

# A New National Cultural Policy



Submission by the Media Entertainment and Arts Alliance

August 2022

## National Cultural Policy Submission – MEAA

MEAA strongly supports the development of a national cultural policy and endorses the five pillars.

Government has a critical role in setting the tone and scope of our national cultural ambitions. Government must foster growing arts and media sectors and spruik their undoubted role in shaping our culture and economic future.

Notwithstanding the challenging economic environment in which this consultation is being undertaken, there ought to be an acknowledgment that federal government support for artistic and cultural endeavours has fallen by 17% over the thirteen years to 2020, with federal per capita cultural expenditure declining from \$138.71 to \$107.20. The pandemic has made the arts ecosystem more fragile still.

A new policy must strive to provide financial and policy certainty. Creative workers – whether in the arts or media sectors - require engagement and respect. A new cultural policy must acknowledge and address the vulnerability of the cultural workforce, many of whom earn less than the national minimum wage each year for their arts-related work.<sup>1</sup>

The paucity of earnings from cultural occupations has multiple impacts: it discourages long-term work in the sector; it negatively impacts the sector's overall viability; it also has a considerable impact on the welfare of the workers concerned. It is little wonder that the number of workers in the arts and entertainment sector has been static for decades. It is in this context that this submission supports:

- Government funding of artistic and related endeavours should be viewed as nation-building cultural *investments* rather than crude costs to government
- Ongoing targets for growth in participation in cultural activities in terms of both practitioners and audience members
- Greater financial support for First Nations and CALD creatives at both the company and individual artist levels (across arts forms)
- Democratisation and diversification of creative institutions' governance structures to reflect community diversity and ensure artist representation
- Converting STEM-related educational initiatives to STEAM, where arts and creativity are used to develop critical thinking and bolster overall academic outcomes
- Embedding artistic and cultural training in schools, as per the approach in the *Creative Nation* and *Renewing Creative Nation* policies<sup>2</sup>
- Properly valuing Australian content by implementing firm rules for broadcasters and streaming services about funding and availability of domestic content
- Establishing a Code of Conduct (or statutory mechanism) that binds organisations using cultural labour to observe relevant employment and work safety standards
- Enhanced funding for major institutions such as the Australia Council and Screen Australia, with new funding directed to program diversification to attract new and emerging artists
- The imposition of a minimum \$250 payment per call for musicians where performances are part or fully supported by government funding.<sup>3</sup>
- A federal inquiry into the Australian music industry to determine the equity and impact of commercial arrangements (recording contracts and streaming services) on performers

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<sup>1</sup> See: *Working in the Australian Entertainment Industry*, Entertainment Assist, October 2016.

In 2017, average total income for artists was \$48,400, 21% below the workforce average. Creative income represented \$18,800 of this figure. See: *Making Art Work*. Report for the Australia Council, November 2017.

<sup>2</sup> These policies supported new efforts in establishing arts education in drama, dance, media arts, music and visual arts through enhancements to curriculum and related funding.

<sup>3</sup> based on the 3-hour call rate from the *Live Performance Award*, including amounts to cover load in and out, sound checks, meals and travel.

- Notwithstanding such an inquiry, Australia should move to formally adopt the WIPO *Performances and Phonograms Treaty* to grant musicians economic rights for their recorded performances and “equitable remuneration” where performances are monetised
- Reversal of the damaging VET reforms that removed a range of performer-related courses from Commonwealth fee assistance and undermined the viability of training services
- Greater coordination of effort across the three tiers of government must be secured and joint work programs must be developed and subject to performance benchmarks

### **Pillar One: First Nations**

Although strides have been made towards elevating First Nations arts and culture to its rightful place, there remains a persistent deficit in First Nations’ stories. A major factor in this deficit is that cultural policy does not practically enable First Nations people to determine their own path. While galleries, museums and funding institutions have allocated space, resources and respect to First Nations’ culture, many efforts have been grafted on to existing structures or made available through longstanding grants programs. Very little new money has been devoted to enabling our nation to embrace the world’s oldest surviving culture, its histories and its stories.

MEAA support greater self-determination through either a separate First Nations cultural agency or through setting up autonomous structures within existing cultural institutions.

MEAA strongly support the tone and substance of *Creative Australia*; wherever possible, the provisions of this policy should be embraced in any new cultural policy, especially those elements that established training pathways to enable First Nations peoples to enter into creative work. Efforts must also be made to ensure places of artistic and related work are culturally safe for all First Nations employees and contributors.

