

Australian Music Industry – Workplace and Sexual Harassment

KEY ISSUES

On 1 September 2022, the National Music Industry Review Report – *Raising Their Voices*, was released. The report found high rates of sexual harassment, sexual harm, bullying and systemic discrimination across the Australian music industry and makes 17 recommendations for reform.

OUR POLICY

- I welcome the release of the National Music Industry Review Report – *Raising Their Voices*, as an important first step to addressing the significant change required in the Australian music industry.
- I recognise the incredible contribution Australian women, people who identify as LGBTQI+, and many diverse groups make to the music industry and I am committed to working with the industry to support the changes needed to create safe and respectful workplaces.

POTENTIAL HOT ISSUES

- *If asked: Will the Government be responding to the report?*
 - The Government has committed to delivering a new National Cultural Policy by the end of 2022. This landmark policy will place artists and those working in the cultural sector as critical workers in our economy.
 - I am very concerned by the findings of this report.
 - I will be looking to include appropriate mechanisms to support the contemporary music industry as part of this process.

BACKGROUND

- The National Music Industry Review, was an industry led review into sexual harm, sexual harassment and systemic discrimination in the contemporary Australian music industry. It was led by consultants Alexandra Sheadie and Sam Turner. The report titled *Raising Their Voices*, was released on 1 September 2022.
- It was initiated by industry in response to a significant amount of media attention to issues of sexual harm within the Australian music industry. The Review was auspiced by Support Act, and supported by Australian Performing Rights Association Australasian Mechanical Copyright Owners Society (APRA AMCOS), Australian Recording Industry Association (ARIA), Phonographic Performance Company of Australia (PPCA), Australia Council and industry donations.
- Over 1,600 people participated in the review including through interviews, focus groups, written submissions and a survey.
- The report found high rates of sexual harassment, sexual harm and bullying across the industry. Key findings include:
 - of those surveyed 55 per cent have experienced some form of workplace sexual harassment and sexual harm in their career (this included reporting from 72 per cent women and 39 per cent men);
 - 40 per cent of women and 20 per cent of men experienced sexual harassment in the past five years;
 - sexual harassment occurred mostly at music venues (45 per cent) but also reported in high numbers in the office (21 per cent) or at workplace events (17 per cent);
 - bullying was experienced by 76 per cent of participants and 78 per cent of respondents experienced some form of everyday sexism during their career;
 - the report also found that young people and people of diverse backgrounds can be at particular risk of harm and poor employment practices.
- There are 17 recommendations in the report calling for an industry-wide approach, and support from government, to prevent sexual harm, sexual harassment, bullying and systemic discrimination. Recommendations 1–8 are about setting up a Contemporary Music Industry Cultural Reform Council to drive reform, including the development of a code of conduct and reporting and compliance regimes; recommendations 9–17 call on industry leaders, artists, music organisations, industry bodies and employers to take practical steps to implement reform.
- Employers and workers in the Australian have a range of legal rights and responsibilities in relation to safe and respectful workplaces. The key areas of legislation and regulation include anti-discrimination law (*Sex Discrimination Act 1984*, *Racial Discrimination Act 1974* and *Disability Discrimination Act 1992*), employment law (*Fair Work Act 2009*) and work health and safety law (*Work Health and Safety Act 2011*). There are two workplace relations bodies in Australia: the Fair Work Ombudsman and the Fair Work Commission that regulate Australia's workplace relations system.
- Despite these existing protections, there are potential gaps in support for many workers in the music industry who are freelancers / contractors within the 'gig economy' and there is a call for a mechanism or body to assist the contemporary music sector specifically manage workplace issues ranging from economic exploitation to bullying and sexual harassment.

Live Performance Support Fund

HEADLINE

- On 27 September 2022, I delivered on our election commitment by announcing a national COVID-19 Live Performance Support Fund. With the decision by National Cabinet to end mandatory isolation periods from 14 October 2022, industry can now proceed with events such as plays, concerts and festival with confidence, and without the need to access pandemic related coverage from the Commonwealth.

