

QTB No: QB22-000215

Last Updated by Department: 07 September 2022

Last Updated by Adviser: 1 September 2022

ARTS- HOT TOPICS

HEADLINE

- Labor has a proud history of support for the arts and the people that work in all areas of the sector, including through our landmark cultural policies. Whether it is a performer on stage, a writer at their laptop, a stagehand testing the sound or a painter in a studio, we support the work they do and the fundamental contribution their work makes to culture in Australia. This Government will bring new drive, direction and vision to Australia's arts sector through the development of a landmark cultural policy.

KEY ISSUES

s22(1)(a)(ii)



Workplace harassment in the music industry

- I welcome the release of the National Music Industry Review Report – *Raising Their Voices*, on 1 September 2022, as an important first step to addressing the significant change required in the music industry.
- I recognise the incredible contribution Australian women and LGBTQI+ people 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.

s22(1)(a)(ii)

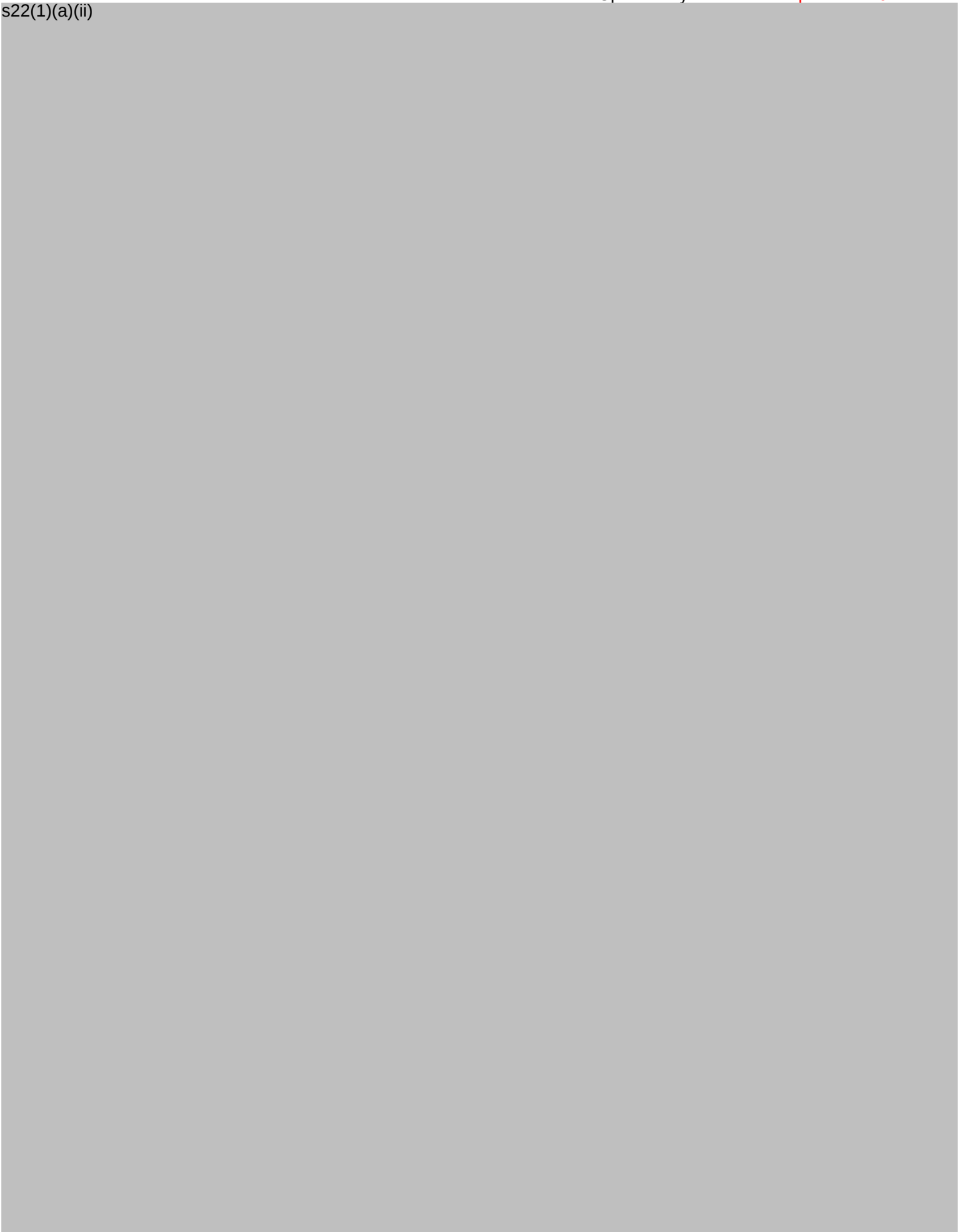


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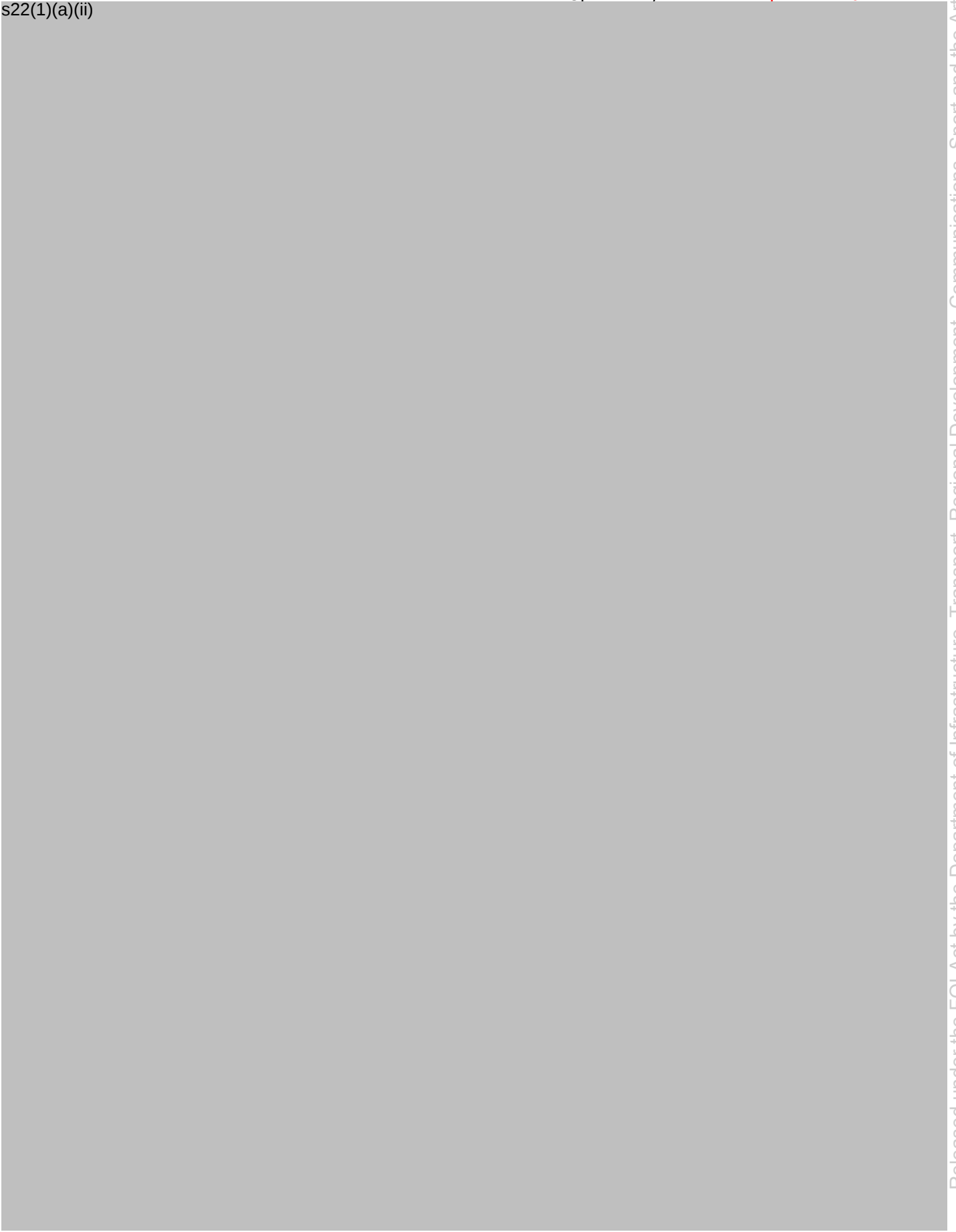
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s22(1)(a)(ii)

