

ENVIRONMENT AND COMMUNICATIONS LEGISLATION COMMITTEE

QUESTIONS ON NOTICE – SUPPLEMENTARY BUDGET ESTIMATES 2023-24 – 8 NOVEMBER 2023

COMMUNICATIONS AND THE ARTS PORTFOLIO – SPILLOVER HEARING

QoN No.	DepartmentOrAgency	PortfolioQoN No.	Senator	Topic	Question	Hansard Page
194	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	SQ23-005405	Malcolm Roberts	Classification Review - Timeframe for recommendations	<p>Senator ROBERTS: The review has commenced?</p> <p>Senator Carol Brown: Informal consultation with government stakeholders has commenced. Public consultation will occur early in 2024.</p> <p>Senator ROBERTS: So it is looking into options available for written publications. The public will get the opportunity to comment early in 2024. What is the time frame for recommendations?</p> <p>Senator Carol Brown: I might hand to the deputy secretary to give you some time lines-if that's what you're after?</p> <p>Senator ROBERTS: Yes, please.</p> <p>Mr Windeyer: I don't think I can give you a date for conclusion at this point. I'm happy to take on notice to see if we've got some more precise time lines developed at this point, but the key point is: we've started preliminary consultations with internal-to-government stakeholders. Public consultation will commence early next year. But I don't have a set date for the conclusion of the review.</p> <p>Senator ROBERTS: Could you take that on notice.</p> <p>Mr Windeyer: I'm happy to take that on notice.</p>	15

195	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	SQ23-005406	Gerard Rennick	National Cultural Policy - Stand-alone legislation	<p>The government's new national cultural plan, Revive: a Place for Every Story, a Story for Every Place (2023, p. 32), seeks to "introduce stand-alone legislation to protect First Nations knowledge and cultural expressions, including to address the harm caused by fake art, merchandise, and souvenirs." The 2023-24 Federal Budget (p. 181) allocates \$13.4 million over 5 years "to protect First Nations traditional knowledge and cultural expression and First Nations artists and related workers through the introduction of stand-alone legislation and artist mentorship and training programs."</p> <ul style="list-style-type: none"> • What is "fake art"? • Is it the government's intention to expand copyright laws, via "stand-alone legislation", so as to criminalise the misuse of Aboriginal and Torres Strait Islander heritage? If so, how does the government intend to define "misuse"? And will the government adopt in this "stand-alone legislation" the definition of heritage as detailed by the Our Culture, Our Future report? • If a critical tract concerning Aboriginal history were written – perhaps by Geoffrey Blainey or Keith Windschuttle – and it was received poorly by Aboriginal interest groups then could, under any new "stand-alone legislation", those interest groups take legal action against Blainey or Windschuttle? • Is the government, through this "stand-alone legislation", attempting to control the art produced by Australian artists for ideological purposes? • Could this "stand-alone legislation" be inverted, and would it consider Bruce Pascoe's book Dark Emu "fake art?", considering Professor Pascoe claims to be of Aboriginal descent? • Similarly, does the government intend to pursue legislation that would protect general Australian knowledge and cultural 	Written
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					<p>expressions and prevent against the revision of Australian history by interest groups, and safeguard the Australian public from "fake [Australian] art" and history?</p> <ul style="list-style-type: none">• How will the \$13.4 million be allocated between wages and other spending?	
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196	Department of Infrastructure, Transport, Regional Development, Communications and the Arts	SQ23-005407	Gerard Rennick	National Cultural Policy - Cultural protocols and training	<p>The government's new national cultural plan, Revive: A Place for Every Story, a Story for Every Place, commits to the promotion of "best practice cultural protocols, the principle of self-determination and cultural safety training, in partnership with First Nations communities, across arts and cultural organisations."</p> <ul style="list-style-type: none"> • What does Aboriginal "self-determination" have to do with Australian art? • What would "cultural safety training" entail, and does the government expect to make such training compulsory for Australian artists, particularly if it intends to pursue "stand-alone legislation" that would tighten controls around the use (and misuse) of Aboriginal heritage? 	Written
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