KEY ISSUES

- In Opposition, the Government promised to examine the need for a live performance insurance scheme.
- With the summer season of productions, festivals and events approaching, and with COVID-19 infections continuing to cause disruption and concern in the community, I announced the national COVID-19 Live Performance Support Fund to provide confidence for the sector to proceed with their scheduled events.
- The live performance sector was hit hard by the pandemic. It was one of the first industries shut down – and two-and-a-half years later it's still a long way from normal. This Fund should have been set up years ago.
- The Government will continue to support the arts, entertainment and cultural sector, and will announce the way forward in its landmark National Cultural Policy by the end of this year.

BACKGROUND

- I made an election commitment to examine a national COVID-19 insurance scheme for live events such as plays, concerts and festivals.
- The Fund is demand-driven and would provide live performance businesses with access to coverage up to a defined percentage of their anticipated revenue.
- It was designed to provide coverage for events affected by the nationwide requirement to isolate following a positive test and run from November 2022 until February 2023.
- The previous government put an insurance scheme in place for the screen industry, the Temporary Interruption Fund, but refused to extend it to the live performance sector.
- As part of the 2022-23 Budget, funding of \$22 million was reallocated from the uncommitted Temporary Interruption Fund to support recovery in other areas of the creative sector through the Live Performance Support Fund.
- As a result of the announcement by National Cabinet to end mandatory periods of isolation across all states and territories from 14 October 2022, the Temporary Interruption Fund is no longer accepting applications and the Live Performance Support Fund will not open.
- The previous Arts Minister, the Hon Paul Fletcher has claimed the Live Performance Support Fund's establishment was many months too late and that the previous government's \$20 million May Budget 2022-2023 allocation for the Restart Investment to Sustain and Expand (RISE) could have been used to assist the sector.
- Submissions to the National Cultural Policy have continued to call for a Commonwealth-backed live performance insurance /business interruption scheme.
- The insurance industry's view is that costs related to pandemics cannot be covered under business interruption policies as the risks are considered largely uninsurable — pandemic coverage is only possible with government involvement.
- The live performance sector has faced significant challenges and disruption due to COVID-19 infection rates and isolation requirements, with shows cancelled as a result of cast and crew illness.
- More recently several significant music festivals, such as Splendour in the Grass and Strawberry Fields, have been forced to postpone or cancel this year due to weather-related events. This is increasingly becoming a significant issue for the live music and insurers sectors who are calling on the Government to work with insurers and businesses to come a solution.
- In 2018, audiences to live arts performances purchased over 26 million tickets to shows, generating revenue of \$2.2 billion. Ticket sales and revenue for across the sector collapsed following the onset of COVID-19 in March 2020.
- Live Performance Australia's 2019 and 2020 Ticket Attendance and Revenue Report stated that, following record years in 2018 and 2019, in 2020 the number of tickets issued to live performance events fell by 68% to under 8 million, and ticket sales revenue fell by 69% to \$600 million.
- The *I Lost My Gig* survey found that in July 2021 alone, more the 23,000 events were cancelled due to COVID-19 restrictions, with only one per cent of these events being insured.

Arts - First Nations: Policy commitments and progress/action

HEADLINE

- Labor is committed to deliver the **Uluru Statement** from the Heart and, for cultural policy in Australia, it has to start with the fact that here we have the longest continuing culture on earth.

KEY ISSUES

- National Cultural Policy
 - Through the development of a landmark cultural policy we will rightly have First Nations arts and culture as the first pillar.
- Fake art: response to Productivity Commission draft report
 - I welcome the Productivity Commission's draft report into Aboriginal and Torres Strait Islander visual arts and crafts, which was released on 19 July, as an important first step in informing a new framework to better protect First Nations arts and crafts.
- National Agreement on Closing the Gap
 - I am committed to the critical work of Closing the Gap, and am progressing the establishment of an Aboriginal and Torres Strait Islander Languages Policy Partnership, to drive progress against Target 16 for languages.
- United Nations International Decade of Indigenous Languages 2022-2032
 - My department is working in partnership with First Nations representatives to develop Australia's National Action Plan for the International Decade.

BACKGROUND

Closing the Gap—Aboriginal and Torres Strait Islander Languages Policy Partnership

- The Languages Policy Partnership is one of five policy partnerships to be formed under *Clause 38* of the National Agreement, and is due for consideration by a meeting of the Joint Council on Closing the Gap in December 2022. The Partnership is a formal partnership between Australian governments and First Nations representatives to identify opportunities to work more effectively, reduce gaps and duplication, and improve outcomes.
- The Department will bring forward a funding proposal through a Budget or Cabinet process at the next available opportunity to support the Partnership. The first meeting of the Partnership is expected to be held in February 2023.