Workplace harassment in the music industry

- In response to a significant amount of media coverage concerning sexual harassment, a meeting of Australian music industry representatives was held on 24 May 2021. The meeting resulted in the formation of a Temporary Working Group of volunteers which put together a plan for action.
- The National Music Industry Review, is an industry led review into sexual harm, sexual harassment and systemic discrimination in the contemporary Australian music industry, led by consultants Alexandra Sheadie and Sam Turner. The report titled *Raising Their Voices*, was released on 1 September 2022. The Review is was auspiced by Support Act, 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); 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 include: establishment of a music industry cultural reform council with the support of government, the development of an industry-wide code of conduct, establishment of an independent safe space for reporting, and education and awareness campaigns.

s22(1)(a)(ii)

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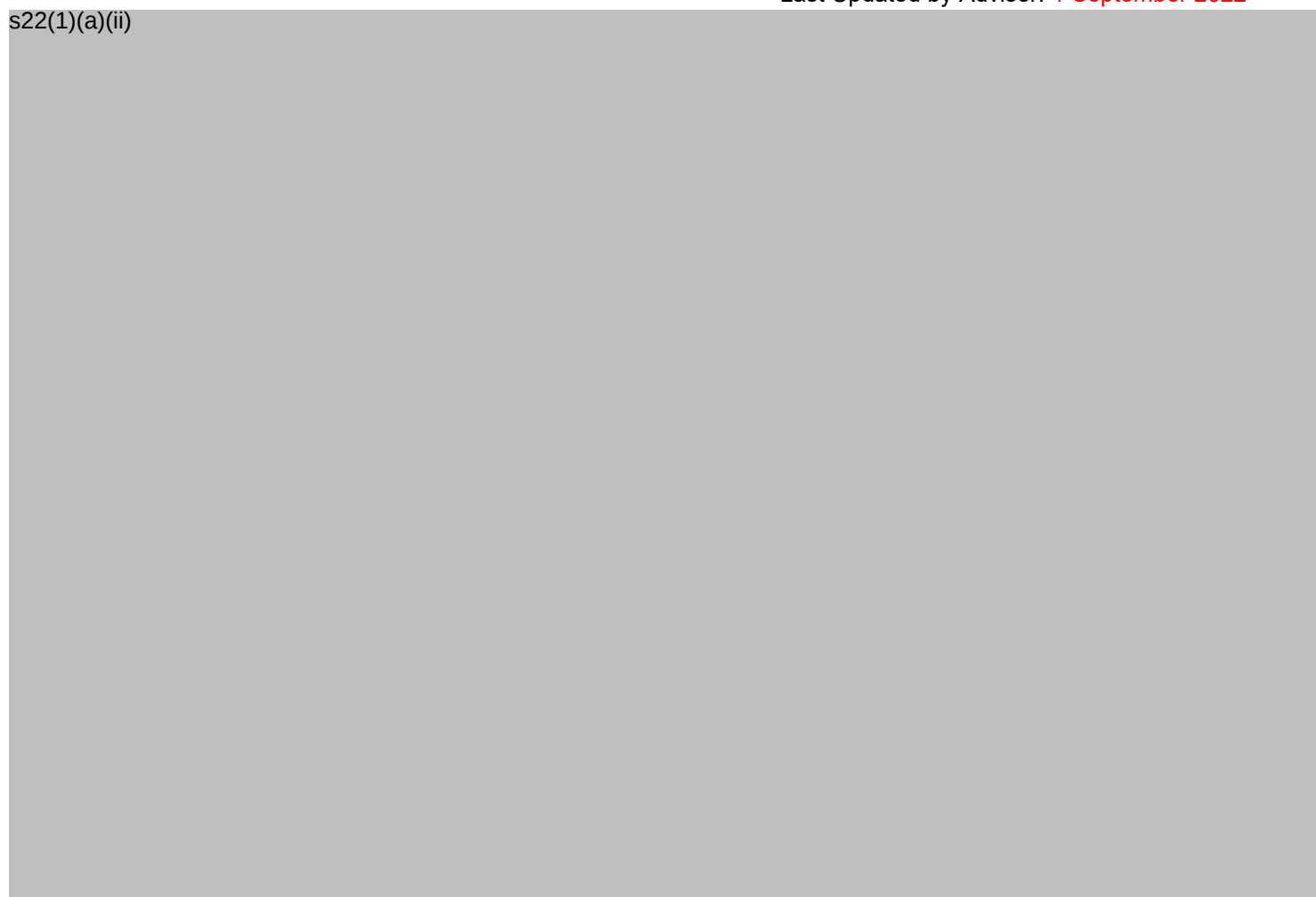
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s22(1)(a)(ii)



