the 90 day limit.¹¹ NoFit State said:

“I just wanted to add that, within our contracts now, with our performing company, we have to include a clause that they’re not allowed to go on holiday into the EU in the month immediately preceding a contract because, if they did, that would break into their 90 days and they would not be able to work in the EU for our contract. I’d never imagined in my life that I would have a contract with an artist making such a demand on them, that they should affect their personal lives outside of working for us to that extent.”¹²

23. A tour manager at the Other Voices festival said that the Schengen 90/180 day rule makes it difficult to replace staff quickly or easily when they are unwell, particularly with staff from Wales. They added that session players for a well-known Welsh rock band had obtained Irish passports to be able to move freely in the EU.¹³ This view was supported by Musicians’ Union and Welsh National Opera (“WNO”).¹⁴

1.2. Moving goods

24. A number of witnesses described increased bureaucracy, including the administrative and financial burdens facing creative workers when moving goods cross-border. These problems were most commonly described in the context of the customs documents for goods (such as instruments and creative equipment), haulage restrictions, export declarations and import duties, and taxes relating to

⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 87](#)

⁹ A visa waiver for short visits within the Schengen area of no more than 90 days in every 180.

¹⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 103](#)

¹¹ [Response to the consultation, CEU 13, Equity, Culture, Communications, Welsh Language, Sport, and International Relations Committee, 15 May 2024](#)

¹² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 168](#)

¹³ [Other Voices, engagement note, paragraph 11](#)

¹⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 27, 108](#)

merchandise. Witnesses spoke of the impact of increased bureaucracy on their creativity. A focus group participant said:

“Obviously, there are exceptions, but for the most part, it [the extra paperwork] really affects an artist’s mindset, and that affects you too creatively, not just in practice.”¹⁵

25. Witnesses primarily called for less restrictive and/or simplified rules, including exemptions or waivers from customs and haulage requirements.¹⁶ Many attested to negative experiences of border controls and called for better training of border staff.¹⁷

Carnets

26. Taking goods temporarily into the EU (e.g. musical instruments and equipment) can require a goods passport, called an ATA carnet (“carnets”). Carnets usually cost between £200-500 plus a security deposit based on the value of the goods.

27. Witnesses reported that carnets have had a significant impact on transporting equipment for overseas performances and tours.¹⁸ They describe them as “daunting”, “extremely confusing”, the “biggest paperwork nightmare of my life”, and the “biggest frustration”. Some had paid experts to handle the process on their behalf.¹⁹

28. Several witnesses told the Committee that border checks were applied inconsistently, including at the Holyhead-Dublin crossing, making it hard for creative workers to know which rules they need to follow.²⁰ Small World Theatre

¹⁵ [Citizen engagement findings, March 2024, paragraph 21](#)

¹⁶ [Response to the consultation CEU 03, Welsh National Opera](#)

[Response to the consultation CEU 08, UK Music](#)

¹⁷ [Response to the consultation CEU 08, UK Music](#)

[Other Voices, engagement note, paragraphs 12 - 15](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record](#)

[of proceedings, 28 February 2024, paragraph 70](#)

[Citizen engagement findings, March 2024, paragraph 33](#)

¹⁸ [Response to the consultation CEU 08, UK Music](#)

¹⁹ [Other Voices, engagement note, paragraphs 40, 41](#)

²⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee,](#)

[record of proceedings, 08 February 2024, paragraph 127](#)

[Other Voices, engagement note, paragraph 13](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record](#)
[of proceedings, 28 February 2024, paragraphs 45, 55](#)

and NoFit State agreed that officials at UK borders are often unaware of requirements:

*“... the example [...] of the wrong stamp in the wrong place on the form, that is happening to everybody all of the time and, as a result, equipment is being held at borders, trucks are being held at borders, the officials on the ground don't know what the rules are and they are making mistakes”.*²¹

29. One witness at the Other Voices festival told Members that, “...even when you do everything right, ports might move the goal posts”.²² Another said that they were “...scared I would get sent to prison” for an error on their customs form.²³

30. UK Music also said that processing at Holyhead’s off-site customs facility requires artists to book 24 hours in advance, adding significant time to the journey between Wales and Ireland.²⁴

31. Witnesses recommended better customs education and training at borders and said the requirement for a carnet should be removed, especially between Wales and Ireland.²⁵

Merchandise

32. To take merchandise on tour from the UK to the EU for sale at performances, different rules and requirements apply depending on the value of merchandise, its weight and where it is sold.

33. Witnesses described merchandise as a particularly complex area having a negative impact on “a really important income stream”.²⁶ A soloist at the Other Voices festival said revenue from merchandise is “...a massive chunk of what I get”

²¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 127,](#)

[Other Voices engagement note, paragraph 13](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 161, 170](#)

²² [Other Voices engagement note, paragraph 14](#)

²³ [Other Voices engagement note, paragraph 15](#)

²⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 127](#)

²⁵ [Other Voices engagement note, paragraph 17](#)

²⁶ [Other Voices engagement note, paragraph 18](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 72](#)

and this had been “...most affected by Brexit”.²⁷ Several witnesses supported the view that merchandise rules disproportionately increase burdens on smaller acts. UK Music said that, for this group, selling merchandise can be “...the difference between a tour being viable or not”.²⁸

34. Some acts explained they have started shipping an individual distribution to each venue ahead of time, adding freight and air miles to their tours. One witness at the Other Voices festival set up a distribution centre in Germany to try to make this easier, but this had also proven to be problematic.²⁹

Cabotage

35. The TCA’s cabotage rules allow UK tours to make three movements (one initial movement from the UK followed by two onward movements) within seven days before having to return to the UK.

36. Many witnesses said the cabotage rules affect their ability to tour in the EU.³⁰ UK Music said returning to the UK every three stops takes “...huge time and financial cost”.³¹ The Association of British Orchestra told us the cabotage rules prevent orchestras from using their own specially adapted trucks for multi stop tours to the EU.³²

37. A logistics company at the Other Voices festival said that transport logistics have been a deterrent, even for larger companies. They believed that the effect on drivers is “under-reported” and emphasised the importance of staff continuity for tour cohesion.³³ The creative director of a theatre at the Other Voices festival said that he is no longer considering touring Europe at all – that this “aspiration is cut off”.³⁴

CITES

38. The UN Convention on International Trade in Endangered Species of Wild Fauna and Flora (“CITES”) applies to the cross-border movement of musical

²⁷ [Other Voices engagement note, paragraphs 18, 20](#)

²⁸ [Response to the consultation CEU 08, UK Music](#)

²⁹ [Other Voices engagement note, paragraph 19](#)

³⁰ [Response to the consultation CEU 03, Welsh National Opera](#)

[Response to the consultation CEU 08, UK Music](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 8](#)

³¹ [Response to the consultation CEU 08, UK Music](#)

³² [Response to the consultation CEU 09, Association of British Orchestra](#)

³³ [Other Voices engagement note, paragraph 11](#)

³⁴ [Other Voices engagement note, paragraph 31](#)

instruments made using materials from endangered species, like ivory and tortoiseshell. CITES requires that these instruments are certificated and they must enter and exit through designated ports.

39. Cardiff and Bristol airports, and Fishguard, Holyhead and Pembroke sea ports are CITES designated ports, but Eurotunnel is not. In evidence to the Committee, the former UK Government advised it had increased the number of CITES entry points from 11 to 36 since 2021.³⁵

40. CITES was raised as an issue by several witnesses, including relating to the assessment of instruments by experts. WNO described how it had to obtain assessments of all its instruments by external experts to determine if certificates were needed. It said, “...the whole process involved a huge investment of work and time”.³⁶

41. Additional travel via designated ports was described as “...effectively barring some artists from certain forms of transport into the EU,” and witnesses called for Eurotunnel to be designated as a CITES port.³⁷

1.3 Impact

42. The evidence we gathered of numerous challenges facing creative workers in the wake of the UK’s exit from the EU paints a bleak picture of cumulative effects. The overwhelming majority of witnesses spoke of post-Brexit arrangements in negative terms and said it had a detrimental effect on the sector and its cross-border work. Laurence Farreng MEP believes these effects are underestimated, including the loss of the UK’s contribution to the EU.³⁸

43. We asked every contributor to this inquiry whether they could provide any data to demonstrate the effects of Brexit on the sector. A detailed overview of the quantitative data received in written and oral evidence is set out at Annex 1.

44. Witnesses described a “complicated landscape”³⁹ of administrative, financial, and perceptual obstacles⁴⁰ which Small World Theatre likened to, “... a cultural Iron

³⁵ [The UK Government, written evidence](#)

³⁶ [Response to the consultation CEU 03, Welsh National Opera](#)

³⁷ [Response to the consultation CEU 08, UK Music](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 17](#)

³⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 8](#)

³⁹ [Response to the consultation CEU 14, British Council](#)

⁴⁰ [Response to the consultation CEU 01, NoFit State Community Circus](#)

[Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International](#)

Curtain”.⁴¹ BECTU told us “...we had in the UK a world-class entertainments industry, which was thriving, which has gone to struggling”.⁴² Witnesses described how these new barriers have led to lost opportunities⁴³, reduced activity⁴⁴, increased costs⁴⁵ and lost income.⁴⁶ Many of these effects were reiterated by the focus group participants.⁴⁷

45. Multiple witnesses believed larger, more established companies and artists are better placed to absorb new costs in a sector made up mostly of smaller enterprises.⁴⁸ British Council Wales said that larger organisations, particularly those with multiple and large items of equipment like circuses and orchestras, are still “very much affected”.⁴⁹ Small World Theatre said “...all artists are equally affected by these commonalities. The reality is that their situations are as precarious and as desperate, and there’s nothing there to help”.⁵⁰

⁴¹ [Response to the consultation CEU 04, Small Word Theatre](#)

⁴² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 11](#)

⁴³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 17](#)

⁴⁴ [Response to the consultation CEU 08, UK Music](#)

[Response to the consultation CEU 13, Equity](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 199, 203, 238](#)

⁴⁵ [Response to the consultation CEU 04, Small Word Theatre](#)

[Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International](#)

[Response to the consultation CEU 11, Welsh Independent Producers](#)

[Response to the consultation CEU 14, British Council Wales](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 201, 203](#)

⁴⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraphs 105, 119](#)

[Response to the consultation CEU 01, NoFit State Community Circus](#)

⁴⁷ [Citizen engagement findings, March 2024](#)

⁴⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraphs 7, 119](#)

[Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 24](#)

⁴⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraphs 114](#)

⁵⁰ [Other Voices, engagement note, paragraph 39](#)

46. Many witnesses spoke of a generational impact⁵¹ with the greatest effects being on young and emerging artists.⁵² Baroness Bull told us “...there’s a cultural hit, there’s an economic hit, there’s an opportunity hit for young people”.⁵³ Musicians Union explained that grassroots artists just starting out have “...to find someone or find a way of dealing with all the costs and the admin” whereas established commercial artists are likely to have that backing already.⁵⁴ A focus group participant said:

*“It was so much easier to go abroad to perform. Now, it’s all red tape... is going to break young people’s hearts before they start, from both sides. That’s sad.”*⁵⁵

47. Equity told us that, without an established reputation, it is more difficult for young artists to find employers in Europe who will bear the additional administration costs associated with employing a UK national.⁵⁶ WNO told us, “...we are at a risk of those young artists not being able to develop their skills and hone their skills to bring them back into the UK, and particularly into Wales.”⁵⁷ A tour manager at the Other Voices festival said that young artists “...can’t build a career in Wales”.⁵⁸

⁵¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraphs 20, 117](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 20](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 145](#)

⁵² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraphs 9, 119](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 18, 175, 204](#)

⁵³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 9](#)

⁵⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 23](#)

⁵⁵ [Citizen engagement findings, March 2024, paragraph 42](#)

⁵⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 18](#)

⁵⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 175](#)

⁵⁸ [Other Voices, engagement note, paragraph 37](#)

48. Witnesses also described aspects that are more difficult to quantify. Examples given were the loss of spontaneity⁵⁹, ambition⁶⁰, creativity⁶¹, confidence⁶², and a “nervousness” about UK-EU work despite a willingness to continue.⁶³ Others told us of their emotional reactions.⁶⁴ Baroness Bull spoke of the immeasurable things, the unrealised talent and unseen performances that cannot be quantified and will not be recovered. She said, “...we have lost a significant tranche of talent that we will never know about”.⁶⁵

49. Several witnesses noted that the effects of Brexit were also felt by creative workers in the EU and that the losses resulting from new barriers are mutual. Baroness Bull observed that the situation, “...is also hurting artists and arts organisations in the EU, not just in terms of the ability to come here, but because of the contribution that UK artists have always made to the EU arts scene, to the music industry there.”⁶⁶ Wales Arts International told us that EU creative workers “...are concerned about coming into the UK, and how complex and expensive it will be.”⁶⁷

50. We were told that Wales is becoming a less attractive place for artists from the EU to work.⁶⁸ The Association of Independent Promoters said it was seeing a

⁵⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 105](#)

⁶⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 105](#)

⁶¹ [Other Voices, engagement note, paragraph 24](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 116](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 152](#)

[Citizen engagement findings, March 2024, paragraph 48](#)

⁶² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 19, Citizen engagement findings, March 2024, paragraphs 36 - 42](#)

⁶³ [Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International](#)

⁶⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraphs 92, 56](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 142](#)

⁶⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 75](#)

⁶⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 9](#)

⁶⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 197](#)

⁶⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 212](#)

[Response to the consultation CEU 12, National Dance Company Wales](#)

decrease in artists coming to venues in Wales and across the UK.⁶⁹ Some witnesses were concerned that Wales is not seen in Europe as being as welcoming a place as before.⁷⁰ NoFit State said “...we should not underestimate the reputational damage that Brexit has done and the impression that it has created that people from other countries are not welcome here.”⁷¹

51. Many witnesses agreed that the costs associated with visas and the UK’s NHS surcharge are making it harder to attract and recruit the best talent, and to offer short-term contracts.⁷² WNO also framed this within the context of a level playing field and said it had experience of not being able to compete with the opportunities offered within the EU, where wages are also higher.⁷³ Several witnesses told us that administrative barriers and additional costs are deterring employers in the EU from looking in the UK’s direction to hire.⁷⁴

52. Witnesses described how the new barriers to mobility have resulted in fewer artistic exchanges and collaborations, undermining the vibrancy and diversity of our cultural landscape.⁷⁵ Small World Theatre told us:

“It has mostly affected our ambition to collaborate with—. Before, we would go and talk to wonderful companies and share ideas, cross pollinate, talk about collaborations and be spontaneous.”⁷⁶

53. WNO told us that “creativity could be stifled” as the UK is not seen as a viable place to work for European peers in EU opera houses. Literature Across Frontiers and Wales Literature Exchange told us “...our cultural impact and footprint has diminished, and our visibility as a cultural nation has decreased.”⁷⁷

54. We asked each witness whether there were any benefits and/or opportunities to the new arrangements. The examples given were limited to having to “source things more locally” in the media sector, and finding opportunities to trade

⁶⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 206](#)

⁷⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 77, 210, 212](#)

⁷¹ [Response to the consultation CEU 01, NoFit State Community Circus](#)

⁷² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 132-135](#)

⁷³ [Response to the consultation CEU 03, Welsh National Opera](#)

⁷⁴ [Response to the consultation CEU 03, Welsh National Opera](#)

⁷⁵ [Response to the consultation CEU 12, National Dance Company Wales](#)

⁷⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 105](#)

⁷⁷ [Response to the consultation CEU 06, Literature Across Frontiers and Wales Literature Exchange](#)

outside of the EU.⁷⁸ BECTU told us that its members “...can’t replicate the work they’ve lost from the EU within the UK creative sector”.⁷⁹ Musician Union told us “...the new relationship with the EU doesn’t make working in other countries that are further away easier.”⁸⁰ Some witnesses specifically noted that net zero target commitments had influenced decisions not to seek opportunities elsewhere.⁸¹

1.4 Proposed solutions

55. Many possible solutions were supported by witnesses, all of which would require UK-EU negotiations. Examples include culture and arts exemptions to the TCA, a bespoke cultural agreement covering all scenarios⁸², a visa waiver agreement to harmonise visa rules across EU Member States⁸³, revoking the Schengen 90/180 day rule for the sector⁸⁴ and the creation of a single market for culture with free movement of people and their goods. Small World Theatre said such proposals would amount to “fiddling around the edges” and that only rejoining the EU “would sort it” and “make things better”.⁸⁵ However, Equity said that the UK need not rejoin the EU to take practical steps to help the sector now.⁸⁶

The Parliamentary Partnership Assembly

56. The Parliamentary Partnership Assembly (PPA) is the inter-parliamentary body established under the TCA. Formed of members from the UK and European

⁷⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 158, 217.](#)

⁷⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 39.](#)

⁸⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 41.](#)

⁸¹ [Response to the consultation CEU 01, NoFit State Community Circus, Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 162.](#)

⁸² [Response to the consultation CEU 02, Media Cymru](#)
[Response to the consultation CEU 03, Welsh National Opera](#)
[Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International](#)
[Response to the consultation CEU 08, UK Music](#)

⁸³ [Response to the consultation CEU 08, UK Music](#)
[Response to the consultation CEU 14, British Council](#)
[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 15.](#)
[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 72.](#)

⁸⁴ [Response to the consultation CEU 01, NoFit State Community Circus](#)

⁸⁵ [Response to the consultation CEU 04, Small Word Theatre](#)
[Other Voices, engagement note, paragraph 47.](#)

⁸⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 75.](#)

parliaments, it meets twice annually and is the only body that can hold the Partnership Council to account.

57. The Partnership Council supervises and facilitates the implementation and application of the TCA and any UK-EU supplementing agreements. It is co-chaired by one representative of the UK Government and one of the European Commission and meets at least once a year or on request. It is supported by 19 committees (11 trade committees and eight non-trade specialised committees) and working groups.⁸⁷

58. In December 2023, the PPA issued the following recommendation on touring artists to the Partnership Council. It:

12. *“Recognises the intrinsic value of cultural exchange and creative partnerships, which foster mutual understanding between the citizens of our nations, enable networks fostering artistic creation and innovations that create benefits to culture, society and the economy, and maintain our strong shared beliefs in freedom of expression and cultural diversity;*
13. *Observes that strengthening cultural exchange is a focus of recent developments in both EU and UK foreign policy, as reflected in both the EU Work Plan for Culture 2023–2026, and the Integrated Review Refresh 2023;*
14. *Acknowledges that as a result of the UK’s departure from the EU Single Market and the Customs Union, UK and EU artists seeking to tour within the other party’s territory have experienced increased barriers to doing so, including visa or work permits, customs and transport restrictions;*
15. *Observes that the current situation can be particularly challenging for young and less established artists;*
16. *Notes that while the majority of Member States offer UK artists some form of short-term touring options without a visa or work permit, the maximum length of stay in a Member State varies between a single performance and up to 90 days in a 180 day period; and that the UK offers a 1-month period for paid*

⁸⁷ [Senedd Research. UK-UE Series: Trade & Cooperation Agreement. Institutional Framework. January 2022](#)

performances and a 6-month period for unpaid performances comprising taking part in competitions, auditions and promotional activities as long as they are only claiming expenses or prize money;

17. *Recalls that the EU-UK Trade and Cooperation Agreement provides for rules on the temporary import of goods, used by artists to import their equipment.”⁸⁸*

59. The recommendation:

22. *“Urges the Partnership Council to prioritise the mobility of touring artists, with a view to developing a comprehensive approach that would allow artists and their teams to tour freely in the EU and UK - potentially as part of the forthcoming Trade and Cooperation Agreement Review - whilst recognising that this would form part of a broader political discussion encompassing a wide range of other issues;*
23. *Calls on the Partnership Council to work towards an agreement on streamlining visa, customs and work arrangements for touring artists and their teams; and*
24. *Calls for a redoubling of the efforts between the UK Government and the EU Member States to tackle artists’ concerns referred to above; for EU Schengen Member States to expand their offer for visa and work permit-free visits for touring artists and their teams up to the Schengen limit of 90 days in a period of 180, and to provide clear and comprehensive guidance online for touring artists and staff; and for the UK to reciprocate these efforts to reduce barriers to EU touring artists and to make clear information available online.”*

60. The former co-chairs of the UK-EU Partnership Council responded⁸⁹ to the recommendation from the PPA on touring artists. The response said that changes to current rules would require amendments to the TCA, which would “be a matter

⁸⁸ www.europarl.europa.eu/cmsdata/279312/Final%20Recommendation%20-%204th%20EU_UK%20PPA.pdf

⁸⁹ www.parliament.uk/globalassets/mps-lords--offices/offices/nato-expenses-2022-23-first-quarter/reply-from-the-partnership-council-to-the-recommendation-on-youth-mobility-schemes-etc.pdf

for the Parties to decide". It agreed with the PPA, that clear information is required on this issue.

Our view

61. During our inquiry we have gathered a consistent and compelling body of evidence from stakeholders across Wales illustrating the devastating and far-reaching impact of the UK's exit from the EU on our culture sector. We acknowledge the significant amount of work that has already been undertaken in this area by representative bodies and other committees.⁹⁰ Sadly, the evidence we have gathered reveals that Wales has not been immune to the effects of Brexit and our creative workers face challenges similar to those seen elsewhere.