International Decade of Indigenous Languages 2022-2032 (International Decade)

- Australia is a member of the United Nations Global Task Force organising the International Decade.
- In May 2022, the Department established an International Decade of Indigenous Languages Directions Group (the Directions Group). The Directions Group comprises 13 First Nations people from across the country, and will work in partnership with Government to develop Australia's National Action Plan for the International Decade.
- The establishment of the Directions Group gives effect to Closing the Gap Priority Reform One (formal partnerships and shared decision making).

Commitments to First Nations art

- The Government is committed to supporting and protecting First Nations art, culture and intellectual property and in addition to a number of funding commitments, is progressing with work on:
 - Finalising the Productivity Commission inquiry into effective **protection of First Nations visual arts and crafts**.
 - A **review of the Indigenous Art Code**, pending the final report from the Productive Commission inquiry and development of the new National Cultural Policy.
 - **Standalone legislation** to protect First Nations knowledge.
 - Engaging with the **Coalition of Peaks**, including **First Languages Australia**, to progress the Languages Policy Partnership under Closing the Gap.

Productivity Commission study into the market for First Nations arts and crafts

- The Productivity Commission released their findings in a draft report 'Aboriginal and Torres Strait Islander Visual Arts and Crafts' on 19 July 2022, inviting responsive submissions. The Department submitted a response to the draft report. A final report is expected later this year and will inform the Australian Government's future support of the Indigenous visual arts industry, including working in partnership with key stakeholders to develop stand-alone legislation to protect Indigenous Knowledge and Cultural Expression, and deliver increased economic opportunities for First Nations visual artists.

Minister for the Arts

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Indigenous Languages and Arts Program

- The Program invests over **\$27 million** annually in grant funding to support Aboriginal and Torres Strait Islander people to express, preserve and maintain their cultures through languages and arts activities throughout Australia. This annual funding now includes an additional investment of \$22.8 million over four years under the Closing the Gap initiative from 2021-22 to 2024-25.
- The Program includes supporting a network of 23 Indigenous Language Centres throughout Australia with annual operational funding. There are 19 Indigenous Language Centres located in regional and remote communities, working to reclaim, revitalise and sustain Indigenous languages. The Program also supports Aboriginal and Torres Strait Islander peoples to develop, produce, present, exhibit or perform Indigenous arts projects that showcase Australia's traditional and contemporary Indigenous cultural and artistic expressions.

Indigenous Visual Arts Industry Support Program

- The Program invests over **\$27 million** annually in grant funding to support a professional, viable and ethical Indigenous visual arts industry that features strong participation and provides economic opportunities for Aboriginal and Torres Strait Islander people as well as the continued production, exhibition, critique, purchase and collection of Indigenous visual art.
- The Program supports more than 80 art centres, enabling around 8,000 Aboriginal and Torres Strait Islander people to pursue a professional art practice and providing employment for around 500 Indigenous arts workers, most in remote or very remote communities.

Indigenous Repatriation

- The repatriation process recognises the spiritual connection between the past and present and the ongoing connection to traditional homelands. The return of Aboriginal and Torres Strait Islander ancestors (ancestors) is an important step towards healing and reconciliation and it demonstrates our ongoing commitment to securing the return of all ancestors held in public and private collections overseas.
- On 21 July 2022, the Government facilitated the repatriation of 25 ancestors from the Smithsonian Institute, National Museum of Natural History in Washington, DC. The Narungga ancestor was returned to Country for reburial on 21 October.
- In November 2022, the Government will facilitate the repatriation of 18 ancestors from the Oxford University, United Kingdom, and six ancestors from the State Ethnographics Collection, Leipzig, Germany. The Government will support one community representative to travel to the United Kingdom and four community representatives to travel to Germany to receive and accompany their ancestors home.
- Domestically, the Government's Museum Grants program provides up to \$800,000 per year to facilitate the return of ancestors and secret sacred objects held in eight major Australian museums to their communities of origin. In 2021-22, this program assisted with the repatriation of 443 ancestors and 18 secret sacred objects.