MEAA also support the Government moving to realise some of its 2019 undertakings in the *Renewing Creative Australia* policy. Chief among these were the allocation of funding to record and preserve First Nations languages, the creation of a new Indigenous Theatre Company and dedicated grants for Indigenous musicians. These remain important objectives, the pursuit of which should not be discounted due to ongoing funding pressures.

### **Pillar Two: A Place for Every Story**

Greater diversity of artistic offerings builds audiences and support for the cultural sector. Our major cultural institutions are, however, significantly constrained in the amount of funding they can devote to supporting new cultural work efforts. MEAA strongly support funding being devoted to the development and showcasing of new works, especially those that are reflective of community diversity.

Beyond the artistic sector, the role of public interest journalism should be acknowledged as bearing important cultural dividends. Public interest journalism is a key component of Australia’s story telling. So much of the nation’s story telling is conveyed through news publications, yet the nation continues to bear witness to the ongoing degradation of local story-telling resources, especially in non-metropolitan areas. A considered effort must be crafted to restore and maintain the role of news production in environments where the scale of important news stories is being curtailed or eliminated.

Robust Australian content rules for the screen sector are also vital. A market the size of Australia’s depends on content rules so that local stories are told and are made broadly available. However, as is well-known, Australia’s content regime was undermined by the former federal government’s relaxation of free-to-air broadcasters content rules and the ongoing failure to impose content obligations on SVOD providers.

MEAA support an Australian content levy of 20% of annual Australian revenues being imposed on streaming services of scale at the earliest opportunity. A portion of these funds should be devoted to the production of what, through past government misadventure, have become vulnerable art forms, such as children's live action drama.

A further important factor in building the nation's cultural portfolio is the provision of skills to produce artistic content. A renewed compact with the States and territories is needed to revive cultural training opportunities. Without cost-effective vocational training opportunities, the cultural and socio-economic diversity of Australia's artistic talent pool will be reduced. The broader cultural sector will also be denied the pool of practitioners it needs to ensure ongoing industry sustainability.

Australia's great national broadcasters are also central to commissioning and airing content. These broadcasters have unrivalled national audience reach. The ABC and SBS/NITV have however been hampered by cuts and/or stagnant funding over a decade. While MEAA acknowledge the five-year forward funding proposals now being advanced by Government, efforts must be made to increase national broadcaster funding so that its journalism (itself a cultural dividend) and domestic content production can expand.

### **Pillar Three: Centrality of the Artist**

Creative workers face a persistent three-headed challenge: their work is almost always insecure; creative occupations are not seen as 'real'; and there are few enforceable minimum standards for their pay and conditions. The pandemic saw already high levels of precarity rise even further.

It is well-known that the creative workforce earns significantly less than average weekly earnings and that creatives are prone to fractured earnings by having to perform non-creative work to make ends meet. The lack of creative working opportunities and indifference to sustainable employment practices perpetuates an ongoing brain drain.

Creative workers, whether they be performers, crew or freelance journalists, are forever ripe for exploitation in terms of their remuneration and conditions of employment. Artistic industries in particular rank highly in terms of the incidence of sexual assault, intimidation and exploitative work practices. Although the arts and entertainment sectors are now replete with sound policies aimed at tackling misconduct, adherence to those policies is patchy. The arts sector needs a rules-based order to guard against exploitation of creators.

MEAA note that Labor's *Renewing Creative Australia* policy (2019) promised to develop new policies on artist payments and undertook to explore 'a standard for industry fees'.

The union now look forward to the Government ensuring recognition and protection of gig economy workers. Whether through legislation or via an enforceable Code of Conduct, it is critical that adherence to relevant employment standards, including pay rates, superannuation and safety regulations be assured. At a minimum, artistic and cultural ventures involving receipt of government funds must adhere to credible employment and safety standards. Non-adherence to such standards should result on the return (or forfeiture of such funding).

MEAA also strongly support the investigation, with State and Territory Governments, of establishing (or augmenting) portable entitlement schemes for a range of employment rights.

### **Pillar Four: Strong Institutions:**

Australia has strong cultural institutions, but they have had their operations undermined through interference and funding cuts.

