

CANADIAN MUSEUMS ASSOCIATION **DEACCESSIONING** SYMPOSIUM 2014

BREAKING UP IS HARD TO DO: THE INS AND OUTS OF DEACCESSIONING

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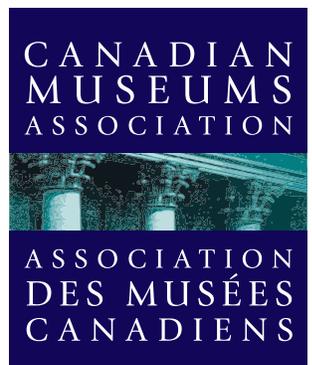
NOVEMBER 19 – 20 • OTTAWA • CANADA

Sponsored by the Canadian Museums Association

Recent deaccessioning of artifacts, works of art or entire collections from a museum or gallery has sparked an increase in the critical debate among directors, curators, artists, lawyers, the courts, politicians and the public.

What factors contribute to “good” or “bad” deaccessioning? What are the legal, ethical, and professional standards? Do they vary for each institution, or each case? Deaccessioning is the permanent removal (by sale, gift, trade or even destruction) of collections items from museums, galleries, archives, libraries and similar institutions. Done properly, it is an important part of a comprehensive collections management program and strengthens the value of its collection. Done poorly, it can bring an institution negative publicity, discourage patronage, create financial problems and even lawsuits.

Many institutions within Canada are currently deaccessioning objects from their collections, or plan to do so in the near future. How they have mitigated the risks involved to ensure a successful divestment has not previously been shared. This symposium, sponsored by the Canadian Museums Association, will address the question, “must works donated or purchased by a museum or gallery be held as public trust forever or can they be sold or given away for a variety of justifications?” If revenues are achieved, how should this money be allocated? Until recently, artworks and objects were quietly sold to enhance the care and growth of a collection. It is more transparent and controversial when artworks are being put on the market to pay current operating costs, employee salaries and even pensions.



Through a mix of presentations, round tables, open forum discussions and networking opportunities, an extensive list of topics will be addressed.

ETHICAL STANDARDS

- How should you reach your decision?
- Should you try to find a local repository?
- Is a private sale acceptable?
- What role does mission play?
- What do donors of collections and funders think?
- How can you make the divestment press-friendly and communicate in a positive manner?

PROFESSIONAL STANDARDS

- What policies do relevant umbrella organizations promulgate?
- What other resources are there for best practices?
- Does it matter what kind of governance structure you have?
- What other options exist?

LEGAL, COPYRIGHT AND OWNERSHIP STANDARDS

- Deeds of trust
- Deeds of gift
- Donor contracts
- Due diligence for boards of trustees
- Accounting standards for the proceeds from collections sales

At the conclusion of the Symposium, a Deaccessioning Tool Kit will be developed to outline the guidelines institutions should follow when considering deaccessioning artifacts and works of art.

The Symposium is particularly recommended for staff and board members of collecting institutions.

SPEAKERS WILL INCLUDE

- **Anton Antonov**, *XL Insurance Company Limited*
- **Glen Bloom**, *Osler, Hoskin and Harcourt LLP*
- **Stephen Bonadies**, *The Virginia Museum of Fine Art*
- **Inês Fialho**, *Brandão, Portugal*
- **Lloyd DeWitt**, *Art Gallery of Ontario*
- **Scott Furlong**, *Arts Council England*
- **Andrew Gibbs**, *Heffel — Canada's National Fine Art Auction House*
- **Brian Levitt**, *Montreal Museum of Fine Arts*
- **Gwendolyn Owens**, *McGill University*
- **Mark Starling**, *PACART*