62. We applaud the efforts of Baroness Bull and Laurence Farreng MEP in bringing these issues to the forefront at the UK-EU and EU levels. We recognise the cross-party support for the PPA's recommendation on touring artists. In our view, the recommendation offers a sensible approach in addressing key barriers identified in our inquiry. As a Committee, we fully agree with, and support the recommendation.

63. We note the Partnership Council's response to the PPA's recommendation and urge the parties to take it forward.

64. We believe the more widespread nature of the challenges facing the culture sector in Wales highlights the need for urgent action at UK-EU, UK and Wales levels. The shared findings underscore the importance of sustained, collaborative support for solutions that mitigate the impacts and growing risks to the sectors in the UK and the EU.

65. We acknowledge the evidence of the complexity of the rules faced by the sector, and their inconsistent application at ports, including at Holyhead. We believe that many of these issues can only be addressed at a UK-EU level and that the overall position would be improved by simplified, clearer arrangements.

Recommendation 1. We call on the Welsh Government to support the recommendation made by the Parliamentary Partnership Assembly in December 2023 (see paragraphs 58 and 59 of this report), and to use all available levers to encourage the UK and EU to progress its actions.

⁹⁰ [The All-Party Parliamentary Group on Music in association with UK Music. Let the Music Move: A New Deal for Touring](#)
[Independent Society of Musicians: Paying the Price: The sixth ISM Brexit report. August 2023](#)

2. Guidance and support

66. Our inquiry found that artists face difficulties in accessing comprehensive, reliable information when planning visits to the EU. Witnesses told us that the fragmented and inconsistent nature of the available information meant that artists often need to consult multiple sources to find information which is time consuming and costly.⁹¹ Witnesses agreed there is no one-stop-shop for all scenarios and they must approach multiple sources to find information, including the third sector, the UK Government website, HMRC, chambers of commerce and political representatives.⁹²

67. Many witnesses criticised existing government resources, describing them as poorly organised, inaccessible, and confusing.⁹³ NoFit State said that the UK Government website lacks the detail required and is “frequently out of date or inaccurate”.⁹⁴ UK Music told the Committee that it had previously been in discussions with the UK Government to develop an information hub but that it had “lost interest after a while, which was a bit unfortunate”.⁹⁵ Musicians’ Union suggested that this is an area where there could be a role for the Welsh Government.⁹⁶

68. BECTU reported a “...serious and distinct lack of guidance” for its members and said the most thorough guidance available had been provided by the industry itself.⁹⁷ Some third sector and industry bodies, such as Arts Council England and the Musicians’ Union, have developed their own resources, with the latter saying that “...members almost never sought guidance from us before Brexit”.⁹⁸

69. Wales Arts International collaborates with UK counterparts through Arts InfoPoint UK to provide information on mobility, particularly for international artists entering the UK. Witnesses told us that, whilst Arts Infopoint UK is a

⁹¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 191](#)

⁹² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 191](#)

⁹³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 190](#)

⁹⁴ [Response to the consultation CEU 01, NoFit State Community Circus](#)

⁹⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 190](#)

⁹⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 72](#)

⁹⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 52](#)

⁹⁸ [Response to the consultation CEU 15, Musicians’ Union](#)

valuable resource⁹⁹ it cannot cover the full range of complex information required.¹⁰⁰ Wales Arts International described a “jigsaw” of resources for this work with “no robustness or certainty of funding” reliant on part-time staff on annual contracts.¹⁰¹ Both it and the former Deputy Minister for Arts, Sport and Tourism, Dawn Bowden MS, said that financial support is needed to cover these additional costs.¹⁰²

70. There was support for a centralised information hub. Media Cymru noted that a one-stop-shop is “still missing” and would be “valuable to help navigate the new rules and requirements”.¹⁰³ National Dance Company told us the need for clear guidance and support remains paramount to the longer term prospect of regaining lost ground and income.¹⁰⁴ UK Music agreed that bespoke, clear, accessible information “can only be a good thing”.¹⁰⁵ Equity emphasised that consistency in the application of the rules would be improved through a single point of reference.¹⁰⁶

Our view

71. It is clear to us that the time, effort and resource expended to find reliable, clear and accurate information is disproportionate and has a detrimental impact. The frustration expressed by witnesses was palpable, with many describing the additional burden as unsustainable in the long term.

72. Whilst some witnesses pointed to a potential future role for the Welsh Government in providing guidance, none spoke of accessing direct Welsh Government guidance and support. Beyond funding for Arts Infopoint UK, it is not clear what Welsh Government guidance and support there is available.

⁹⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 177](#)

¹⁰⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 193](#)

¹⁰¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 195](#)

¹⁰² [Response to the consultation CEU.05, Arts Council of Wales / Wales Arts International The Welsh Government, February 2024, Written evidence](#)

¹⁰³ [Response to the consultation CEU.02, Media Cymru](#)

¹⁰⁴ [Response to the consultation CEU.12, National Dance Company Wales](#)

¹⁰⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 190](#)

¹⁰⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 72](#)

73. Nevertheless, we welcome the former Deputy Minister’s view, that financial assistance should be provided to cover additional costs associated with providing reliable, clear and accurate guidance and support.

74. As set out in paragraph 65, we believe that a UK-EU led solution would ameliorate many issues faced by the sector, including those relating to guidance and support. We believe the challenges detailed by witnesses are inextricably tied to the complexities of Brexit for the sector.

Recommendation 2. We call on the Welsh Government to set out what guidance and support it provides to creative workers on cross-border working post-Brexit. The response should include detail on what information is available on its website, the role of its export support and overseas offices, and any funding provided to third parties for advice services.

3. Funding and networks

75. Outside the EU, the UK no longer has access to EU funding programmes for the sector, such as Creative Europe, Erasmus+, structural funds and others. Whilst the TCA provides for UK participation in EU programmes, Creative Europe and Erasmus+ are not currently included.

76. The majority of witnesses spoke of the loss of “multi-sources of funding”, from which “...the arts and culture sector in Wales profited greatly”.¹⁰⁷ Witnesses often spoke of the cumulative effects of multiple financial pressures due to the loss of EU funding, rising operational costs, and domestic budget cuts.¹⁰⁸ The European Centre for Training and Regional Co-operation (ECTARC) told us that a reduction in income following withdrawal of European funding programmes, combined with the challenges of increased paperwork and visa costs for travel had resulted in the complete collapse of the business.¹⁰⁹ Jones the Dance told us the implications for the dance sector in Wales are devastating and without funding from Creative Europe its work will likely cease.¹¹⁰ Wales Arts International referred to these compounding financial pressures as a “perfect storm” expressing concern that these challenges will be “...difficult to survive”¹¹¹:

¹⁰⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 117](#)

¹⁰⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 153](#)

¹⁰⁹ [Response to the consultation CEU.16, European Centre For Training and Regional Co-operation](#)

¹¹⁰ [Response to the consultation CEU.10, Jones the Dance](#)

¹¹¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, 08 February 2024, paragraph 114](#)

“...we would as a sector be able to cope with this and meet this challenge, if it weren't for the fact that we are in the middle of a perfect storm and being hit from every direction. And, unfortunately, the loss of income as a result of Brexit and also the loss of public funding can no longer really be made up by earned income in the UK, because the cost-of-living crisis in the UK is now so extreme that our earning potential inside the UK has also been very significantly hit. People just can't afford to buy tickets.”¹¹²

77. Many witnesses support calls for the UK's future participation in Creative Europe, and pointed to widespread support for this in the UK and in the EU.¹¹³ British Council Wales said “...the loss of Creative Europe has been felt by everybody”.¹¹⁴ Wales Arts International told us how the UK had “the greatest advantage” from Creative Europe because it had led the most programmes.¹¹⁵

78. Witnesses said the end of access is a “loss” for multilingual and arts projects¹¹⁶ and for TV and film production investment.¹¹⁷ Wicked Wales film said its involvement is no longer seen as strengthening funding applications.¹¹⁸ Media Cymru added that concerted efforts to rejoin Creative Europe “... sends a message, and that makes it clear that there is an interest in being part, and being connected, in the creative sector with Europe”.¹¹⁹

79. British Council Wales set out the results of its 2021 survey which found that 63 per cent of respondents claimed to be more profitable, 76 per cent claimed to be more resilient financially, 86 per cent claimed to be more competitive, and 77 per cent claimed to have achieved a higher turnover when they were part of Creative Europe.¹²⁰

¹¹² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 120](#)

¹¹³ [Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraphs 227, 228](#)

¹¹⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 228](#)

¹¹⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 172](#)

¹¹⁶ [Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International](#)

¹¹⁷ [Response to the consultation CEU 11, Welsh Independent Producers](#)

¹¹⁸ [Response to the consultation CEU 17, Wicked Wales Film](#)

¹¹⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 264](#)

¹²⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 228](#)

80. Many witnesses referred to the commitment made by the former UK Government, that Wales would not lose out on funding as a result of the UK's withdrawal from the EU.¹²¹ However, the evidence suggests that replacement UK Government funding is not the same either in terms of scale, or scope. Teledwr Annibynnol Cymru ("TAC") told us that although Creative Wales and the Welsh Government were "doing very good work" in ensuring support and funding for TV production to sell programmes abroad, the sector had lost "a huge sum" of EU funding.¹²²

81. The Welsh Government told the Committee that the UK Global Screen Fund (UKGSF):

"... has seen limited results, with disappointingly low level of Welsh applicants and grant recipients [...] compared to the far greater benefits that Welsh companies achieved from the MEDIA and Creative Europe programmes".¹²³

82. Some witnesses saw a role for the Welsh Government in this space to promote available replacement funding streams and to work with the UK Government to streamline application processes.¹²⁴

83. Conversely, witnesses pointed to increased culture budgets in the EU and Ireland since Brexit "...so what we are missing out on is even greater".¹²⁵ British Council Wales explained that the EU's Creative Europe budget has increased post-Brexit by 66 per cent to €2.44 billion for 2020-2027, and that estimates suggest the UK might have received €184 million had it stayed in the EU.¹²⁶ Wales Arts International added that Creative Europe also now has a mobility strand called Culture Moves Europe.¹²⁷

84. The Welsh Government has not shared its assessment of the economic effects on the culture sector.

¹²¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 84, 124](#)

¹²² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 215](#)

¹²³ [The Welsh Government, February 2024, Written evidence](#)

¹²⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 276](#)

¹²⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 84](#)

¹²⁶ [Response to the consultation CEU 14, British Council](#)

¹²⁷ [Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International](#)

85. Many witnesses told the Committee that, whilst the loss of funding is important, they have also lost access to both formal and informal EU networks. British Council Wales described as “invaluable” the insights gained from these networks, particularly from small, bilingual nations with similarities to Wales.¹²⁸ Wales Arts International described networks as “crucial” and highlighted that many EU networks offer membership to non-EU countries.¹²⁹ Small World Theatre reported its networks are “vastly reduced”,¹³⁰ while Baroness Bull put it in terms of ensuring that artists who work in small groups or alone “are not alone”.¹³¹