PROGRESS ON LABOR'S COMMITMENTS

HEADLINE

- We are on-track to deliver on our election commitments including the development of a new **National Cultural Policy** by the end of 2022.

KEY ISSUES

- We have already **committed to action** that will give the arts sector the critical support it needs. We have committed to:
 - Deliver a National Cultural Policy
 - Revive cooperation with state and territory cultural ministers and the Australian Local Government Association
 - Roll Creative Partnerships Australia into the Australia Council
 - Provide funding for infrastructure at the NAISDA Dance College in Kariong, New South Wales
 - Establish the Vietnamese Museum Australia in Footscray, Victoria
 - Finalise the Productivity Commission inquiry into the market for First Nations arts and crafts
 - Increase funding to the Australia Council for the Arts
 - Promote Australian creators on streaming platforms
 - Negotiate with the states a national COVID-19 insurance scheme for the arts, entertainment and events industry, which I announced on 27 September 2022.
- All of these commitments are **on-track for delivery**.
 - Consultation on a new National Cultural Policy took place in July and August. We held **16 town hall** meetings across the country and received **over 1,200 submissions**.
 - On 19 August I convened a **meeting of arts and cultural ministers**. Ministers expressed their support for revived cooperation and the next meeting of ministers will occur in Adelaide on 31 October.
 - Measures in the October 2022-23 Budget¹ include funding for Bundanon Trust and a renewal of the ED for arts training organisations and NAISDA Dance College. Funding for the Australia Council to facilitate the transfer of Creative Partnerships

¹ QB22-000217 refers.

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Australia's functions was also provided. Further investment will be supported by the Policy which will be launched by the end of the year.

BACKGROUND

- **Revive cooperation with state and territory cultural ministers and the Australian Local Government Association** – On 19 August the Government convened a meeting of arts and cultural ministers. Ministers discussed the National Cultural Policy and State and Territory ministers identified their priorities. Ministers expressed support for revived cooperation. At the invitation of the Hon Andrea Michaels MP, Minister for Arts in South Australia, the next meeting of ministers will be convened in Adelaide on 31 October to coincide with *Purrumpa*, a historic national gathering on First Nations arts and culture .
- **Roll Creative Partnerships Australia into the Australia Council** - The department is working with Creative Partnerships Australia and the Australia Council to support the transfer of functions from Creative Partnerships Australia to the Australia Council.
- **Funding for infrastructure at the NAISDA Dance College** - The Government will provide funding of \$5 million to the College to upgrade existing training facilities.
- **Establish the Vietnamese Museum Australia in Footscray, Victoria** - The Government has committed to providing \$4.7 million to deliver the National Vietnamese Museum. This would be the first institution dedicated to the estimated 110,000 Vietnamese refugees that arrived in Australia between 1975 and 1995.
- **Finalise the Productivity Commission inquiry into the market for First Nations arts and crafts** – The department submitted a response to the Productivity Commission's draft report, 'Aboriginal and Torres Strait Islander Visual Arts and Crafts'. The Productivity Commission is preparing a final report, due late 2022, that will assist in forming the Australian Government's future support of the Indigenous visual arts industry, including the development of new legislation to protect Indigenous Knowledge, and deliver increased economic opportunities for First Nations visual artists and promote an ethical market place.
- **Increase funding to the Australia Council** – The Government is working towards properly resourcing the Australia Council. Funding will recognise its role as the Australian Government's principal arts funding body and its ability to make decisions on grants at arm's-length from government.
- **Promote Australian creators on streaming platforms** - The Government will work with all stakeholders to determine ways Australian content can be boosted for both Australian screen and music content on streaming platforms.
- **Negotiate with the states a national COVID-19 insurance scheme for the arts, entertainment and events industry** - The Australian Government delivered on its election commitment by confirming on 27 September 2022 that it would establish a national COVID-19 Live Performance Support Fund. In line with National Cabinet's decision to end mandatory COVID-19 isolation periods from 14 October 2022, industry can now proceed with events such as plays, concerts and festivals with confidence, and without the need to access pandemic-related coverage from the Commonwealth.
- **National Cultural Policy Review Panels and Advisory Group members and demographics:**

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- Review Panels are made up of:

Panel 1: First Nations first	Panel 4: Strong institutions
Mr Wesley Enoch AM (QLD)	Ms Kerri Glasscock (NSW)
Dr Rachael Maza AM (VIC)	Ms Karen Quinlan AM (VIC)
Ms Claire Coleman (VIC)	Mr Kim Walker (NSW)
Panel 2: A place for every story	Panel 5: Reaching the audience
Ms Caroline Bowditch (VIC)	Ms Kate Ben-Tovim (WA)
Professor Deborah Cheetham AO (VIC)	Mr Fintan Magee (QLD)
Mr Khoa Do (SA)	Mr Emile Sherman (NSW)
Panel 3: The centrality of the artist	
Mr Matthew Chesher (NSW)	
Mr Michael Hohnen (NT)	
Ms Deena Lynch (QLD)	

- The Advisory Group is made up:
 - Ms Janet Holmes à Court AC (WA)
 - Mr Adrian Collette AM (NSW)
 - Ms Alysha Herrmann (SA)
 - Ms Sinsa Mansell (TAS)
 - Ms Kitty Taylor (TAS)
 - Mr Christos Tsiolkas (VIC)
 - Professor Clare Wright OAM (VIC)
- Across both panels:
 - approximately 77 per cent (17 members) are based in metropolitan areas and 23 per cent (5 members) are based regionally;
 - 59 per cent (13 members) are female and 41 per cent (9 members) are male;
 - 23 per cent (5 members) identify as First Nations; and
 - 14 per cent (3 members) are culturally and linguistically diverse.
- Geographically, 12 members (54 per cent) are based in NSW and Vic. Three members are based in Queensland (13 per cent), SA, Tas and WA are each represented by two members, and the NT is represented by one member. No members are currently based in the ACT. Ms Quinlan was based in the ACT at the time of appointment but has recently relocated to Victoria.
- In terms of art-form representation, panel members represent the diversity of the sector including performing arts (opera, dance and theatre), screen, music, literature, philanthropy, history, visual arts, workplace relations, the GLAM sector, and festivals.

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ARTS - FUNDING

HEADLINE

- The Government will bring new drive, direction and vision to Australia's arts sector through the development of a landmark cultural policy.

KEY ISSUES

- The October 2022-23 Budget includes **\$1,012.1 million (over \$1 billion)** in funding for the arts, and cultural sector through the Arts portfolio.
- New measures include:
 - \$22 million in 2022-23 for a Live Performance Support Fund to provide confidence for the sector to proceed with their scheduled events over the approaching summer season.
 - An additional \$5.0 million in 2022-23 for the National Institute of Dramatic Art to support its ongoing sustainability.
 - An additional \$5.0 million in 2022-23 for NAISDA Dance College to upgrade training facilities.
 - \$2.4 million over four years from 2022-23 to offset the application of the efficiency dividend on the National Performing Arts Training Organisations.
 - An additional \$2.4 million in 2022-23 for Bundanon Trust to support its expanded operations.
 - The transfer of Creative Partnerships Australia's functions to the Australia Council from 2023-24 onwards.

National Cultural Policy

- I am dedicated to bringing new drive, direction and vision to Australia's arts sector and providing the arts sector the support it needs.
- Given the current fiscal environment, the Government has targeted funding in this Budget to deliver our election commitments and help agencies in critical need.
- We are undertaking a nationwide consultation on the **National Cultural Policy** and have received over 1,200 submissions.
- This will be a broad, comprehensive roadmap for Australia's arts, entertainment and cultural sector that touches all areas of government.
- I intend to release the **National Cultural Policy** by the end of 2022.
- The National Cultural Policy will drive investment decisions going forward.

Australia Council funding increase

- I am committed to **increasing funding to the Australia Council** to recognise its role as the Australian Government's principal arts funding body and its ability to make decisions on grants at arm's-length from government.

National Collecting Institutions

- For a decade, the previous government's culture war hit our collecting institutions hard.
- The institutions' budget submissions show how dire the situation has become.
- No final decisions have been made about the national cultural policy or further funding; we are still consulting widely.