SYMPOSIUM FEE

\$275 CMA member

\$350 Non-member

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SYMPOSIUM AGENDA

WEDNESDAY, NOVEMBER 19

- 8:00 – 8:45 am **Registration/Networking**
- 8:45 – 9:15 am **Official Welcome and Review of CMA's Current Policy**
Nancy Noble, CEO, Museum of Vancouver; President, Canadian Museums Association
- 9:15 – 10:45 am **The Ethics of Deaccessioning**
Moderator: *Victoria Henry, Canada Council Art Bank*
Panelists: *Stephen Bonadies, The Virginia Museum of Fine Art; Lloyd DeWitt, Art Gallery of Ontario; Inês Fialho, Brandão, Portugal; Gwendolyn Owens, McGill University*
Can policy and practice coexist as the need for financial resources outweighs the need to keep a collection intact? Panelists will discuss their deaccessioning practices, taking you through the various stages from selections to disposal.
- 10:45 – 11:10 am **Networking Break**
- 11:15 am – 12:30 pm **How Long is Forever? The Disposal Toolkit and Deaccessioning in the UK**
Scott Furlong, Director, Acquisitions, Exports, Loans and Collections, Arts Council England
Scott will outline the ethical, legal and sectoral context in which the UK Museum Association's *Disposal Toolkit* was developed. He will share the experiences of developing the *Toolkit* and reflect upon the current challenges facing the UK museum sector in the face of unprecedented financial and political pressures and increasingly controversial cases of financially motivated disposal.
- 12:30 – 1:45 pm **Lunch/Round Table Discussions**
- 2:00 – 3:30 pm **The Nuts and Bolts of Deaccessioning**
Moderator: *Gordon Perrault, Canada Science and Technology Museums Corporation*
Panelists: *Anton Antonov, XL Insurance Company Limited; Andrew Gibbs, Heffel — Canada's National Fine Art Auction House; Mark Starling, PACART*
Once a decision is made to deaccession artworks from a collection, whom do you look to for advice? Three experts in their respective fields — auction house, insurance and transportation — will share the cost and value of deaccessioning from their respective perspectives.
- 3:30 – 3:50 pm **Networking Break**
- 4:00 – 4:45 pm **Day 1 Wrap-Up and Overview of Day 2**
Victoria Henry, Director, Canada Council Art Bank
- 6:00 – 8:00 pm **An Evening of Art**
The Canada Council Art Bank is the home to over 17,000 contemporary Canadian artworks. Attendees will have the opportunity to view the collection and enjoy a glass of wine and light hors d'œuvres at the Art Bank.
Fee: \$50.00. Open to all delegates and guests. Pre-registration is required. Transportation provided.

THURSDAY, NOVEMBER 20

8:00 – 8:45 am

Networking

8:45 – 9:30 am

The Legal Necessities

Presenters: **Glen Bloom**, *Senior Counsel, Osler, Hoskin and Harcourt LLP* and **Brian Levitt**, *Chair, Montreal Museum of Fine Arts*

This session will address the complex legal issues that may arise in deaccessioning artworks from publicly held collections and the issues that trustees of a public museum might wish to consider if deaccessioning an artwork is lawful.

The session will include a summary of American litigation and legislation relating to deaccessioning and discussions of how the issues in the U.S. litigation might be resolved in the Canadian context, the relevance of copyright and the potential resale right and the consequences of deaccessioning certified cultural property.

The session will also address non-legal issues that deaccessioning raises for trustees charged with ensuring the long term health of an institution, particularly in the context of a private institution enjoying a mixture of public and private capital and operating support and seeking to build its permanent collection through private donations of works of art.

9:30 – 11:30 am

Round Table Discussions — Tool Kit Development

One committee member will facilitate each round table discussion and present results.

11:30 am – 12:30 pm

Presentation by Groups on Tool Kit Components

12:30 pm

Symposium Wrap Up

Nancy Noble and **Victoria Henry**

REGISTER AT: museums.ca/site/deaccessioning2014

▶ **REGISTER
ONLINE**

HOTEL:

Hampton Inn by Hilton Ottawa

100 Coventry Road, Ottawa, ON K1K 4S3

1-613-741-2300

Group Name: CANADIAN MUSEUMS ASSOCIATION

Group Code: CMA

Rate: from \$136

Dates: November 18 – 20, 2014

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THANKS:

A special thank you to the following for their support of the Symposium:



Osler, Hoskin
& Harcourt LLP