

8 May 2024

Chair,
Senate Environment and Communications References Committee

By email: ec.sen@aph.gov.au

Dear Committee,

Further to the oral evidence provided at the National Cultural Policy Inquiry public hearing on 16th April, I am pleased to provide the following additional information, as requested by Senator Cox.

1. SPA Aboriginal and Torres Strait Islander screen producer membership and projects

SPA has seen a strong growth in Aboriginal and Torres Strait Islander majority-owned screen production businesses amongst its membership, now numbering 18 companies signalling the capacity that has been building in the sector. In addition, there are a further 10 screen businesses that have developed projects that feature indigenous culture through a number of projects including *The Sapphires*, *Top End Wedding*, *Limbo*, the *Mystery Road* series, *The Drovers Wife* and *Sweet Country*, just to name a few recent ones. Unfortunately, SPA does not collect industry-wide data on First Nations content that is produced but not driven by a First Nations director or producer. The relevant screen agencies may be able to assist with this.

2. Indigenous cultural and intellectual property rights (ICIP)

The industry standard approach to Indigenous cultural and intellectual property (ICIP) rights is [Pathways and Protocols](#), researched and written by lawyer Dr Terri Janke and which has been published and available on the Screen Australia website since 2009. SPA encourages members to use this as an important resource for any project that intersects with Aboriginal and Torres Strait Islander cultural practice and/or intellectual property. More information on this is on the Screen Australia website - <https://www.screenaustralia.gov.au/about-us/doing-business-with-us/indigenous-content/indigenous-protocols>

3. State Agency Protocols

Australia's State screen agencies also provide guidance around the use of Indigenous culture and heritage which is to be done in consultation with Indigenous elders and communities. They publish and promote similar protocols including:

- South Australian Film Corporation - <https://www.safilm.com.au/latest-news/safc-launches-first-nations-cultural-protocols-to-guide-screen-production-in-south-australia/#:~:text=Designed%20to%20be%20provided%20to,Nations%20communities%20are%20diverse%20in>
- Screen NSW - <https://www.screen.nsw.gov.au/resources/first-nations>
- ScreenWest - <https://www.screenwest.com.au/wp-content/uploads/2022/05/Working-with-Indigenous-People-Content-and-Country.pdf>
- Screen Tasmania: https://www.screen.tas.gov.au/_data/assets/pdf_file/0007/199402/Respecting_Cultures_October_2009_Revision.pdf

In addition, a number of free-to-air television broadcasters also have protocols in place:

- <https://www.abc.net.au/edpols/respecting-indigenous-people-and-culture-in-abc-content/13633944>
- <https://www.sbs.com.au/aboutus/sbs-the-greater-perspective-indigenous-protocols/>

Screen agencies also offer programs to support Aboriginal and Torres Strait Islander screen projects and capacity including the following:

- <https://screenqueensland.com.au/about-sq/sq-mob/>
- <https://www.screenwest.com.au/funding-incentives/first-nations/>
- <https://www.screenaustralia.gov.au/funding-and-support/first-nations>
- <https://www.safilm.com.au/first-nations-screen-strategy/>

The Australian Government is currently considering options to protect First Nations traditional knowledge and cultural expressions, also known as Indigenous Cultural and Intellectual Property, including to address the harm caused by fake art, merchandise and souvenirs. The current consultation process includes a number of community consultation sessions being held around Australia and online.

Information about the current consultation process can be found on the following website:

<https://www.infrastructure.gov.au/have-your-say/indigenous-cultural-and-intellectual-property-rights>

4. Broad Horizons at Screen Forever 38 / Ones to Watch

As briefly mentioned in our evidence, earlier this year at our major screen industry conference Screen Forever, SPA partnered with Netflix to deliver Broad Horizons, an exciting new initiative designed to increase access and opportunities for First Nations screen professionals.

The initiative aimed to provide the selected participants with invaluable opportunities to continue to grow and thrive in the screen industry. Each participant received a complimentary registration, return flights and accommodation to attend Screen Forever on the Gold Coast, a 12-month SPA Associate Producer membership, and exclusive networking opportunities. The cohort of participants included three producers from NSW, two from South Australia, and one each from NT, Qld and WA.

By way of background, Screen Forever is a major gathering of the screen industry with over 1,000 delegates over six days and many high-calibre networking opportunities features around 120 speakers and moderators. These speakers brought the best expertise and thinking in their field from both here and overseas for the benefit Australian screen practitioners at all stages of their careers.

In addition, since 2016, SPA in conjunction with Screen Australia has offered a professional development and mentoring program (“Ones to Watch”) for early-career screen producers looking to accelerate their screen business acumen to the next level. In that time, ten Aboriginal and Torres Strait Islander screen practitioners have been matched with a leading Australian producer for 1-on-1 mentoring and taken part in a webinar series to develop their creative slate and business skills.

I trust this information is of assistance to you.

Yours sincerely,

Matthew Deaner
CEO
Screen Producers Australia