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QTB No: QB22-000396

Last Updated by Department: 27 September 2022

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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.

QTB No: QB22-000396

Last Updated by Department: 27 September 2022

Last Updated by Adviser: 27 September 2022

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.

 Australian Government Department of Infrastructure, Transport, Regional Development, Communications and the Arts	Meeting/Event Brief MB22-000694
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To: The Hon Tony Burke MP, Minister for Employment and Workplace Relations and Minister for the Arts

MEETING: Cultural Ministers Meeting

Timing: Monday, 31 October 2022, 12:30pm to 3:30pm. You are requested to arrive at 12:15pm for a 12:30pm start.

Venue: Adelaide Convention Centre, Adelaide, South Australia (on the traditional lands of the Kaurna people). Meeting commences over lunch in the Gilbert Suite at 12:30pm.

Meeting with: You are attending a meeting of Australian arts and cultural ministers from state and territory governments, being held on the margins of Purrumpa. An Agenda for the meeting is at **Attachment A**. A list of participants (including apologies), and observers is at **Attachment B**.

Prior meetings: You convened a virtual meeting with state and territory arts and cultural ministers on 19 August 2022 on the development of the National Cultural Policy.

Objective:

1. To engage in a strategic discussion with your counterparts on a range of arts and culture policy issues that require intergovernmental cooperation to address.

s22(1)(a)(ii)

s22(1)(a)(ii)



Name: Stephen Arnott
Position: Deputy Secretary
Division: Creative Economy and the Arts
s22(1)(a)(ii)
Date Cleared: 28 October 2022

Contact Officer: Marie Gunnell
Branch: Access and Participation Branch
s22(1)(a)(ii)

Attachments:

- Attachment A: s22(1)(a)(ii)
- Attachment B: s22(1)(a)(ii)
- Attachment C: Talking Points
- Attachment D: s22(1)(a)(ii)
- Attachment E: s22(1)(a)(ii)
- Attachment F: s22(1)(a)(ii)
- Attachment G: s22(1)(a)(ii)
- Attachment H: s22(1)(a)(ii)

CC: *Jim Betts*, s22(1)(a)(ii) *Stephen Arnott*, s22(1)(a)(ii) , *Greg Cox*, *Marie Gunnell*,
s22(1)(a)(ii) *Ali Todd*, *Ann Campton*,
s22(1)(a)(ii)

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Pages 12 to 115 (inclusive) of Attachment C have been removed under section 22(1)(a)(ii) of the FOI Act as this material is irrelevant to the scope of the request

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ATTACHMENT C

Agenda Item 16 – Artists' working conditions

Led by South Australian Government – (No Agenda paper)

Issue/Outcome sought

- There is no agenda paper for this item, however we anticipate that Minister Michaels (SA) may initiate a discussion on the following issues:
 - Two recent reports detailing working conditions in the creative industries:
 - The National Music Industry Review Report – *Raising Their Voices* (September 2022) which found high rates of sexual harassment, sexual harm, bullying and systemic discrimination across the Australian music industry.
 - *A Wider Lens* (July 2022) which highlighted a lack of representation of women, people of colour, First Nations people and non-binary people in the field of cinematography.
 - Fair pay and working conditions in the arts including the Musicians Australia campaign to support a minimum performance fee of \$250 per musician for publicly funded performances.
 - Critical skills shortages, particularly in the screen and live performance sectors.