86. British Council Wales described how it had to “step back” from a leadership position on some groundbreaking projects funded by Creative Europe and that it was now paying a fee to be an associate partner to ensure that the UK remained involved.¹³² It paid tribute to organisations in the sector, like Disability Arts Wales, who are “trailblazing some amazing work against the odds” by creating their own European networks. However, it said that this work would not be sustainable in the future given the bigger picture of budget cuts in Wales.¹³³

87. Witnesses told us of the wider benefits of participation in EU programmes including sharing of knowledge and expertise, capacity building and skills development, access to new markets, and cultural diversity and exchange. Wales Arts International said that its ability to feedback, make connections and open doors for the sector is reduced.¹³⁴

88. British Council Wales described the lack of access to networks as isolating and said their partners in EU Member States, “...very much miss the UK presence and the expertise that the UK brought to programmes like Creative Europe.”¹³⁵ The National Library hoped the Welsh Government’s anticipated Culture Strategy will open new avenues to be able to build new cultural bridges with the EU.¹³⁶

¹²⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 117](#)

¹²⁹ [Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International](#)

¹³⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 105](#)

¹³¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 67](#)

¹³² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, 08 February 2024, paragraph 247](#)

¹³³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, 08 February 2024, paragraph 244](#)

¹³⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, 08 February 2024, paragraph 233](#)

¹³⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, 08 February 2024, paragraph 228](#)

¹³⁶ [Response to the consultation CEU 07, National Library of Wales](#)

89. Dr Charlotte Faucher highlighted the success of the Welsh Government’s Taith¹³⁷ exchange programme as a positive step towards mitigating some of the losses felt by the UK’s departure from Erasmus+, “...if you’re in Wales, you feel that you’ve got more of a chance of getting an opportunity”. She suggested that an equivalent programme to help fill the gap left by the absence of Creative Europe would be helpful.¹³⁸ British Council Wales noted that there is still huge demand for creative education and for money to be put into Erasmus+ in terms of the scale of networks and funding.¹³⁹

90. WNO called for a Cultural Recovery Fund for co-productions to assist with the cost of working and touring in the EU, “...to encourage EU companies to actually engage with us and work with us, and that could mitigate some of the additional costs that we’re seeing at the moment.”¹⁴⁰ A soloist at the Other Voices festival also said that having this kind of funding would make touring “feel possible”.¹⁴¹

91. Wales Arts International spoke of previous calls for Wales to associate to Creative Europe in the capacity of a third country regional representative.¹⁴² However, the TCA makes no such provision.

92. Laurence Farreng MEP told us that the former European Commission was open to discussing UK participation in relevant programmes in future:

*“Today the European Commission leaves the door open to any kind of association with the UK”.*¹⁴³

Our view

93. The evidence we have received highlights that the loss of access to EU funding programmes like Creative Europe and Erasmus+ has significantly affected the sectors’ ability to sustain projects and partnerships.

¹³⁷ The Welsh Government’s learning exchange programme that funds people in Wales to study, volunteer, train and work all over the world.

¹³⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 99](#)

¹³⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, 08 February 2024, paragraph 146](#)

¹⁴⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 174](#)

¹⁴¹ [Other Voices, engagement note, paragraph 50](#)

¹⁴² [Response to the consultation CEU 05, Arts Council of Wales / Wales Arts International](#)

¹⁴³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 46](#)

94. These initiatives provided not only essential financial support, but also a framework for cross-border collaboration that strengthened the sector as a whole through investment, opportunity, and innovation. We have heard how the loss of this support is deeply felt, with many organisations now struggling to maintain even greatly-reduced links.

95. By exiting EU funding programmes and networks, Welsh cultural institutions are at risk of falling behind, as European counterparts continue to benefit from access to increased funding and cross-border collaboration without the UK.

96. Further, key support structures are being dismantled without which our culture sector is significantly more vulnerable to the “perfect storm” of economic pressures caused by the pandemic, rising operational costs, and public sector funding cuts.

97. For many, the absence of this crucial support may prove to be the tipping point that makes survival in an increasingly hostile economic environment all the more difficult as our national culture bodies tell us that they are also struggling to adapt and pivot their models quickly enough to weather the current challenges.

98. Maintaining a vibrant culture sector is essential for ensuring that Wales remains a visible, competitive, and present player on the global stage. The culture sector is a cornerstone of Wales’s soft power - the export of our rich cultural heritage should play a key role in shaping our country’s global image. If the sector is allowed to decline, Wales’s ability to outwardly project its creativity and innovation will be severely weakened.

99. We support calls for the UK to associate to Creative Europe and Erasmus+ and the Welsh Government’s inclusion of this as a priority for the upcoming TCA implementation review. We heard from Laurence Farrer MEP that the door is open in Europe to discussions on this issue and we urge the UK Government to seize this opportunity to initiate meaningful dialogue in future.

100. However, we are also acutely aware that the effects of the current crises are being felt now and there are already cultural, financial, and institutional losses that may not be recoverable. Therefore, whilst rejoining Creative Europe and Erasmus+ are important long-term solutions, we also call on the Welsh Government to act immediately.

Recommendation 3. We call on the Welsh Government to provide its assessment of Brexit’s impact on the culture sector in Wales.

Recommendation 4. We call on the Welsh Government to set out what steps it has taken to mitigate the effect of Brexit on the sector, including the financial implications, and what steps it will take in future, in response to this report.

4. Audiovisual media

101. The EU’s main regulatory framework for broadcasting and video on demand services is its Audiovisual Media Services Directive (AVMSD), which co-ordinates audiovisual legislation across EU countries.

102. Post-Brexit, some UK works continue to be classified as “European works” under the AVMSD, either due to the UK’s membership in the Council of Europe’s 1993 European Convention on Transfrontier Television (ECTT), or because UK works meet the AVMSD’s country of origin criteria. This allows UK content to still be considered for the EU’s content quotas, which is significant as around 30% of works¹⁴⁴ on EU streaming platforms are UK-produced or UK-USA co-productions.

103. BECTU warned of potential regulatory divergence with the EU post-Brexit. It cautioned that, without the collective negotiating power of the EU, the UK might struggle to withstand the influence of global media giants like Netflix, Disney, Apple, and Amazon. This could erode the UK’s ability to regulate and protect its audiovisual industry independently. BECTU also called for the UK to rejoin the Council of Europe’s EURIMAGES cinema support fund, which the UK left in 1996 due to budget constraints, and to ensure that the UKGSF is well funded and resourced. It said that rejoining could provide much-needed financial support for UK film production.¹⁴⁵

104. TAC emphasised the importance of the UK maintaining its membership of the ECTT as this is crucial to ensuring that UK productions continue to be classified as European works, allowing them to benefit from EU distribution channels.¹⁴⁶ Laurence Farreng MEP also recommended that the Committee closely monitor future revisions of AVMSD to ensure that UK interests are adequately considered.

Our view

105. We note that audiovisual cooperation is explicitly excluded from the TCA. We also note that both the European Parliament’s Opinion of the Committee of

¹⁴⁴ [Screen Daily, The US streamer squeeze: Why Europe is taking on SVoDs, 13 September 2023](#)

¹⁴⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 66](#)

¹⁴⁶ [Response to the consultation CEU 11, Welsh Independent Producers](#)

Culture and Education¹⁴⁷ and the Parliament's TCA implementation report¹⁴⁸ describe the TCA's approach as a "cultural exception".

106. Whilst some provisions still allow UK works to benefit from European distribution frameworks, the exclusion of audiovisual services from the TCA and potential regulatory divergence pose significant risks. The UK's 1996 departure from EURIMAGES and the dominance of global media platforms may further strain the UK's ability to compete in the global audiovisual market. We agree on the importance of Wales and the UK remaining engaged in European regulatory frameworks, such as the ECTT, and of monitoring developments like AVMSD renewal.

5. The Committee's role

107. The Committee sought insights from witnesses on its role in addressing the matters covered by its inquiry.

108. Professor Catherine Barnard recommended the Committee put and keep pressure on the UK Government to address the issues: "...something where you can ventilate these issues I think would be very important".¹⁴⁹

109. Musicians' Union spoke of the need for recognition that "...this is an acute problem for our industry and solutions need to be found as a priority" and to "rebuild trust" with the industry. It also pointed to the TCA's implementation review as a priority.¹⁵⁰

110. Wales Arts International recommended we keep a watching brief on how these issues are taken forward and "...give a voice to the world about what's going on here" in Wales.¹⁵¹ TAC and NoFit State spoke of the need to fight the perception that Wales is "too complicated, unobtainable" and "unwelcoming".¹⁵²

¹⁴⁷ [European Parliament, Opinion of the Committee on Culture and Education, 7 September 2023](#)

¹⁴⁸ [European Parliament, report on the implementation of the EU-UK Trade and Cooperation Agreement, 23 November 2023](#)

¹⁴⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraphs 97-103](#)

¹⁵⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 71](#)

¹⁵¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 253](#)

¹⁵² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 77, 210](#)

111. Baroness Bull emphasised the importance of storytelling, urging the Committee to advocate for the sector in Wales by combining narrative with data and evidence:

“It is very powerful when it comes from politicians, so, I think, don’t underestimate the impact that it will have when you all speak up for, speak to and speak with the sector.”

112. She also highlighted the value of the arts and culture beyond their economic contribution, stressing the impact on communities and personal wellbeing:

“...it has become normal to justify arts and culture through the economic contribution, through the contribution to jobs and through their role in innovation [...] but we shouldn’t forget, too, their role in communities, in our personal lives, in our hinterland, where we go for resilience, strength and so on.

These things are as important; they’re much harder to quantify and it can get awfully waffly when you talk about it, but, actually, they really do matter. It’s great if it’s not just people like me who are saying those things, but it’s people, may I say, like you—people in the seats of power.”

113. Baroness Bull also believed we are well placed to take the time to empower Ministers to keep this issue on the agenda and to keep open channels with the sector.¹⁵³

114. Musicians’ Union suggested framing cross-border arts and culture in economic terms, as an export and an economic priority.¹⁵⁴

115. Dr Charlotte Faucher recommended the Committee could look into how the Welsh Government’s overseas offices are supporting artists, particularly in relation to the inquiry’s trade aspects.¹⁵⁵

¹⁵³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraphs 65-67](#)

¹⁵⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 73](#)

¹⁵⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 144](#)

116. Small World Theatre asked the Senedd to call on the UK Government to rejoin the EU¹⁵⁶ and to support the “free movement of ideas”.¹⁵⁷

117. Laurence Farreng MEP said we have a role in defining and writing “...our joint history that we can now write for the future”. On rebuilding cooperation, she said “...soft power is important and everything starts with culture. Culture is at the heart of everything, and it is for us to put it at the heart of any links that we will have in the future”.¹⁵⁸

Our view

118. We warmly welcome that witnesses view our role as guardians of their experiences and voices. Their trust in us is truly humbling and motivating.

