

Arts Law fully supports the responses made by the Indigenous Art Code. The only additional comments we would make are in relation to the first 3 of Senator Thorpe's questions:

Question 1

Arts and culture employment must be underpinned by a concerted, accredited training effort to support the progression of First Nations people to coordination, management and technical roles.

Can you please describe what you think this must look like, who should be involved and importantly how culturally safe pathways can be formulated to allow for promotion and movement into management positions for First Nations people in the industry?

-

1. It is also essential that all staff have cultural safety/decolonisation training and the organisation has a cultural safety policy. Organisations should also have good representation of First Nations peoples on their Boards.

In the case of Arts Law, a small under-resourced organisation, we are in the process of developing a First Nations Employment Strategy which has dedicated roles at all levels of the organisation. The difficulty in implementing our strategy is the insecure resourcing of most positions, which is a similar problem faced by most small arts organisations. Arts Law provides an illustrative case study of a First Nations Employment Strategy and we set out below the proposed roles and some of the challenges.

- Head of Artists in the Black service (AITB); There is currently no funding to fill this important senior leadership role.
- 2 AITB lawyer roles (one in WA and one in NSW). We are currently recruiting for WA role which is a 12 month secondment from a law firm. There is no funding for a NSW-based role. Salaries for First Nations lawyers are extremely competitive. A community legal centre such as Arts Law struggles to attract candidates in such an environment.
- 1 AITB paralegal - currently employed;
- 1 AITB coordinator – currently employed;
- 5 AITB engagement staff who are based in various jurisdictions and would include staff who are regionally and remotely located eg NT, Qld, NSW, Vic, WA. We currently have applications into philanthropic foundations and government funders to support 3 of these roles, albeit on a pilot basis in NT, NSW, Victoria.
- Internship/cadetship program – Arts Law has current applications for programs in WA and NSW. Paid internship/cadetship programs are designed to develop law student skills so they may progress to legal jobs at Arts Law|AITB. Given the under-supply of First Nations law students and lawyers, it is essential that proper payment is available to students participating in these programs.

Arts Law has 2 identified roles on the Board for First Nations representation (approx. 25% positions). One is filled and we are actively recruiting for the other. All Board roles are

unpaid. We are also discussing a Board mentoring program for a younger First Nations Board member.

Question 2

This Policy will see the establishment of a 'dedicated First Nations-led Board within Creative Australia to enable self-determination, support the telling of First Nations histories and stories, and build the capacity of First Nations creative workers.' How do you think this board should function in order to enable and support self-determination?

-

2. As with all Board roles, it is important that all persons are provided with appropriate governance training. It may be useful to consider an Arts Governance Mentorship and Training program so that young First Nations arts professionals are supported in Board roles earlier in their careers. We also note how overstretched the ORIC governance training program is. The dedicated First Nations Board within Creative Australia provides an opportunity to explore more self-determined governance models which are not mandated by legislative requirements which currently apply to Indigenous organisations under the CATSI Act.

Question 3

Art is work, and art is an act of practising culture for First Nations people. Do you support an Artist's Living Wage, which would provide a weekly income for artists who can prove their engagement in an ongoing art practice? How might this operate in a way that supports self-determination?

-

3. It may be useful to examine at a pilot such as Ireland's which involves analysis of the recipients' finances, work patterns and well-being to gauge the impact of focussed support. For First Nations people, the parameters could be quite different as the definition of 'work' would need to include cultural activities which would be part of their 'arts practice'. The design of any such scheme would need to be First Nations led.

Kind regards

Robyn

Robyn Ayres

Chief Executive Officer