

Indigenous Art Code - Questions on Notice from Senator Thorpe 24 April 2023:

- 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?**

Employment training and progression must be First Nations led: First-hand accounts from First Nations people employed in the Arts across multiple hierarchical levels, organisation sizes, and regions, from cities to remote communities and everywhere in between, are required to get a true understanding of the challenges and pathways to support First Nations employment in the sector. There has been much documented about the importance of creating culturally safe workplaces, which at a basic level include cultural awareness training for all staff and cluster hiring. Opportunities to form networks with other First Nations peoples, not only within but across organisations, must be actively created and encouraged, as should First Nations-led mentorship structures:

“If we look to First Nations community structures of Eldership, this provides a road map for support in an employment setting. It is important that there is a First Nations role model or mentor accessible within the organisation to support and guide staff. Taking community as a model and what Aboriginal people have done so authentically and is within us genetically in terms of kinship and community structures. It’s also about building confidence and knowing when staff are ready to progress in their roles, much like it is in a cultural way. This essence of our identity can be modelled and moved into a workplace structure.”

- Savannah Travia-Dann, Artist Engagement Officer, Indigenous Art Code Ltd.

Tailored approaches for metropolitan, regional, and remote based arts workers grounded in self-determination: It is vital that the diverse needs of Aboriginal and Torres Strait Islander people in different contexts and circumstances are carefully considered. The needs and circumstances, for example, of someone growing up in Redfern in metro Sydney and someone in a small, remote Aboriginal homeland community in North East Arnhem Land are very different. Both should be able to aspire and succeed at becoming empowered and well-educated Arts professionals. In both situations, Aboriginal people experience significant barriers, challenges and limitations to employment pathways. We encourage you to look to the models of Arts Worker training offered by Indigenous Visual Arts peak bodies. There are important lessons to learn from these existing models and how they have developed and adapted over time to provide targeted training for remote and regional First Nations employees.

While there is a recognised need for more Indigenous arts professionals to take up positions in the many metropolitan-based First Nations arts and cultural institutions, it is also important that the training does not become primarily about fulfilling the needs of these institutions. Rather, the needs and aspirations of people on the ground in communities need to be central and self-determined.

We refer you to [First Peoples: A Roadmap for enhancing Indigenous engagement in museums and galleries](#), a report by Terri Janke and Associates commissioned by the Australian Museums and Galleries Association (AMaGA) in 2018. *Chapter 3: Increasing Indigenous Opportunity* outlines a range of strategies relating to this question.

From response to productivity commission, to include or not?:

Increase funding for small to medium arts and cultural organisations: One of the most common barriers to developing Aboriginal and Torres Strait Islander staff into leadership roles is the under resourcing of small to medium and grassroots arts organisations across the board. A lack of consistent and appropriate funding levels has seen organisations needing to achieve more with less, and overworked and underpaid arts professionals are experiencing burnout at alarming rates. Nurturing Aboriginal and Torres Strait Islander staff and creating a culturally safe workplace is rarely prioritised in a highly stressed and sometimes toxic or competitive work environment. Larger organisations and for-profit businesses with better employee support structures, including HR departments, professional development opportunities, and higher remuneration standards, tend to perform better in creating career pathways and supporting Aboriginal and Torres Strait Islander staff through them into leadership roles.

Cultural development is professional development: Aboriginal and Torres Strait Islander artists and arts workers should be encouraged and supported by employers and funded in professional development opportunities to spend time learning from Elders and on Country in a self-determined way. Education and a perspective shift are required for non-Indigenous staff and leaders in the arts to recognise non-Western modalities of education and professional development and what they can bring to an organisation or initiative. It is not accreditation that is required for cultural development, but employment that allows Aboriginal and Torres Strait Islander artists and arts workers paid time for cultural learning and obligations, recognised as personal and professional development relevant to their career. If organisations seek to employ Aboriginal staff for the unique perspective, knowledge and networks they bring, they need to allow them to *be* Aboriginal.

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?

“Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions.”

- UN Declaration on the Rights of Indigenous Peoples, Article 18

IartC welcomes the establishment of a dedicated First Nations-led Board within Creative Australia. Such a board should be diverse, with mandated representation of metropolitan, regional and remote First Nations board members. It should ensure that grassroots community members are afforded the opportunity to play a role on the board amongst those First Nations people in influential positions

within the arts and cultural sector. It should also be intergenerational, working closely with a youth shadow board in a system of Eldership to grow the next generation of strong cultural leaders.

We understand that it will be impossible to represent all language groups across the nation on the board, so it should therefore have a transparent roadmap for how it works with the communities that are directly involved in the issues being raised with the board to ensure it comes from a true, community-led position of authority.

The First Nations-led board of Creative Australia should make careful provisions so that cultural leaders who are remote based and those for whom English is not their first language can communicate and participate on a level playing field with board members who are more familiar with mainstream contexts and processes. All representatives on the board need to be comfortable and fully supported to participate so that their expertise is acknowledged and people who are in very different circumstances are not making decisions on their behalf.