Opposition comments

- The previous nine years saw governments use arts funding as a personal plaything and arts portfolio funding fell in real terms under the previous government.
- As a result of multiple Coalition Government decisions since 2014, funding to the Australia Council has decreased since the launch of Creative Australia. The ongoing effect of Coalition budget cuts is a reduction of approximately \$11 million per year.
- The additional RISE funding of \$20 million was included in the former government's March Budget and was not passed by the Parliament.

Potential hot issues

- Most new measures announced this Budget have been offset by savings from the \$20 million RISE program.
- This has enabled us to re-direct funding to support vital arts sector institutions that have been particularly affected by COVID-19 impacts, have changed operations, or whose funding was eroded by previous government cuts.
- The Government is focused on developing a comprehensive National Cultural Policy by the end of the year to address the sectors' priorities.
- I am actively consulting and **listening** to the sector on the National Cultural Policy to ensure the best support is provided going forward.

BACKGROUND

Funding announced since Albanese Government elected

- Since the Albanese Government was elected, I have approved:

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- **\$637,569** for the **Festivals Australia** program to fund 14 arts and cultural projects in regional and remote communities.
- **\$58.3 million** over three years for the **Indigenous Languages and Arts Program** to fund 85 Indigenous languages and arts activities that support Aboriginal and Torres Strait Islander people to express their culture.
 - This funding includes additional investment under Closing the Gap to support outcomes under Target 16: *By 2031, there is a sustained increase in number and strength of Aboriginal and Torres Strait Islander languages being spoken.*
 - It also includes multi-year operational funding for First Languages Australia, the peak organisation for Aboriginal and Torres Strait Islander languages and the network of 23 Indigenous language centres throughout Australia.
- I have also advised Screen Australia that the **Temporary Interruption Fund** will be extended until 30 June 2023. This will help screen productions secure financing even though the insurance industry continues to exclude coverage for COVID-19 interruptions from their policies.
- The Government also approved **\$1 million** from the **2022-23 National Collecting Institutions Touring and Outreach** program to provide greater access to our national collections by funding five institutions to develop and tour 12 projects throughout Australia and tour one project overseas.
- I approved \$75,130 for the International Cultural Diplomacy Arts Fund to support the promotion of First Nations arts internationally, including \$50,000 to exhibit First Nations art works at the Singapore contemporary art fair and \$25,130 for two First Nations musicians to perform at the G20 Culture Ministers Meeting Orchestra in Indonesia.

2022-23 October Budget arts portfolio breakdown

As at 25 October 2022, the total funding for the Arts portfolio is **\$1,012.1 (over \$1 billion) million**. This comprises:

- \$401.2 million to support the nine National Collecting Institutions within the Arts portfolio. This includes the additional \$9.3 million in supplementary funding for the National Museum of Australia allocated at the March 2022 Budget.
- \$220.5 million to the Australia Council to support Australian artists and arts organisations to create and present art that is accessed by audiences across Australia and overseas.
- \$229.0 million to the film and television industry through Screen Australia, the Australian Film, Television and Radio School, the Location Incentive, Ausfilm and the Australian Children's Television Foundation.
- \$55.8 million to support Aboriginal and Torres Strait Islander arts, languages and repatriation activities.
- \$33.7 million to support seven national performing arts training organisations, including the Australian Ballet School and the National Institute of Dramatic Art.
- \$24.3 million to support Australian literature through the Public and Educational Lending Right schemes and the Prime Minister's Literary Awards.
- \$22.0 million for the Live Performance Support Fund.
- \$7.5 million to support regional and remote communities, artists and arts organisations.

Contact Officer: Greg Cox

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- \$6.4 million to support Australian music through the Australian Music Industry Package including the Live Music Australia program.
- \$4.8 million to Creative Partnerships Australia to encourage and facilitate philanthropy and private sector support.
- \$4.6 million to support development and access to arts and cultural collections.
- \$2.3 million for grants to support arts and cultural development. This includes \$1.2 million for the International Cultural Diplomacy Arts Fund and \$1.0 million for the ACF that have been re-allocated to the funds from 2022-23 RISE savings.