119. The evidence highlights the profound, multifaceted and personal impact of the UK’s departure from the EU.

120. We will advocate for the sector, not only by presenting the economic implications, but also by championing the immeasurable benefits of artistic exchange with other nations.

121. We are encouraged to keep pressure on governments to build trust between the UK and the EU and to support Wales’ creative sector in maintaining and rebuilding ties with Europe.

122. We support the calls to promote Wales as an open, vibrant, and inclusive place for creative workers and we will utilise our available diplomatic levers to do this.

123. In line with Baroness Bull’s recommendation, we see storytelling as a powerful tool. The Committee must share the narrative and give the sector a stronger, collective voice.

124. This is our pledge to the sector. We will champion this work in Wales by:

¹⁵⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 162](#)

¹⁵⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 182](#)

¹⁵⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraphs 54-55](#)

- telling the story. This starts by bringing together, for the first time, the evidence from Wales into one comprehensive resource to give the sector a stronger, collective voice.
- working to challenge and dispel perceptions that Wales and the UK are unwelcoming.
- working to maintain pressure on the UK and Welsh governments to seek solutions as set out in this report.
- maintaining open channels of communication with stakeholders on these issues for the remainder of the Sixth Senedd.
- raising Wales-Ireland specific matters with the Welsh Government and in our regular contact with key partners in Ireland, including the Oireachtas and the Irish Government.

Part Two: Wales in UK-EU relations

6. Constitutional framework

125. The second part of this report focuses on Wales in UK-EU relations. This includes the constitutional framework and levers available to us and to the Welsh Government to influence and bring about improvements.

126. The matters in this inquiry span UK-EU relations and domestic intergovernmental relations. Within the latter, they fall across devolved and reserved responsibilities, and multiple UK and Welsh government departments and ministerial portfolios.

6.1 Relations between the UK and the EU

127. The TCA governs the relationship between the EU and the UK post-Brexit and establishes a new institutional framework of committees and working groups to oversee its implementation and application (see paragraphs 56 and 57). The UK is mainly represented by the UK Government on these UK-EU decision-making forums.

128. Many witnesses told us that relations have improved since the conclusion of the Windsor Framework. The former Cabinet Secretary for Economy, Energy and Welsh Language, Jeremy Miles MS, told us there has been more collaboration.¹⁵⁹ The former First Minister of Wales, Vaughan Gething MS, said there has been a “thawing” in relations and a growing appetite from the EU for greater engagement with Wales and the UK.¹⁶⁰ Laurence Farreng MEP acknowledged that the “...political context is evolving, which means that our relationships are also evolving.”¹⁶¹

Welsh representation on the TCA

129. Wales is represented at the TCA’s decision-making forums through the Welsh Government’s observer status at meetings incorporating devolved matters, and via

¹⁵⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 15 May 2024, paragraph 17](#)

¹⁶⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 19 June 2024, paragraph 43](#)

¹⁶¹ [Committee on Culture and Education Newsletter, European Parliament Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 21](#)

the Senedd's representatives at the PPA. Wales also has a presence on the UK's Domestic Advisory Group and Civil Society Forum.

130. The former First Minister, Vaughan Gething MS, told us the Welsh Government has not experienced the desired level of engagement with the UK Government.¹⁶² He said:

*"I made the decision, when I was the economy Minister, that it was not a good use of my time to sit and observe a meeting that I wasn't going to be able to participate in."*¹⁶³

131. Some witnesses had first-hand experience of Wales's representation at TCA meetings. UK Music, a member of the Domestic Advisory Group, said both Wales and the culture sector are "very under-represented".¹⁶⁴ Baroness Bull, a member of the PPA, said she was "...very sorry to hear that Wales is not adequately represented".¹⁶⁵ Professor Catherine Barnard has also previously advocated for a greater role for devolved input in UK-EU decision-making.¹⁶⁶

TCA implementation review

132. The first implementation review of the TCA, required every five years, is due by 1 May 2026 with work expected to begin in 2025. The exact scope of the review and the extent to which it will allow for significant changes remains unclear.

133. The former Cabinet Secretary for Economy, Energy and Welsh Language, Jeremy Miles MS, cautioned that the review will focus on implementation of the TCA's existing arrangements and is not an opportunity to make changes or add

¹⁶² [Culture Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 19 June 2024, paragraph 32](#)

¹⁶³ [Culture Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 19 June 2024, paragraph 32](#)

¹⁶⁴ [Culture Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 206](#)

¹⁶⁵ [Culture Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 21](#)

¹⁶⁶ [Legislation, Justice and Constitution Committee report, Inquiry into UK-EU governance, November 2023](#)

on new elements.¹⁶⁷ He said that the Welsh Government will make the case for a broader review and a more ambitious approach.¹⁶⁸

134. The review is seen by some as an opportunity to take stock of the TCA's operation and hope was expressed that, after the EU and UK elections, there would be opportunities to ensure Wales has a voice in the governance arrangements and a willingness for a more substantive review.¹⁶⁹ The former First Minister, Vaughan Gething MS, told us that the Welsh Government's starting point will be to understand the approach that the new UK Government will want to take.¹⁷⁰

135. Witnesses pointed to the review as an important opportunity for improvements. Baroness Bull told Members she believes many areas were "missed out" of the TCA and that the review must be seen "... as something that can make a difference".¹⁷¹

136. Professor Catherine Barnard noted that the UK and EU do not need to wait for a formal review process to change their new relationship. They can amend the TCA, or conclude supplementing agreements at any time. She said that bolt-on agreements to the TCA were always envisaged and that this was another option that could be explored in a conducive political environment.¹⁷²

The Welsh Government's International Strategy

137. In our International Relations Annual Report 2022-23, we highlighted that the EU remains "an important priority" for the Welsh Government and stakeholders. However, the absence of dedicated strategies for UK-EU relations, both at the UK and Wales level, presents challenges when navigating and providing effective scrutiny of the post-Brexit relationship. We called on the Welsh

¹⁶⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 15 May 2024, paragraph 78](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 154](#)

¹⁶⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 15 May 2024, paragraph 82](#)

¹⁶⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 15 May 2024, paragraph 67](#)

[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 19 June 2024, paragraph 31](#)

¹⁷⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 19 June 2024, paragraph 44](#)

¹⁷¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 21](#)

¹⁷² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 155](#)

Government to address this with a dedicated EU strategy and by including the EU as a priority relationship within its International Strategy.¹⁷³

138. In response, the former First Minister, Mark Drakeford MS, said that the Welsh Government's International Strategy would be subject to a "soft refresh" on its expiry in 2025 and that "we will use this opportunity to make the European dimension more explicit".¹⁷⁴ The Welsh Government has committed to involving the Committee in this process.¹⁷⁵

139. In evidence to this inquiry, the former First Minister, Vaughan Gething MS, told us, "I share the view of the former First Minister; we don't need a specific EU strategy. It's really clearly set out in our international strategy".¹⁷⁶

Our view

140. In October 2022, when responding to the House of Lords' European Affairs Committee inquiry on the future UK-EU relationship, we drew nine conclusions on how Wales is represented in UK-EU relations post-Brexit.¹⁷⁷ We note that many of these conclusions remain unaddressed and believe that it is timely to seek the views of the Welsh Government on some of the points raised. These are included in Annex 2 of this report.

141. We reiterate our previous conclusions on how Wales is represented in UK-EU relations and continue to call for a clear, coherent strategy that sets out the Welsh Government's approach and priorities for Wales-EU, and UK-EU relations.

142. We agree with witnesses, that the TCA implementation review is an opportune moment to seek to resolve the issues covered by this inquiry. We urge the UK and EU to adopt a broad approach to the review itself and the broadest possible interpretation of Article 776 which provides for "any matters related" to the TCA to also be reviewed.

143. Given the significance of the review, we are taking part in a cross-committee consultation¹⁷⁸ at the Senedd to ensure that a Welsh perspective is fed into the

¹⁷³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, International Relations Annual Report 2022-23](#)

¹⁷⁴ [The former First Minister of Wales, Mark Drakeford MS, written response to the International Relations Annual Report, 2022-23, 16 January 2024](#)

¹⁷⁵ [The former First Minister of Wales, Vaughan Gething MS, written evidence, 1 August 2024](#)

¹⁷⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 19 June 2024, paragraph 43](#)

¹⁷⁷ [Culture, Communications, Welsh Language, Sport and International Relations Committee, response to House of Lords' European Affairs Committee inquiry, October 2022](#)

¹⁷⁸ [Consultation: UK-EU implementation review of the Trade and Cooperation Agreement](#)

process. We will take the matters raised through this inquiry forward as this work progresses.

Recommendation 5. We urge the UK and EU to prioritise new arrangements for creative workers in the upcoming implementation review of the Trade and Cooperation Agreement with a view to progressing the Parliamentary Partnership Assembly’s recommendation on touring artists.

Recommendation 6. We call on the Welsh Government to include cross-border creative work as a priority in a clear, coherent strategy setting out its ambition for UK-EU and Wales-EU relations.

Recommendation 7. We call on the Welsh Government to provide its current views on how Wales is represented in UK-EU governance structures in response to this report.

6.2 Relations between the four UK governments

144. This inquiry spans multiple Welsh and UK Government departments and ministerial portfolios, as shown on the following page.

145. The UK Government’s Intergovernmental Relations Review (“IGRR”) concluded in January 2022 and established new ways of working for the four governments post-Brexit. This included the establishment of Interministerial Groups (“IMGs”) that are intended to facilitate regular multilateral portfolio-level discussions between ministers, and an Interministerial Standing Committee to oversee them. There are three IMGs of potential relevance to the inquiry – on UK-EU relations, Trade, and Culture and Creative Industries (“the Culture IMG”).

146. Following each IGM meeting, the Welsh Government issues a written statement which lists the main issues discussed. The issues raised in this inquiry are not reflected in the written statements from the seven IMG meetings held in 2023. Additionally, the Culture IMG, which convened for the first time since Brexit on 2 May 2024, does not address these matters in its statement either.