Screen Australia's federal funding in 2013-14 was \$100 million; in 2021-22, it was \$92 million. In several intervening years, government funding was as low as \$81.8 million. The Australia Council received government funding of \$220 million for 2013-14. In 2021, total government allocations were \$215 million. The Australia Council suffered the further ignominy of having key programs cut and redirected to damaging exercises in political vanity – the National Program for Excellence in the Arts (NPEA) and Catalyst programs.

For the Australia Council and Screen Australia – and the sectors they support – to thrive, funding enhancements are necessary. For the Australia Council, MEAA favour new funds being directed to individual artists (via fellowships or otherwise) and strengthening small to medium cultural organisations. For Screen Australia, MEAA support enhanced funding for the Story Development and First Nations Features Productions programs.

Regardless of whether these entities are accorded higher funding levels, these agencies require certainty. In this regard, MEAA support the five-year funding window being provided to the national broadcasters being extended to key cultural agencies.

Although MEAA broadly support the structure and leadership of our major cultural funding organisations, there is scope for reform. MEAA is concerned that governance of these bodies is largely the preserve of the top economic and business tiers of the community. The nation can do better than allocating trophies for corporate lives well-lived rather than any specific competencies in administering and growing cultural organisations.

To maintain the governance status quo will only feed the sense that the arts is an elitist enterprise. MEAA call for action to ensure that more practising artists are appointed, not only to the boards of peak cultural institutions, but to key decision-making panels that make funding recommendations. MEAA propose that bodies in receipt of public funds should be compelled to set aside a fixed number of positions for artists (or their representatives) on all governance and funding structures. We see no reason why there should not be an equality of representation between those who perform creative work and those with credentials in the business sector.

#### **Pillar Five: Reaching the Audience**

Ensuring our nation's stories reach the broadest possible audience requires layers of work. Creative workers need the confidence there is an arts ecosystem that is valued and sufficiently funded; they need protection from exploitation so that their chosen field of work is safe and sustainable.

Greater efforts must be made to ensure that disability and other barriers to arts practise and consumption are addressed. In 2019, the Labor Party promised to revitalise the *National Arts and Disability Strategy*. This promise must be acted upon as a matter of priority.

Increasing audiences requires new and diverse works that connect with more parts of the community. Funded institutions need the capacity to grow and invite new ideas, including risky ones. Government and its agencies should provide greater development funding to give new or reoriented works a chance.

Government can also provide touring support so that performances can be more broadly viewed outside of major cities and a handful of regional centres. A renewed cultural policy should embrace the value of touring by providing substantially higher levels of financial assistance to meet the vast costs of relocating productions. Greater support for music and film festivals outside capital cities should also feature in a renewed cultural policy.

## Other Matters

**STEAM Education:** MEAA believe STEM learning should be augmented to STEAM. STEAM Education is an approach to learning that uses Science, Technology, Engineering, the Arts and Mathematics as access points for guiding student inquiry and critical thinking. Positive effects of young people involved in arts-rich education programs include achievements in reading, language and mathematics development, increased higher order thinking skills and capacities, increased motivation to learn, and improvements in effective social behaviours. STEAM education would necessarily involve significant cross-portfolio and national collaboration. MEAA strongly support the pursuit of STEAM education being standing items on relevant ministerial council meetings and for ministers to commit to an ambitious STEAM reform program.

**Live performance insurance:** MEAA note the Government's intention to examine a live performance national insurance scheme. Live performers are especially exposed to hardship when events are cancelled, whether through health or climatic challenges. The ongoing pandemic weighs heavily on decision-making and is diluting the range and frequency of future live productions. MEAA support a good faith analysis of the merits of a new insurance scheme to cover performers and support workers when events conspire against them delivering their work. The union is agnostic about whether such a scheme is jointly underwritten by federal and state/territory governments or operated by the federal government only. Government-backed insurance and business interruption funds have been established in Britain, Germany, Austria, Netherlands, Belgium, Norway, Denmark and Estonia. Australia needs to follow suit.

**Night-time economy reforms via national cultural ministers:** MEAA note the work being undertaken in New South Wales (and internationally) to revitalise night-time economies. We believe that efforts to revive and maintain night-time economies should be a standing item at all National Cultural Ministers meetings.

**Review of music industry:** MEAA is concerned that musicians / performers get a raw deal from the industry they sustain. Lopsided recording contracts, marginal earnings from streaming services and copyright challenges present immense challenges to artists and threaten ongoing engagement with the industry. MEAA seek an inquiry into the Australian music industry to allow artists and others to ventilate their issues and concerns and develop sustainable industry practices.