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Historical cuts to the Australia Council

- As a result of multiple Coalition Government decisions since 2014, funding to the Australia Council has decreased since the launch of *Creative Australia*. The ongoing effect of Coalition budget measures is a reduction of approximately \$11 million per annum – five percent of the Australia Council's current annual appropriation.
- In the 2015-16 Budget, the Coalition Government announced they would transfer funding of approximately \$28 million a year from the Australia Council to the then Ministry for the Arts within the Attorney General's Department, which allowed the then Minister for the Arts to have greater control over arts funding.
- This policy attracted considerable criticism from the sector and was largely reversed through the 2017-18 Mid-Year Economic and Fiscal Outlook (MYEFO) which returned approximately \$20 million annually to the Australia Council.

Information on the Government's Election Commitments is at QB22-000295.

s47E(d)



Released under FOI Act by DITRDCA

Contact Officer: Greg Cox
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SUPPORT FOR THE SCREEN SECTOR

HEADLINE

- Labor is dedicated to making sure **our stories are told on screen** so we know ourselves, we know each other, and the world has an accurate way of knowing us

KEY ISSUES

National Cultural Policy

- As part of our **National Cultural Policy**, I have committed to work with all stakeholders to find ways Australian content can be boosted for Australian music and screen content on streaming platforms.
- There are three sorts of measures — how you use your taxation policy, how you use your funding organisations, and how you use regulation.
- It is important to get the settings right. This is evident after the production of Australian children's screen content fell significantly as a result of the removal of content quotas on free-to-air television by the former government.
- I am actively seeking input directly from the sector on these measures through the National Cultural Policy consultation process.

POTENTIAL HOT ISSUES

If asked: Screen Producers Australia's Myths and Facts Document

- As part of the development of the National Cultural Policy, I have committed to work with all stakeholders, including Screen Producers Australia, to determine ways Australian content can be boosted on streaming platforms.
- I am actively seeking input from the screen sector on this measure through the National Cultural Policy consultation process.

BACKGROUND

Support for Australian screen industry

- The Australian Government provides significant support for the Australian screen industry.
- In 2021-22, the Australian Government invested \$456 million in the screen sector, recognising the immense economic and cultural value it brings to our country, including:
 - Over \$354 million to support local Australian productions through Australian Children's Television Foundation, Screen Australia, the Producer Offset and Post, Digital and Visual Effects Offset, and the Temporary Interruption Fund.
 - This included \$145.2 million to Australian productions supported through the Producer Offset.
 - Around \$102 million to attract large budget international productions to Australia to support our world-class production and visual effects sector through the Location Offset, Location Incentive, Ausfilm and the Post, Digital and Visual Effects Offset.
- In addition, \$1.4 billion was provided to the ABC, SBS and Australian Film, Television and Radio School.

Australian content on streaming services

- On 21 November 2022, ACMA released Australian content expenditure data for subscription video on demand services for the 2021–22 financial year.
- Five subscription providers – Amazon Prime Video, Disney, Netflix, Paramount+ and Stan – spent \$335.1 million in 2021–22 on 718 commissioned, co-commissioned or acquired 'Australian programs'.
 - Total expenditure on Australian programs grew by \$156.2 million, compared to the 2020–21 financial year (\$178.9 million)
 - \$253.7 million was spent on 55 commissioned or co-commissioned Australian programs.
 - \$81.4 million was spent on 663 Australian program acquisitions.
- Expenditure on Australian children's drama and non-drama programs has continued to decrease since reporting started in 2019–20 .

Impact of removal of content quotas on free-to-air television

- The production of children's screen content has fallen as a result of the removal of content quotas on free-to-air television.
- The number of children's titles commissioned by free-to-air networks in 2021-22 remains low at 10. Out of those 10 titles, eight were financed by the ABC and one was financed by NITV. (Screen Australia, *The Drama Report 2021-22*, p.27)
- The National Cultural Policy will look to identify ways Australian content can be boosted on streaming platforms and the production of certain sub-genres further incentivised.

Screen Producers Australia's Myths and Facts Document

Minister for the Arts

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- On 25 September 2022, Screen Producers Australia released a Myths and Facts document about the impact of Australian content regulation on streaming services. The document includes the following statement: *“The streamers have previously claimed content investment levels as high as \$628 million, but the ACMA data indicates a much smaller figure of \$176.9 million into Australian content.”*
- The Australian Communications and Media Authority has informed the Department that the \$628 million figure is likely the cumulative total of the relevant streaming services’ investment in both Australian programs and Australian related programs for the 2020-21 financial year. Australian related programs are classified as shows that meet at least one criteria of an ‘Australian program’.