There should also be discussion of how this board might work with ORIC to support the governance of First Nations-governed arts and cultural organisations, if and when required.

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?

We are supportive of this in principle; however, the establishment of an Artist's Living Wage requires thorough economic modelling for First Nations artists to be clear on what implications it may have for existing government supports they may be receiving, such as Centrelink/JobSeeker, disability and aged pensions, as well as income tax implications and obligations. Relevant support and resources to clearly communicate these things are also essential.

Concerns have been raised to Office of the Arts via IVAIS reporting about the Community Development Program (CDP) and the impact this has had on art centres in some communities. These should be carefully noted and ensured that an Artist's Living Wage is not a repeat rollout of CDP and its mutual obligation structure. A living wage must also consider the cost of living in remote regions, which is exponentially higher than in metropolitan areas. Self-determination must be a central principle, and engagement in an ongoing art practice should make provisions to include cultural practice.

4. There seems to be a focus on large national institutions for telling First Nations histories and stories in Australia's galleries, libraries, archives and museums' (p.22). Why is this focus on large institutions a problem, and what changes do you propose to the Policy and its implementation to ensure that other platforms organisations (including community arts organisations, radio, TV and digital media) play a central role in truth-telling and in communicating First Nations histories and stories?

First Nations histories and stories need to be told by First Nations peoples. Large institutions have an important role in truth-telling, holding large collections of First Nations art and material culture. However, institutions must address the lack of First Nations representation at the highest and across

all levels of the institution and become culturally safe spaces internally (including HR, collections and displays) to be equipped to tell these stories and histories.

We refer you again to [First Peoples: A Roadmap for enhancing Indigenous engagement in museums and galleries](#), a report by Terri Janke and Associates commissioned by the Australian Museums and Galleries Association (AMaGA) in 2018 in response to this question.

IartC Submission to National Cultural Policy:

To create a fair and inclusive marketplace, Aboriginal and Torres Strait Islander peoples need to be represented in every part of that marketplace

According to figures published in *the Aboriginal and Torres Strait Islander Arts and Crafts Draft Report, July 2022*, in an industry valued at \$250 million in 2019-2020, the return to artists was only 10-15% of the total value of sales across all markets. This percentage needs to shift; Aboriginal and Torres Strait Islander artists, families, and communities must be the primary economic beneficiaries of an industry profiting from their culture.

There needs to be more significant support for Aboriginal and Torres Strait Islander employment in the Arts- as artists and arts workers and as cultural mentors, administrators, curators, gallerists, managers, business owners, retailers and manufacturers. This is not limited to the public sector, but greater representation in the private, for-profit sector is needed. The barriers to this should be investigated and targeted strategies developed.

IartC/Arts Law/Copyright Agency response to draft productivity commission report Oct 2022:

1 Proposal for a strategic approach to building the industry workforce: Draft Findings 9.5 and 9.6; Information Request 9.1

A strategic approach to building the Aboriginal and Torres Strait Islander arts workforce is lacking: Art centres and other art organisations continue to face significant difficulty recruiting and retaining skilled art workers, especially in remote areas. There is no strategic approach at the national level to build the pipeline of Aboriginal and Torres Strait Islander visual arts and crafts workers — and leaders — in remote, regional and urban areas. The Aboriginal and Torres Strait Islander arts sector was not included as an area of focus under the National Roadmap for Indigenous Skills, Jobs and

Wealth Creation, and there is a risk that strategic opportunities will be missed as a result. With a number of Aboriginal and Torres Strait Islander art and cultural institutions being built across the country, investment in career pathways and traineeships is required to ensure Aboriginal and Torres Strait Islander people lead — and are employed by — these institutions, and to meet broader policy goals as agreed by governments on Aboriginal and Torres Strait Islander employment, self-determination, leadership and empowerment.

Appropriate training and professional development opportunities appear limited: Governments provide funding for professional development and training for workers in the visual arts and crafts sector. However, only a limited number of targeted training, professional development and support programs are available to existing and aspiring Aboriginal and Torres Strait Islander visual arts and crafts workers and artists. In particular, it is not clear how adequate or accessible professional development opportunities are for independent artists.

Information request:

- What are the barriers facing Aboriginal and Torres Strait Islander people wishing to develop the skills required for leadership and senior management positions in the visual arts sector? For example, is funding support to study or gain accreditation while away from home a barrier?
- Is there merit in establishing an accreditation that formally recognises the practices, skills and knowledges learnt from Elders on Country? Are the professional development programs offered to arts workers (and independent artists) by art centres, industry service organisations and regional hubs delivering the skills required by the industry?
- Are these programs over-subscribed? If so by how much? If not, how can art workers be supported to attend?

We support additional funding and initiatives to strengthen capacity development at all levels of employment in the Aboriginal and Torres Strait Islander arts sector. Fostering and establishing clearer pathways for professional development and suitable training programs in the industry, particularly for Aboriginal and Torres Strait Islander people, will likely lead to sustainable long-term careers for Aboriginal and Torres Strait Islander artists and art workers as well as better strategic outcomes. For example, appropriate, long-term solutions for Indigenous communities in the art sector are more likely to be implemented and sustained where leadership and senior management roles in the sector are occupied by Aboriginal and Torres Strait Islander people. We are supportive of providing professional development and training opportunities for both independent artists as well as artists facilitated with art centres.

