

SCRATCH: DEAD ON ARRIVAL?

by Andy Lipman, Video Editor, City Limits; Legal Advisor, Independent Film & Videomakers Association

The word has even reached the Head of Drama at the BBC. The practitioners are now feted regularly by TV executives, directors of record companies and ad agencies. The talk is of satellite sell-ons, late-night series on Channel 4 (an electronic "That Was The Week That Was"?) and in-depth reports on the Saturday night art docs.

Forget the N.Y. Underground graffiti artists. Scratch Video has not only arrived, it's already mainstream.

All of twelve months ago, scratch was something you bunged on in the few nightclubs that had a couple of monitors and an open enough attitude to embrace something more than pop promos. It was mostly a multi-screen bombardment of unrelated images – culled from off-air recordings and hours of messing about in edit suites (the "downtime dubbers") – which the club managers liked to think was "ambient video". Often the sound was no more than the disco beat from the club's dancefloor.

But it was rough, unpretentious (mostly), anarchic, rude, and ANTI. Anti-television/narrative/message/consumption/pop/news/politics/video ART. Hanging about the Brixton club "The Fridge" last year with its fifteen second-hand TV sets chained up together like a pile of leaking nuclear waste containers, the tape-makers talked about popularising experimental video, getting it out of the elitist galleries, and building a network of "front-room scratchers taking revenge on the broadcast media".

First step up in the "credibility stakes" was a four week season at the Institute of Contemporary Art, organised by myself and Bruno de Florence, attracting the interest of Michael O'Pray at the Arts Council, who put together compilation tapes to tour the regional film theatres.

One of the original "Fridge" band, George Barber, released a video





cassette "Greatest Hits of Scratch: Volume One" (now a collectors item, naturally) and got a two page photo spread, along with his pals, in the Sunday Times Colour Supp.

Very avant-garde, but hardly commercial. No TV researchers were banging on the scratchers' doors. Yet.

Then came Philip Hardcastle's *N-N-Nineteen* and a scratch of the ABC U.S. documentary *Vietnam Requiem* (predictably banned by BBC's Top of The Pops at first, until The Tube stepped in) jumping up the charts to Number 1.

The music industry twigged first, and promo directors Godley and Creme produced videos for Frankie Goes to Hollywood and Howard Jones that were "just like the real thing" – with the grainy 'home-made VHS feel', look-alike off-air TV

commercials and glitches galore. Only the six-figure budgets, and the destination – MTV in the States – were any different. Oh, and the little matter of intention.

But it was the presentation of scratch at this year's Edinburgh TV Festival, (set up as a fringe event to show there was life outside Shepherd's Bush and Charlotte Street) which marked the prodigal son's return to the fold. Not that anyone was much interested in the world inhabited by the tape-makers. That other 'independent sector' with its cultural politics, claims for democratic access to TV production, workshop funding, media education and training were patronisingly dismissed.

But the STYLE was a smash hit! And it might just be saleable.

A month later Channel 4

presented excerpts from scratch tapes in the three part Eleventh Hour Video series. (It had been planned long before Edinburgh).

And the offers really started to roll for the "scratch all-stars" . . . George Barber has just released the latest video for ZTT's "Art of Noise" – *Legs*. The Duvet Brothers are making 28 links for satellite channel Music Box. Gorilla Tapes – makers of the successful Reagan/Thatcher scratch *Death Valley Days* are the subject of a documentary for BBC's "Saturday Review" – which will be examining what all this off-air recording and cut-ups does to copyright law.

And that seems to be the state of the art as of now. No mass "TV scratching" in front-rooms by unemployed youth. Not much recognition of other strands of independent video, from

experimental art tapes, especially the work of women tape-makers, to community and campaigning video like last year's *Miners Tapes* – all of which "Scratch" was supposed to popularise and provide the "cross-over" to a wider audience.

It seems the only radical potential which the form offers any longer is its inherent challenge to copyright law. After all, there's no right to "quote" from TV or films, even for purposes of review or criticism. Using a few frames of the news, soaps, quiz shows, ads – whatever – all requires permission.

'Clearing up' after scratch can be a real headache. Claire Bevan knows his better than most, having worked on getting the clearances for the *Death Valley Days* screening in the Channel 4 Video series.

"It's a lot easier if you're known to the boys. Ringing up on behalf of 'Gorilla Tapes' just doesn't go down too well at Visnews or the BBC. My advice to all scratchers is use bland titles and non-controversial company names." admits Claire.

"The worst part is trying to trace where the off-air material came from. People just don't take logs and it can get completely absurd. It's not as if you can plan what you are going to use before you start editing."

Most scratchers have learnt to avoid even a frame of Hollywood feature films (\$1,800 per minute or part thereof), and just a second of Joan Collins was quoted at \$2,000. But the cost is only the start of the problem. The context for use, or rather the lack of it, means having to fudge and flannel like mad. "Most of the news agencies expect requests for stock shots. Bells really start ringing when you explain that it's a 'light-hearted look at politics and the way news is . . . represented'. They've all read 'Bad News', you know"

ITN are fairly helpful, and you can go there and look through their comprehensive log of news bulletins. Visnews and Movietone don't worry about the context, just the price. It helps with them to keep the conversation on the 'art and education' level of programming.

Any whiff of music video will start the price soaring. They operate sliding scale rates.

Far less co-operative are BBC Enterprises which charges a £100 'research fee' before they will even answer any rights question. And most paranoid of all seems to be the Central Office of Information which is the PR department for government and normally can't give their tapes away fast enough, without charge. But when it came to video art on Channel 4, it got referred up and up, until a final apologetic "no" came back.

Copyright law can act as a form of censorship. Outsiders still can't use material in a critical way. The game is stacked in favour of 'in-house' scratchers – but what sort of compromises does that entail?

Only a legal test case can clear the way for a genuine 'scratch' boom. And a favourable decision could have far-reaching implications. But it's not in the broadcasters' interests to stage one. How about an enterprising independent?

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