The Authority has stated that the voluntary reporting process the reported figure is drawn from is robust and valuable.

NATIONAL CULTURAL POLICY

HEADLINE

- The Australian Government will bring new drive, direction and vision to Australia's arts sector through the development of a landmark cultural policy.

KEY ISSUES

- The Australian Government has committed to delivering a new National Cultural Policy **by the end of 2022**.
- The foundation of the new policy will be *Creative Australia*, the policy launched by former Prime Minister Julia Gillard in 2013.
- The National Cultural Policy will place arts at the centre of Australian life and will include actions across all areas of government; will put First Nations arts and culture first; and will recognise artists as critical workers.
- The policy will be shaped around the following **five pillars**; First Nations first; A place for every story; The centrality of the artist; Strong institutions; and Reaching the audience.
- The public submissions period took place over July and August.
 - We held **16 town hall** meetings in every state and territory attended by over 800 people. We also held two employment-related roundtables on 29 August to inform the *Jobs and Skills Summit* and the new policy. **Over 1,200 submissions** have been received through the consultation process from all parts of the sector.
 - It's important that we get this right, but **speed is of the essence** to ensure we deliver what's desperately needed by the sector as it continues to rebuild from COVID-19.
- Submissions have been reviewed by the **five expert Review Panels** I appointed to identify key issues and themes raised throughout the consultation process.
- The **Policy Advisory Group** is providing overarching strategic perspectives on all five pillars of the Creative Australia policy and current needs of the arts, entertainment and cultural sector.
- There are some urgent budget measures related to the new National Cultural Policy in the October Budget.¹ Further investment will be supported by the Policy which will be launched by the end of the year.

¹ QB22-000217 refers.

BACKGROUND

- Labor Governments have been the architect of Australia's two previous cultural policies – *Creative Nation* under then Prime Minister Paul Keating and Michael Lee in 1994 and *Creative Australia*, launched in 2013 by then Prime Minister Julia Gillard and Minister for the Arts, Simon Crean.
- *Creative Australia* will be used as the starting point for an updated National Cultural Policy to be delivered before the end of this year.
- The Government has begun consulting with artists and creators across Australia to develop a policy that brings drive, direction and vision back to the arts industry.
- To assist the consultation process, five expert **Review Panels** were announced on 2 August for each of the five policy pillars. The 15 panel members have extensive understanding, knowledge and experience within the arts, entertainment and cultural sector, and will be responsible for identifying the key issues and themes raised throughout the consultation process.
- The **National Cultural Policy Advisory Group** was announced on 26 August 2022 to provide overarching strategic perspectives on all five pillars of the Creative Australia policy and current needs of the arts, entertainment and cultural sector. The seven-member group has extensive and diverse understanding and experience within the sector. Both bodies were appointed by the Hon Tony Burke MP, Minister for the Arts.
- For every meeting, eligible members will be paid a daily fee. That fee is in line with rates in Section 12 of the **Australian Government Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2022**, or subsequent updated determinations. Full-time Commonwealth office holders are not eligible for remuneration.
- Potential hot issues in the policy include Australian content on streaming services; calls for a National COVID-19 insurance scheme for the arts, entertainment and events industry; increased funding for the Australia Council; increased funding for the National Collecting Institutions; and fair pay for artists.
- The Australian Government delivered on its election commitment by confirming on 27 September 2022 that it would establish a national COVID-19 Live Performance Support Fund. In line with National Cabinet's decision to end mandatory COVID-19 isolation periods from 14 October, industry can now proceed with events such as plays, concerts and festivals with confidence, and without the need to access pandemic-related coverage from the Commonwealth.
- Over 1,200 submissions have been received as part of the consultation process, and over 900 have been published online. Key submissions published include those from the Australia Council, Helen Garner, Nick Earls, Evelyn Araluen, Andy Griffiths, Richard Flanagan and Charlotte Wood, Live Performance Australia, Media Entertainment and Arts Alliance (MEAA), A New Approach (ANA), Kimberley Arts Network, a joint submission from the Australian Contemporary Music Industry, Diversity Arts Australia, Magabala Books and the Australian Children's Television Foundation and Regional Arts Australia.