147. The former Cabinet Secretary for Economy, Energy and Welsh Language, Jeremy Miles MS, told us the relationship at IMG meetings has improved since the agreement on the Windsor Framework, and the priorities of the culture sector have been raised in relation to visas and Creative Europe in particular.¹⁷⁹

¹⁷⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 15 May 2024, paragraph 36](#)

**Welsh Government
responsibility**

**Joint
responsibility**

**UK Government
responsibility**

**UK-EU
negotiations**

**Prime Minister
Foreign**

**Movement of
goods**

Trade

**Movement of
persons**

**Home
Trade
Foreign**

Culture

**Culture and
the arts**

Broadcasting

Culture

**First Minister
Culture
Economy**

Intergovernmental relations (IGR)

**Prime Minister
IGR
Foreign
Culture**

**Culture
Economy**

Guidance and support

**Culture
Foreign
Trade**

**First Minister
Culture
Economy**

Funding

**Culture
Foreign**

148. The former Cabinet Secretary for Culture and Social Justice, Lesley Griffiths MS, said that ministerial connection was important to ensure that the UK Government understands what the Welsh Government's priorities are.¹⁸⁰

149. UK Music explained that, after the TCA was agreed, "there was a lot of activity" bringing the four governments together which was positive but this "kind of fizzled out". It suggested reintroducing a similar arrangement.¹⁸¹

150. Professor Catherine Barnard explained that the reserved nature of some of the matters "doesn't leave much space" for the devolved governments and parliaments. However:

*"...what you can do is you can, in the devolveds, be lobbying, pushing, if not the Home Office, but at least the Foreign Office, who may or not be leading the TCA implementation review, and also the Department for Business and Trade, to see what they can do to try and address some of these really fundamental problems."*¹⁸²

151. Baroness Bull told the Committee:

*"...it seems to me that any issue will only be solved by cross-departmental working, and yet the structures seem to pull so strongly against that. And what we have here, DCMS will be fronting much of this, but, of course, they don't hold the levers for issues of immigration or for the TCA, which sits under [...] the FCDO, so it becomes, as you say, like navigating a maze and needing, really, to encourage multiple people to speak to each other."*¹⁸³

Our view

152. As a Committee, we too have experienced the complexities of the UK's constitutional arrangements as they apply to this situation. No single minister or department within either the Welsh or UK governments are positioned to provide

¹⁸⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 15 May 2024, paragraphs 30, 57](#)

¹⁸¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 205](#)

¹⁸² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 97](#)

¹⁸³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 47](#)

a comprehensive solution to all of the issues our inquiry has highlighted. The division and spread of ministerial responsibilities is, in our experience, unparalleled. Illustrative of the complexity is the fact that, during our inquiry, we received evidence from ten ministers, none of whom are in office at the time of this report's publication. This includes two former First Ministers of Wales.

153. We agree with witnesses, that these issues cannot be solved without effective intergovernmental and cross-departmental working. How the UK's governments work together is a crucial and decisive factor in resolving the well-documented issues facing the sector.

154. That being the case, we were disappointed to learn that initial efforts to coordinate a UK-wide approach did not continue. Further, we are not satisfied that the Welsh Government has given these matters the profile they deserve. The formal post-Brexit intergovernmental relations system appears to have failed the sector leaving their situation regrettably, undocumented.

Recommendation 8. We call on the Welsh Government to champion these issues at intergovernmental meetings. It should take practical steps, such as suggesting the following as standing agenda items until the situation improves:

- i. improving post-Brexit arrangements for creative workers, including via the upcoming TCA implementation review; and
- ii. UK association to Erasmus+ and Creative Europe.

The Welsh Government should report to this Committee at least once a term on relevant intergovernmental discussions on these specific matters for the remainder of the Sixth Senedd.

6.3 UK Government

155. The Committee received a joint letter from four UK ministers outlining steps taken by the UK Government to support the sector in Wales. This includes events in partnership with S4C, the Welsh Independent Producers Association, and at the 2023 Wales Screen Summit.

156. The letter acknowledges that:

"The TCA is one of the most comprehensive free trade agreements in the world and our aim is to make the most of it. However, it was inevitable that following the UK's departure from the EU there would

be changes to the arrangements under which UK creative and cultural professionals operate in the EU, and vice versa. and Scottish governments.”¹⁸⁴

6.4 Scottish Government

157. We note the Scottish Government announced commitments to support Scotland’s culture and creative sector in March 2024. In its International Culture Strategy, the Scottish Government makes several commitments to support the sector in Scotland, including to:

- continue to push the UK Government to work with other governments and the EU to support visa-free arrangements for touring artists;
- consider what measures might support Scottish artists to address these challenges;
- undertake a feasibility study into the development of a support service for cultural export and exchange;
- consider how links with the Creative Europe programme can be enhanced so that Scottish cultural organisations can re-engage with the vital channels for exchange, collaboration and learning that the programme facilitates; and
- continue to lobby the UK Government to seek to re-join the Creative Europe programme.

158. The Scottish Government says that “adapting the Trade and Cooperation Agreement with the EU [...] to better reflect the needs of the sector will also be vital”. Ensuring the free movement of creative workers is listed as a specific aim.¹⁸⁵

7. The Welsh Government

159. The Welsh Government first explained it had significant concerns about the implications of the TCA in February 2021.¹⁸⁶ The former Cabinet Secretary for Economy, Energy and Welsh Language, Jeremy Miles MS told us:

¹⁸⁴ [The UK Government, written evidence, 03 May 2024](#)

¹⁸⁵ [Inspiring Connections: Scotland’s International Culture Strategy 2024-30](#)

¹⁸⁶ [The Welsh Government: The New Relations with the EU – What it means for Wales, February 2021](#)

"I think we've been using language about 'limited'. I would say it's [the TCA] fundamentally inadequate to meet the needs of Wales. [...] I think the example the committee's looking at today is one of many examples on which we anticipated there'd be an issue, and sadly, it has come to pass."¹⁸⁷

160. We received evidence from six ministers and two First Ministers most of whom spoke of the challenges facing the sector.¹⁸⁸

161. On the Welsh Government's approach to UK-EU relations, in response to the Committee's International Relations Annual Report 2022-23, the former First Minister, Mark Drakeford MS, said in January 2024 that the Welsh Government's:

"...focus is on ensuring TCA arrangements work as effectively as possible and on continuing to improve UK Government engagement with the Welsh Government."¹⁸⁹

Professor Catherine Barnard responded that:

"The problem about getting the TCA to work as effectively as possible is [...] the TCA is extremely limited in its ambition. Therefore, even if this worked well, it doesn't actually resolve any of the issues for musicians or any other cultural professionals [...] The problem is that that is a very limited ambition if you're trying to improve the position of artists."¹⁹⁰

162. In written evidence, former Deputy Minister for Arts, Sport and Tourism, Dawn Bowden MS, said the culture sector in Wales has been "hugely disadvantaged in several ways... as a result of the UK leaving the EU."¹⁹¹ She described the TCA as a "very limited" agreement. She also said that the Welsh Government:

¹⁸⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 15 May 2024, paragraph 105](#)

¹⁸⁸ [The Welsh Government, written evidence, February 2024](#)

¹⁸⁹ [The former First Minister of Wales, Mark Drakeford MS, written response to the International Relations Annual Report, 2022-23, 16 January 2024](#)

¹⁹⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 101](#)

¹⁹¹ [The Welsh Government, written evidence, February 2024](#)

“...will continue to press on this issue but realistically we do not expect a swift and satisfactory resolution of it.”¹⁹²

163. The former First Minister, Vaughan Gething MS, told us that the restrictions on movements of touring artists and the creative sector are “a real issue and a real barrier”.¹⁹³ He told us:

“...our starting point with the TCA review is not just looking at the governance structures, but looking to understand the approach that whoever the new UK Government is wants to take around the TCA, and we want to see barriers to trade removed. There are some specific points about movement as well. So, probably the most well-advertised one is about touring artists and the creative sector.”

He also suggested working with the Committee as the TCA review approaches.¹⁹⁴

164. On determining the Welsh Government’s priorities for the TCA implementation review, the former Cabinet Secretary for Economy, Energy and the Welsh Language, Jeremy Miles MS said:

“Necessarily, as a Government, you’ve got to identify the order in which you press the case and one of the factors in that decision is the breadth of the economic impact of those priorities.”¹⁹⁵

165. The following ministers have since assumed responsibility for the relevant portfolios areas outlined below:

- Eluned Morgan MS, First Minister of Wales (“International relations, intergovernmental relations, Wales and Europe”);
- Rebecca Evans MS, Cabinet Secretary for Economy, Energy and Planning (“International trade policy, including coordination of matters relating to the UK/EU Trade”); and

¹⁹² [The Welsh Government, written evidence, February 2024](#)

¹⁹³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 19 June 2024, paragraph 44](#)

¹⁹⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 19 June 2024, paragraphs 44-45](#)

¹⁹⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 15 May 2024, paragraph 66](#)

- Jack Sargeant MS, Minister for Culture, Skills and Social Partnership (“Creative Sector, including Creative Wales, Culture and the arts, Broadcasting and media policy, Sponsorship and remit of the Arts Council of Wales”).

7.1 Advisory groups

166. The Welsh Government’s European Advisory Group was disbanded in May 2021. In its 2023 report on UK-EU Governance, the Legislation, Justice and Constitution Committee called for the establishment of a new UK-EU relations advisory group.¹⁹⁶

167. The First Minister responded:

“Further consideration required. I do not intend to progress this as a priority. It will be for the incoming First Minister to consider, in the context of the evolving UK-EU relationship from the latter part of 2024 onwards.”¹⁹⁷

168. The Welsh Government has a Trade Policy Advisory Group. Its meeting minutes reflect its focus on non-EU trade.

7.2 Data and evidence

169. Many witnesses spoke of a lack of data and research relating to Wales, including that the number of EU artists travelling to Wales is not recorded. They spoke of their reliance on anecdotal evidence¹⁹⁸ and the importance of evidence of impact.¹⁹⁹ More generally, one artist at the Other Voices festival was keen that the impact on creativity is somehow captured, but added “I wouldn’t know where

¹⁹⁶ [Legislation, Justice and Constitution Committee report, Inquiry into UK-EU governance, November 2023](#)

¹⁹⁷ [The former First Minister, Mark Drakeford MS, written response to the report Inquiry into UK-EU governance, 14 February 2024](#)

¹⁹⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 144](#)
[Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 33](#)

¹⁹⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 55](#)

to start”.²⁰⁰ Wales Arts International added that there would be an interest for them in having resources to improve the data.²⁰¹

170. Laurence Farrang MEP told us that the EU faces similar challenges with most evidence found at an individual/sectoral level, rather than at a pan-EU level.²⁰²

171. The former Cabinet Secretary for Economy, Energy and the Welsh Language, Jeremy Miles MS, said:

“...within the sectors that we’re discussing today, certainly from a creative industries perspective, there is a need for more research. You’ve had good evidence from the sector around the impact on them, but I do think there is a case for more granular research, which would feed in to the point that you’re making.”²⁰³

7.3 Stakeholder involvement

172. Witnesses described different points of contact with the UK and Welsh governments. For example:

- British Council Wales said its main relationship is with the Foreign Office, but it has contact with the (UK) Department for Education, the Department for Culture, Media and Sport (DCMS), the Department for Business and Trade and also the Cabinet Office.²⁰⁴
- UK Music said its main dialogue is with DCMS and that when it has approached other departments, “all roads go back to DCMS”. It referred to this as “the snakes and ladders of Whitehall”.²⁰⁵
- Equity and NoFit State’s main contact was also DCMS, which the latter described as “not understanding the scale of the problem”.²⁰⁶ NoFit State

²⁰⁰ [Other Voices engagement note, paragraph 24](#)

²⁰¹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 195](#)

²⁰² [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 14 March 2024, paragraph 37](#)

²⁰³ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 15 May 2024, paragraph 84](#)

²⁰⁴ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 203](#)

²⁰⁵ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraphs 205, 210](#)

²⁰⁶ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraphs 59, 185](#)

added “I think it is unfortunate that the Welsh Government’s powers are limited in the way that they are” because it “has a much more open and engaged approach to these challenges”.²⁰⁷

- Wales Arts International said its situation was “complex”, with contact with both the Welsh Government’s international relations department and DCMS.²⁰⁸
- Media Cymru, Association of Independent Promoters and TAC said they had no contact with governments and that their oral evidence to the Committee was the first discussion they had had with decision-makers.²⁰⁹

Our view

173. We welcome improved UK-EU relations since the conclusion of the Windsor Framework. We strongly believe that the solutions for creative workers lie in simplified, clearer arrangements at the UK-EU level. The potential opportunities unlocked by improved UK-EU relations give us hope that solutions are within reach.

