



AUSTRALIAN  
LABOR  
PARTY

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# FEDERAL LABOR ARTS POLICY DISCUSSION PAPER

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Shadow Parliamentary  
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Reconciliation and the Arts

## Federal Labor Arts Policy Discussion Paper

This discussion paper is the second stage of the review and development of Labor's arts policy and follows the call for submissions made by Labor's spokesman for the Arts, Peter Garrett.

A number of the issues raised via the submission process are considered in this document. The existing policy informs this review process and it is anticipated that much of the existing policy will be retained, albeit in revised form.

Additionally those recommendations of the Myer Report which have not been acted on by the Howard Government would, as a matter of urgency, be addressed by Labor.

The release of this discussion paper offers an opportunity for feedback from all interested parties and comments are welcome.

This paper uses the phrase "Labor will consider. . ." to identify a policy option.

The final stage of this review will encompass the drafting of new policy and its consideration and adoption through the formal process of the federal party.

Please provide any comments by August 25 to [andrew.palfreyman@aph.gov.au](mailto:andrew.palfreyman@aph.gov.au), or c/- PO Box 249 Maroubra NSW 2035. Further copies of this paper are available upon request.

## Principles

Labor is strongly committed to a vibrant, diverse and well-supported arts sector in Australia.

Labor recognises the work that artists produce gives an immeasurable, sustaining dimension to the life of the nation, and that the Arts as a significant field of endeavour are worthy of support in their own right.

Labor believes access, equity, education, excellence and innovation are foundation principles for arts policy and that a healthy arts sector is emblematic of a healthy democracy.

Labor is committed to developing policies that provide greater opportunity and capacity for the community to discover, create and enjoy the Arts at the local, regional, state and national level.

Labor will, through a mix of: direct government support, taxation measures, partnerships with State, Territory and Local governments and communities, and partnerships with the corporate sector and non government organisations, aim to increase the overall level of support to the Arts.

Labor recognises that the existing funding arrangements for the Arts are both unsustainable and in some cases unsatisfactory, that there is growing financial pressure on numerous arts bodies and individual artists, and that with few exceptions, artists are very poorly rewarded for their contribution.

While accountability and efficiency are essential in arts organisations, it is possible for bureaucracy to waste resources, even to be a brake on creativity, risk and innovation – all of which are essential to the Arts.

Labor will explore new ways of putting arts funding on a long-term sustainable basis, to move from the historical pattern of funding crises which up to now has characterised the arts sector.

Labor is committed to freedom of artistic expression, to strict arms length funding, and to removing any opportunity for government to influence decision-making processes in the Arts.

Consistent with Labor's strong commitment to education is the recognition that a child who grows up experiencing the Arts will carry that experience through life in various guises including: as an individual artist, a community artist and arts worker and as a supporter and consumer of the Arts.

Children who grow up producing culture as well as consuming it experience personal and societal well-being and self-affirmation.

Labor recognises the profound cultural and economic contribution Indigenous art makes to Indigenous communities and the nation, and is strongly committed to enhancing and strengthening Indigenous arts practice.

Labor will encourage the growing dialogue between various cultures in Australia, recognising this is a wellspring of creativity with new aesthetics and stories emerging, especially from the young.

Labor recognises that nurturing and facilitating creativity will increasingly be central to the ability of societies to build and sustain new knowledge-based, information-rich industries and that new media forms which are creative by nature, will play a crucial role in this growth.

Labor understands that artists are well placed to be new cultural entrepreneurs. Cultural content creation in countries like Britain and Japan has become a key generator of economic value in areas such as cinema, television, popular music and online.

Labor believes Australian cultural industries need to be a part of this new economy and that by tooling up our young people Australia can move towards self-sufficiency in cultural capital and become an exporter rather than just an importer of niche and popular arts.

Labor understands that increased synergy between artistic creativity, innovation and economic activity, if encouraged and supported, can make a significant contribution to the cultural and economic vitality of cities and regions.

Labor acknowledges that increasing understanding of the contribution arts makes to our culture is a necessary task for government.

Labor believes that as the century unfolds the nature of our society will, in significant ways, be determined by the energy and vision of Australian artists and the creative expression of all our citizens.

## Overview

Labor, building on a longstanding tradition of support and enthusiasm for the Arts, is strongly committed to a vibrant, diverse and well-supported arts sector in Australia.