Failing to take action to ban inauthentic Aboriginal and Torres Strait Islander style products from being sold in Australia when this can be done is a barrier to Aboriginal and Torres Strait Islander people engaging in meaningful employment in the sector. Devaluing the art devalues the position of the artists and arts workers in the sector. Aboriginal and Torres Strait Islander people need to see their art and culture valued in order to bring their intrinsic value to organisations and institutions as employees. When the figures presented in the Productivity Commission Draft Report show how little

of the money from this high value sector ends up with Aboriginal and Torres Strait Islander artists (as outlined in sections 1, 4 and 11 of this response), families and communities, many are apprehensive to become involved in a sector that appears exploitative.

A lack of education and employment opportunities in remote communities sees young children and teenagers having to fulfill their Western secondary education in city boarding schools away from their families and communities at a time when they need the most cultural guidance. Strategies are required to keep families together, honour two-way learning and programs and opportunities are needed for young people that bring them back into community.

One of the most common barriers to developing Aboriginal and Torres Strait Islander staff into leadership roles is the under resourcing of small to medium and grassroots arts organisations across the board. A lack of consistent and appropriate levels of funding has seen organisations needing to achieve more with less, and overworked and underpaid arts professionals are experiencing burnout at alarming rates. Nurturing Aboriginal and Torres Strait Islander staff and creating a culturally safe workplace is rarely prioritised in a highly stressed and sometimes toxic or competitive work environment. Larger organisations and for-profit business with better employee support structures, including HR departments, professional development opportunities, and higher remuneration standards, tend to perform better in creating career pathways and supporting Aboriginal and Torres Strait Islander staff through them into leadership roles.

Aboriginal and Torres Strait Islander artists and arts workers should be encouraged and supported by employers and funded in professional development opportunities to spend time learning from Elders and on Country in a self-determined way. Placing an accreditation structure on a 60,000-year-old continuous cultural practice is a colonial approach and suggests a lack of trust in self-determined individual and community approaches to cultural learning which Indigenous people need to be justify to non-Indigenous peers, organisations and institutions in the sector. Education and a perspective shift are required for non-Indigenous staff and leaders in the arts to recognise non-Western modalities of education and professional development and what they can bring to an organisation or initiative. It is not accreditation that is required, but employment that allows Aboriginal and Torres Strait Islander artists and arts workers paid time for cultural learning and obligations, recognised as personal and professional development relevant to their career. If organisations seek to employ Aboriginal staff for the unique perspective, knowledge and networks they bring, they need to allow them to BE Aboriginal.

There are a number of excellent professional development programs for arts workers delivered by Indigenous art peak bodies, which mainly focus on supporting arts workers working within their member art centres in roles that are funded by IVAIS. In addition to professional skills development, a large part of these programs is offering participants insight to the sector through travel and visitations to galleries, museums, conservation departments, art fairs etc to understand the arts sector as an entire ecosystem, of which they are a part. This is knowledge and networking, particularly with their peers from other communities, regions and cities, and is incredibly empowering and confidence building for artists and arts workers.

There are extremely limited opportunities for Aboriginal and Torres Strait Islander artists working outside of the art centre model to have access to similar opportunities, with very few organisations doing this work and none of them properly resourced to undertake comprehensive programming and development support for independent artists. Independent artists have expressed barriers

including, but not limited to: not knowing what opportunities are out there and where to start, how to work with galleries, where to sell their work, access to affordable studio spaces, what their rights are and a lack confidence and experience with grant writing, exhibition proposal and budget development, reporting and the inevitable administration of professional arts practice. There is also a lack of cultural awareness with many non-Indigenous arts organisations who may offer an artist an opportunity not understanding the cultural, ceremonial and family responsibilities that may mean a deadline is not met, which in their view reinforces stereotypes that Aboriginal and Torres Strait Islander artists are 'unreliable' and 'difficult to work with'. Leaders of institutions, organisations and government departments in the arts and cultural space would benefit from cultural mentoring by relevant Elders for a top-down approach, with cultural awareness and mental health training from a First Nations lens required across all levels of organisations as having a better understanding of where someone has come from will help you guide them to where they are going.

The direct levels of support and guidance that can be offered to participants from art centres, who have an art centre manager and studio staff as liaison and support, to engage in professional and creative development programs makes it an easier channel to fund and deliver. We are not suggesting that art centres and Indigenous Visual Arts Peak bodies necessarily need to take on any further responsibilities and expectations in support of independent artists – these are already under-resourced and overcommitted organisations and we do not encourage further pressures being placed on an already strained model. We are also not suggesting that the art centre model needs to be replicated for independent artists, but they are in desperate need of access to many of the educational resources, support services and industry knowledge and networks provided by art centres to its member artists. The delivery and access requirements will be different and highly individualised.

It is also imperative that artist support programs, services and advice remain free from commercial conflicts of interest.