174. The issues highlighted by our inquiry were anticipated by the Welsh Government just one month after the TCA came into force, and they have been reiterated throughout this inquiry by six Ministers and two First Ministers. It is disappointing to find that these problems are not new to the Welsh Government and are well understood, yet this has not resulted in a comprehensive plan of action to address them.

175. We rebuke the former Cabinet Secretary’s assertion that more granular level research is needed to understand how the current operation of the TCA is damaging Wales. What is lacking is Wales-level data that captures the full scale of the impact which we believe the Welsh Government is singularly and best placed to obtain. We are also troubled by testimony indicating that, for some witnesses, this Committee was the first forum where they were able to share their views and experiences. This is entirely avoidable and unacceptable.

²⁰⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 185](#)

²⁰⁸ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 213](#)

²⁰⁹ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 28 February 2024, paragraph 250](#)

176. The priority and urgency the Welsh Government has given to these matters do not correspond with the evidence of impact we have gathered. We are concerned that the absence of Wales-level data, coupled with the lack of government-led stakeholder engagement, has already hindered the Welsh Government's progress on these issues and will continue to do so.

177. Further, given the absence of Wales-level data, it is unclear how the Welsh Government has determined its current priorities for the TCA implementation review, or how it plans to inform those priorities. Whilst we support the Welsh Government's calls for more flexible visa arrangements and rejoining the Creative Europe and Erasmus+ programmes, these measures alone are insufficient. A more holistic and strategic approach is needed to ensure that the full range of challenges facing the sector is addressed, with urgency and clarity of purpose moving forward.

178. The Committee believes that the substantial body of evidence we have gathered in this inquiry provides a strong basis for the Welsh Government to make the case for improvements in its discussions at UK and UK-EU levels.

179. In our response to the Welsh Government's consultation on its Draft Priorities for Culture in Wales 2024 to 2030, we asked the Minister for Culture, Skills and Social Partnership to treat the recommendations set out in this report as evidence for the consultation.²¹⁰ We welcome the Minister's undertaking to consider whether our findings can inform the development of its implementation plan.²¹¹

Recommendation 9. We call on the Welsh Government to confirm what data and evidence it is using to inform decisions in this area, including to include touring artists as a priority for the implementation review of the Trade and Cooperation Agreement.

Recommendation 10. We call on the Welsh Government to provide its assessment of how its priorities for the implementation review of the Trade and Cooperation Agreement will address all of the elements that need to work together to facilitate cross-border creative work.

Recommendation 11. We support the Legislation, Justice and Constitution Committee's call for the establishment of a new Welsh Government advisory

²¹⁰ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, letter to the Cabinet Secretary for Culture, Social Justice, Trefnydd and Chief Whip, 03 September 2024.](#)

²¹¹ [Response from the Minister for Culture, Skills and Social Partnership, 01 October 2024.](#)

group on UK-EU relations. This should include representative bodies from the culture sector.

Recommendation 12. We call on the Welsh Government to set out how it has engaged with stakeholders on the matters covered by this inquiry since January 2021, including key findings and steps taken in response.

Recommendation 13. We call on the Welsh Government to incorporate the Committee's findings into its future culture and international relations strategies.

8. Wales-Ireland relations

180. We sought and obtained evidence specific to cross-border work between Wales and Ireland for this inquiry, as part of our previous commitment to enhance Wales-Ireland relations. Some witnesses working between Wales and Ireland called for bespoke and simplified arrangements for movements between the two countries.

181. The UK-Ireland Common Travel Area ("CTA") mitigates mobility issues between the two countries because it provides UK and Irish citizens with the right to live and work in the UK without visa or work permits. The CTA predates both the UK and Ireland's membership of the EU. However, the TCA's rules on movement of goods still apply to instruments, equipment and merchandise.

182. We received evidence from the Irish Government's Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media describing rich and multilevel cooperation between our nations' creative workers, arts councils and governments. Nonetheless, the department acknowledges that "Brexit has created a number of challenges for arts and culture engagement between Ireland and Wales".

183. The Irish Government said the "biggest impact on potential Welsh-Irish collaboration" stems from the UK's exit from EU funding programmes, including Creative Europe. It warns that:

"...we now have increased focus on fostering and developing relationships with non-UK European partners [...] Over time this could have a negative impact on the level of individual and institutional collaboration between Ireland and Wales."

184. It also said, “Ireland notes that previously we had additional opportunities to engage” with the UK through multilateral EU fora which is no longer possible.²¹²

185. Artists at the Other Voices festival told Members that they are “consciously looking West instead of East” but that there’s a perception in Ireland that it’s harder to work in Wales post-Brexit.²¹³ This was supported by another witness who said that Wales-Ireland close-working “just isn’t there anymore”.²¹⁴ Another said that “our hands are tied” by the new requirements, and that customs requirements are not “worth my time”.²¹⁵ Multiple witnesses reported that Ireland’s HMRC staff are “much better” at providing advice on UK customs than their counterparts in the UK.²¹⁶

186. Wales Arts International told the Committee that the relationship between the two countries’ arts councils is “more important than ever”. They explained that:

“Of course, expenditure on the arts in Ireland has gone up significantly, like other budgets, where our budgets have gone down. [...] what is clear is that artists from Ireland are going to have many more opportunities than our artists now because it’s easier to book them, it doesn’t cost as much, and they’re happy to take a lead on that.”²¹⁷

187. Arts Council Ireland agreed with the Irish Government, that the “main impact” of Brexit has been the exclusion of British organisations from cooperation projects under EU programmes like Creative Europe. They said that 54 per cent of projects funded with Irish organisations involved at least one UK organisation.

188. It also explained that, before Brexit, Irish producers traditionally worked with UK counterparts who are no longer eligible for funding. Since Brexit:

“Irish companies have proved to be adept in sourcing new partnerships in other European countries and some Northern Irish

²¹² [The Irish Government, written evidence, September 2024](#)

²¹³ [Other Voices, engagement note, paragraph 26](#)

²¹⁴ [Other Voices, engagement note, paragraph 27](#)

²¹⁵ [Other Voices, engagement note, paragraph 16](#)

²¹⁶ [Other Voices, engagement note, paragraph 25](#)

²¹⁷ [Culture, Communications, Welsh Language, Sport, and International Relations Committee, record of proceedings, 08 February 2024, paragraph 172](#)

*companies have set up companies in the Republic in order to access Creative Europe funds.*²¹⁸

Our view

189. We note calls from some witnesses for bespoke Wales-Ireland arrangements and reiterate our view, set out above, that the solutions are strategic matters for the UK and EU in the first instance.

190. Nonetheless, we believe the matters in this report could benefit from the close working between the Welsh and Irish governments. As such, we believe there is scope for them to keep a watching brief on these issues.

Recommendation 14. We call on the Welsh Government to maintain a dialogue with the Irish Government on this issue as part of their ongoing and future cooperation, and to scope, where possible, what additional support could be jointly provided while awaiting a UK-EU-led solution.

²¹⁸ [Arts Council Ireland, written evidence, 05 September 2024](#)

Annex 1: Quantitative evidence

This Annex provides an overview of the quantitative data received in written and oral evidence for this inquiry.

1. Oral evidence

1.1 Equity

- 43% of members surveyed said that **Brexit had affected their confidence** at being able to find work in the arts and entertainment sector.
- **Lost €74 million in film and tv funding** to the UK in 2018 (within Creative Europe).
- **£170 million lost in cultural funding** since the exit is the evidence that we've been presented with. And the call was for that to be replaced. There were promises made around the fact that we wouldn't lose out from that funding being withdrawn, that that would be replaced from within the UK. We've not seen that, and I think that's the biggest challenge.

1.2 NoFit State

- Before the pandemic and Brexit, No Fit State would have 1-2 touring productions per year (9-35 company), **80 performances per year in EU** – now, productions same scale but it's **55 performances in the EU** (largely to do with 90 day rule), having to turn down EU bookings.
- Increased costs by £100k and reduced income potential of £90k.

1.3 Welsh National Opera

- **Visa restrictions** are a particular issue, **66% increase in additional costs** with the NHS surcharge.

1.4 Teledwyr Annibynnol Cymru

- Creative Industries Policy and Evidence Centre has suggested there's been a **15% decrease in the sales** of programmes.

1.5 Media Cymru

- 8-10% of the respondents to survey **proactively raised Brexit** changes.
- **550 responses to survey**, only 1 mentioned moving to source goods locally "which you could see as a good thing".

1.6 Association of Independent Promoters

- Promoters seeing a **decrease in touring artists coming to the venues** but no data.
- Music Venue Trust released a statement recently to say that **two venues a week are closing** at the grass-roots sector. Obviously, one is too many, let alone **125 last year across the UK**. (unknown link to Brexit)

2. Written evidence

2.1 No Fit State

- Are now issuing **20 certificates of sponsorship a year**, up from 2 or 3. (This allows non-EU and now EU citizens to be employed by the company).
- NHS surcharges for artists with a certificate of **sponsorship is now £1,035 per person a year** (they are required to take out a full years cover). The company said it was £200 a year for non-EU citizens.
- Loss of income in relation to turned down bookings due to the 90 day rule in summer 2023 was **circa £120,000** and a reduced gross profit on the tour of **circa £40,000**.
- The additional work to compile a list for carnet requires **6 people 3 weeks** work to compile. The direct cost of securing the necessary paperwork and insurance **circa £17,000**. The total cost of a carnet is therefore **circa £28,000**.