Preferred Australian Government Position

- That ministers:
 - **Note** the Government is considering how governments can assist with workplace safety issues across Australia's creative industries under the National Cultural Policy.
 - **Note** the Government is committed to aiding the music industry to implement the recommendations in the *Raising Their Voices* report including assistance in regard to leadership, governance, expertise, and coordination.
 - **Note** the issue of fair pay for gig workers is complex, however the Government supports a minimum performance fee of \$250 per musician for Government organised events.

State/Territory Positions***Music Industry review report - Raising their Voices***

- All States and Territories are likely to be keen to respond and progress implementation of recommendations from the *Raising their Voices* report.

Minimum wages for musicians

- Several state and territory governments support, in-principle, the minimum payment of \$250 per musician for artists performances. However, there are no formal mechanisms in place to implement this as the issues are complex and often outside the control of government agencies.

TALKING POINTS***Music Industry review report - Raising their Voices***

- The Australian Government is concerned about the findings of the Music Industry Review report – *Raising Their Voices* (the report), which revealed high rates of sexual harassment, sexual harm, bullying and systemic discrimination across the Australian music industry.
- First Nations participants in the review described the industry as being harmful and exclusionary. This stems from remaining significant structural barriers that result in inequalities experienced by First Nations people at a higher rate compared with non-Indigenous people.
- I welcome the release of the report as an important first step in addressing the significant change required in the Australian music industry.
- Changing the workplace culture of Australia's arts and performance industry requires urgent action. An industry-wide response in collaboration with Government is needed to drive change, to commit to safety, to inclusion and to respect in these important workplaces.
- The Australian Government is committed to aiding the music industry to implement the recommendations in the report and my department has begun meeting with industry stakeholders.
- I have asked my department to continue developing stakeholder relationships and establish an interim taskforce whose initial focus will be bringing industry stakeholders together to develop a roadmap to implement key recommendations.
- I have also asked that they consult with other relevant Government departments and agencies to determine how existing legislation and national initiatives can be used and adapted to assist the music industry.

s22(1)(a)(ii)



s22(1)(a)(ii)



BACKGROUND

Music Industry review report - Raising their Voices

There is a culture of discrimination in pockets of the arts sector, which is particularly evident in the music and live performance industries where marginalisation of minority groups creates harmful and exclusionary workplaces. Further, artists and workers often experience a significant power imbalance in their work environments and risk jeopardizing their careers by reporting mistreatment.

The findings of an independent industry-led review examining the prevalence of sexual harm, sexual harassment and systemic discrimination in the Australian contemporary music industry were recently released in *Raising Their Voices* (the review). The review found high rates of sexual harassment, sexual harm and bullying and called for an industry-wide approach to prevent and respond to the findings. Review data revealed there is widespread inequality and discrimination putting many at risk, in particular women and diverse, marginalised groups.