2.2 Welsh National Opera

- Increased cost of at **least £5,000** for European opera house to hire a production, which is incurred in the transportation of sets, costumes and other equipment.
- Carnet incurs **up to £5,000** in increased costs, with administration taking up to a week. An additional two days is needed to complete the form. Costs are passed making the company more expensive for European opera houses.
- On musical instruments, Convention on International Trade in Endangered Species of Wild Fauna and Flora certificates took **30 days** to be approved and returned.
- Cardiff Theatrical Services are having difficulty competing on the European market because clients need to pay import tax on goods. It recently lost out on a job to the value of **around £500k** because it was too expensive.
- **40 hours** are spent per load and carnet for temporary imports to the EU. In costs, the bond guarantees need to be purchased as well as the carnet, which is usually around **£750 per document**.
- A staging of Death in Venice included EU-based aerial performers. WNO paid customs fees to release equipment and **incurred 2 hours of additional administration**, and an **extra customs and handling charge of around 30%** of the overall value was levied.
- Recently recruiting a cellist from Italy, WNO **paid visa charges** through a Skilled Worker visa and an **annual NHS surcharge of £1,035**.
- Under new visa rules due to come in from 4 April 2024, which raise the minimum salary threshold for a Skilled Worker visa from £26,200 to £38,700 per year, WNO wouldn't have been able to recruit due to this being above Company salary threshold for this role.

2.3 Small World Theatre

- Carnet creates more work, with an **additional 2-3 days** for an administrator or tour manager to navigate the system and complete the paperwork

2.4 European Centre For Training and Regional Co-operation

- ECTARC's **turnover was over £1million** when European programmes moved from the Leonardo programme to Erasmus. ECTARC experienced a complete collapse of the business where turnover **reduced to nil**.

2.5 Arts Council Wales

- In a recent survey from UK Music, almost **one in three** music creators said earnings had been affected since Brexit, and **43% of those hit by Brexit** said it was no longer viable for them to tour the EU.
- BBC National Orchestra of Wales said there are **4 additional costs** where items need to be imported/exported. For example, if ordering equipment from EU countries and this is usually an **additional 20% of costs**.

2.6 British Council

- No Fit State said they estimate touring has witnessed a **40% reduction** in profit margins from a combination of the extra costs associated with non-EU membership and increased human resource.
- BBC National Orchestra of Wales had tax withheld from the German authorities when they invoiced for a recording. The Orchestra are yet to get tax back and the BBC had to put in a withholding tax exemption form and these are taking **9-12 months** to process.
- British Council is no longer a full member of the EU National Institutes for Culture, but has associate member status. It will continue to pay the same annual membership fee (**€46,000**) but does not have voting rights during the General Assemblies and cannot sit on the Board.

2.7 UK Music

- According to a 2023 UK Music survey, **82% of British musicians** said their earnings decreased because of Brexit. Meanwhile, **43% of musicians** surveyed said it is no longer viable for them to tour EU nations.
- A carnet, required for unaccompanied instruments, **costs £300 per shipment**, alongside VAT and a security deposit. Costs can spiral,

particularly for orchestras, whose **costs range between £2000 and £5000**.

- Artists need to register as an exporter, secure an Economic Operators Registration and Identification number, and register for VAT in each market visited. A band told the BBC that additional costs resulted in **missing out on £2,500 worth of merchandise sales** on a tour of France.
- One artist surveyed by UK Music said additional costs on merchandise make touring the EU “not commercially viable, even for artists with an **average audience of 1500 people**”.
- Many orchestras run their own vehicles to ensure safe transport of instruments. This faces additional restrictions, leaving specialist vehicles idle and orchestras face bills renting EU based alternatives. Some orchestras pay up to **£20,000 for replacement EU flagged vehicles**.

2.8 Association of British Orchestra

- British orchestras are reporting that factoring in cabotage limits into their touring schedule results in an **additional cost of £16K per day**.
- Hiring EU registered hauliers to safely transport musical instruments and equipment can **add up to £30K** to each tour.
- Members have reported that taking up Dual Registration would result in costs including a **£8,500 one off cost** followed by an **additional £12,000 - £20,000 per year**, and an **additional £2,150 every 5 years thereafter**.
- Carnet costs have added **around £10K** to each tour for an ABO member orchestra.
- Processing paperwork for ATA Carnets is a added administrative burden, with an ABO member symphony orchestra reporting they have had to **employ 2 extra members of staff** to manage the additional paperwork.

2.9 Teledwyr Annibynnol Cymru

- The Creative PEC stated in its 2023 **‘State of Creativity’ report** that research undertaken tentatively suggests that between 2016 and 2019, the result of the Brexit referendum and the uncertainty it created for businesses may have depressed **creative services exports by 15%**.

- UK remains part of the European Convention on Transfrontier Television Convention, meaning UK content still benefits from television broadcasters ensuring that **10% of their budget** is dedicated to content originating in a country that is a signatory and on-demand services must ensure **30% of their catalogue** includes such European works.

2.10 Equity

- **43% of Equity members** report that Brexit negatively affected confidence in being able to find work in the arts and entertainment industry
- **31%** saw job advertisements and/or casting breakdowns asking for EU passport holders only to apply, with this number rising since the end of the pandemic restrictions on travel.
- **14%** have been asked by their agent to confirm if they are an EU passport holder for the purpose of finding work.

3. Engagement findings

Following interviews and focus groups with creative workers, the **findings** of the Senedd Commission's Citizen Engagement Team included the below quantitative data:

- *“One manager suggested that booking inquiries for artists are down **20-30%** since Brexit and Covid-19”.*
- *“Many participants spoke about the additional costs of carnets, if required, and the deposit which is **30 to 40% of the value of the item(s) carried**”.*
- *“One participant explained that **80% of his work was in the EU, pre-Brexit**. The stay of 90 days within 180 days makes this impossible, resulting in a loss of earnings”.*

Annex 2: House of Lords conclusions and recommendations

In October 2022, we drew nine conclusions relating to how Wales is represented in UK-EU relations post-Brexit.

Conclusion 1. We would welcome clarification of UK-EU Ministerial responsibilities at a UK level to allow for greater transparency on inter-ministerial responsibilities and portfolios.

Conclusion 2. We would welcome greater clarity on how engagement across governments is coordinated at all levels, including in relation to formal committees and forums.

Conclusion 3. It is clear that the UK-EU relationship remains an important priority for the Welsh Government and for stakeholders in Wales. However, the absence of dedicated strategies to UK-EU relations at a UK- and Wales- level presents challenges when navigating, and providing effective scrutiny of, the post-Brexit UK-EU relationship. This is compounded by the breadth of Ministerial responsibilities at Welsh Government in delivering the new arrangements.

Conclusion 4. We believe the four nations should be engaged and represented in future UKEU relations. We would welcome more detail from the UK Government on how this will be achieved.

Conclusion 5. We support the view of the Senedd's Legislation, Justice and Constitution Committee, that observer status for devolved representatives at the UK-EU Parliamentary Partnership Assembly, is unsatisfactory. We echo its call for their full participation, as outlined in its response to your inquiry.

Conclusion 6. We continue to believe in the importance of direct contact between devolved governments and legislatures with EU institutions.

Conclusion 7. We are dismayed by evidence received that opportunities for engagement in UK-EU relations may have reduced. We would welcome clarification of roles for devolved nations across UK-EU relations, rather than for specific areas only, such as at intergovernmental meetings and TCA governance structures.

Conclusion 8. We are also concerned that the post-Brexit challenges faced by stakeholders to engage in UK-EU relations has led to reduced representation of Welsh interests, which could reduce further in future. The Committee would welcome clarification of the role of stakeholders across UK-EU relations, including identification of stakeholders from Wales.

Conclusion 9. We call on all governments to improve reporting and transparency on UK-EU relations for parliamentarians, stakeholders and citizens.

Annex 3: List of oral evidence sessions

The following witnesses provided oral evidence to the committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed on the Committee’s website.

Date	Name and Organisation
<p>8 February 2024</p>	<p>Baroness Bull, House of Lords, UK Parliament</p> <p>Eluned Haf, Wales Arts international</p> <p>Tom Kiehl, UK Music</p> <p>Ruth Cocks, British Council Wales</p>
<p>28 February 2024</p>	<p>Alison Woods, NoFit State</p> <p>Stephanie Bradley, Welsh National Opera</p> <p>Bill Hamblett, Small World Theatre</p> <p>Simon Curtis, Equity</p> <p>Andy Warnock, Musicians’ Union</p> <p>Carwyn Donovan, Broadcasting, Entertainment, Communications and Theatre Union</p> <p>Luke Hinton, Association of Independent Promoters</p> <p>Dyfrig Davies, Teledwyr Annibynnol Cymru</p> <p>Dr Enrique Uribe Jongbloed, Media Cymru</p>

Date	Name and Organisation
14 March 2024	Laurence Farreng MEP, Former Member of the European Parliament Committee on Culture and Education Professor Catherine Barnard, University of Cambridge Dr Charlotte Fauchet, University of Bristol
15 May 2024	Lesley Griffiths MS, Former Cabinet Secretary for Culture and Social Justice, Welsh Government Jeremy Miles MS, Former Cabinet Secretary for Economy, Energy and Welsh Language, Welsh Government
19 June 2024	Vaughan Gething MS Former First Minister of Wales, Welsh Government

Annex 4: List of written evidence

The following people and organisations provided written evidence to the Committee. All Consultation responses and additional written information can be viewed on the Committee’s website.

Reference	Organisation
CEU 01	NoFit State Community Circus
CEU 02	Media Cymru
CEU 03	Welsh National Opera
CEU 04	Small World Theatre
CEU 05	Arts Council of Wales / Wales Arts International
CEU 06	Literature Across Frontiers and Wales Literature Exchange
CEU 07	National Library of Wales
CEU 08	UK Music
CEU 09	Association of British Orchestra
CEU 10	Jones the Dance
CEU 11	Wesh Independent Producers
CEU 12	National Dance Company Wales
CEU 13	Equity
CEU 14	British Council Wales
CEU 15	Musicians’ Union
CEU 16	European Centre For Training and Regional Co-operation
CEU 17	Wicked Wales Film

Additional Information

Title	Date
<u>Other Voices engagement note</u>	October 2023
<u>Welsh National Opera written evidence</u>	February 2024

Title	Date
<u>Deputy Minister for Arts, Sport and Tourism, Welsh Government, written evidence</u>	February 2024
<u>Professor Catherine Barnard, written evidence</u>	March 2024
<u>Minister for Media, Tourism and Creative Industries, UK Government, written evidence</u>	May 2024
<u>Senedd Commission, engagement findings</u>	May 2024
<u>Minister for Social Partnership, Welsh Government, written evidence</u>	July 2024
<u>Cabinet Secretary for Economy, Energy and Welsh Language, Welsh Government, written evidence</u>	July 2024
<u>First Minister of Wales, Welsh Government, written evidence</u>	August 2024
<u>Arts Council Ireland, written evidence</u>	September 2024
<u>Irish Government, written evidence</u>	September 2024