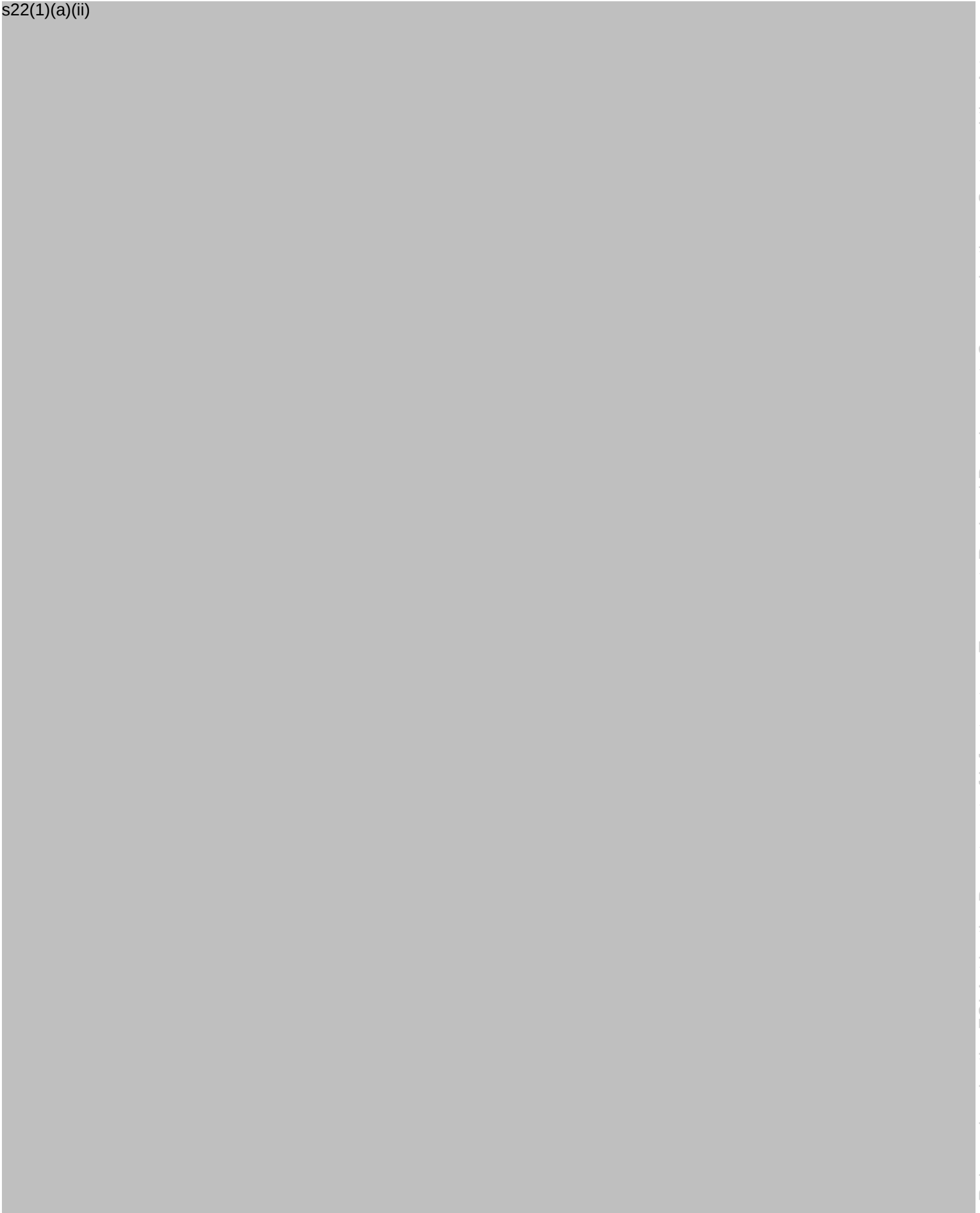
Unlike most industries, the nature of employment in the live entertainment industry is mostly short term freelance or contracted work in multiple venues or settings, over very short periods of time. Having constantly changing workplaces means that workers are more likely to experience unsafe environments, and the nature of the inconsistent work means workers are less likely to report misconduct or discrimination for fear of it negatively impacting their careers and income.

The variety of systems currently in place across other industries fail to protect artists and arts industry workers, as evidenced in the *Raising Their Voices* report and lack of workplace regulations within the music industry are unique cultural factors that contribute to normalising poor behaviour in the live entertainment industry.

s22(1)(a)(ii)



s22(1)(a)(ii)



s22(1)(a)(ii)



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Australian Music Industry – Workplace and Sexual Harassment

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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

- The Government supports the recommendations of the *Raising Their Voices* report. This report is 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.
- The National Cultural Policy, released on 30 January 2023, includes a range of actions which directly respond to the report and aim to improve the safety and employment standards across the arts and entertainment sector.
- This includes establishing a Centre for Arts and Entertainment Workplaces within the newly established Creative Australia. This body will provide advice on pay, safety and welfare in the sector, refer matters to relevant authorities and develop codes of conduct and resources.
- I look forward to working with artists and employers in the contemporary music industry to implement these actions.

POTENTIAL HOT ISSUES

If asked: How long will it take to implement these actions in the National Cultural Policy?

- The Centre for Arts and Entertainment Workplaces is a priority in the National Cultural Policy. It will sit within Creative Australia and we will be updating the current *Australia Council Act 2013* to make sure it has the authority to conduct this important work.
- However, some actions can begin to be implemented immediately. For example, as outlined in the Cultural Policy it will be a guiding principle that new Government funding for artistic and cultural projects will be

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conditional on meeting appropriate minimum levels of workplace safety and employment standards.

- Creative Australia will also be working with the music industry on codes of practice as recommended in the *Raising their Voices* report.

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