Labor, particularly through the period of the Whitlam Government and with the Keating Government's 'Creative Nation' policy, treated the Arts as an important part of Australian society and believed that supporting the creative endeavours of Australians was a key responsibility for the national government.

Labor notes that the amount received by way of financial support and subsidy for 'Culture' is small in comparison to other sectors of the economy.

Recognising that there has been a relative decline in Commonwealth funding of the Arts compared with State and Territory funding, Labor is committed to addressing that trend.

Labor also recognises that at present there is a growing imbalance in trade in cultural goods which is not commensurate with the creative capacity and potential of Australians and Australia's cultural sector.

Labor will institute measures which enhance and assist the audio-visual and performing arts and craft sector, so as to seriously address this persistent deficit.

In particular Labor will look closely at developing and pursuing policies which energetically foster the development of creative cities and creative communities.

It is here that much that is exciting and productive in arts-based activities, which can complement community development, innovation and social well-being, is happening.

Finally the Labor tradition for encouraging and supporting the Arts and emphasising creativity, access and participation needs to be enlarged:

- 1) To accommodate the profound economic and technological changes underway in an increasingly globalised world, where

communities and economies cross borders via web based platforms and where artists, especially those working in new media, are often at the forefront of these changes.

2) In arts education, which provides the basis for a vibrant and creative arts practice that expands the artistic activity of the nation and fosters lifelong involvement and affinity with the Arts.

3) To ensure the opportunity for Australians to participate in and enjoy the Arts in communities is increased and sustained, irrespective of where they live or how much they earn.

4) To consider whole of government approaches including: federal-state cooperation, government-private partnerships, increased cooperation between government departments, greater integration of research, development and arts practice, and enlarging international arts outreach - all are needed.

## New Media

New media forms offer exciting new opportunities to hear, see and experience Australian stories and perspectives on the new platforms which will become increasingly central to our cultural landscape into the future.

The emerging 'new media' practices already make a significant contribution, especially in the critical area of content, to the new digital economy as well as representing some of the most innovative and exciting work produced by artists.

Labor recognises the cultural and economic importance of creative practice in new media and the productive diversity of the field which runs from cutting edge digital art to high-tech industry growth areas such as games and multimedia design.

Labor will strengthen the potential links between the conceptual inventiveness, design skills and technological know-how that new media practice can develop and the fast growing industry sectors such as games and multimedia design.

Labor will consider expanding the range of assistance measures to include those which facilitate an enterprising approach to creative practice.

Labor will consider ways to encourage maximisation of Australian-sourced creative content in new media programs, exhibitions and installations.

It is also clear that new approaches and forms of cooperation between universities and research institutions, the private sector, arts organisations, individuals and governments are needed to harness and further develop this industry.

Labor is committed to innovation reform including providing greater incentives for increased and additional R&D investment, complemented by research of markets both in Australia and overseas.

Labor will consider means to ensure that creative practitioners are afforded better information and access, where appropriate, to

existing industry development and R&D schemes of support eg. ARC Linkages, R&D Start, Export Market Development Grants.

Labor will consider developing initiatives to grow the economic sustainability of creative practice, assisting artists towards greater independence and income generation. These would include: soft infrastructure such as arts enterprises clustering in existing precincts and buildings, best practice training in small business practice essentials, and mentoring in entrepreneurship.

Labor will specifically consider implementing the Myer Report recommendation (11) of an 'IT Bank' for artists working in new media to enable a technology loan facility supported by Commonwealth and State governments, operating through public galleries.

Labor will consider enhancing the opportunities this provides by seeking a technological vendor to partner in providing such an IT bank.

Labor will encourage continued and enhanced commitment to the Arts by the ABC and SBS. Looking ahead to the digital TV future, Labor will also encourage innovative opportunities that their digital channels offer for enhanced arts programming and audience growth.

Labor will ensure new digital media is afforded due recognition and that flexible peer assessment in funding, including sufficient integrity in Australia Council processes, is undertaken.

Labor will ensure galleries and cultural institutions have the capacity to display, archive and store digital art.

### The digital content industry

Labor notes Australia has a large current account deficit in cultural goods (more than \$2.7 billion in 2002/03; ABS, *Arts and Culture in Australia: a Statistical Overview*, 2004) including a deficit of around \$2 billion per year in the digital content industry.

Labor will consider the development and support of a Digital Industry Plan encompassing the many aspects of the digital

content industry but importantly including enhanced skills training and education for artists.

Such a plan, which is beyond the remit of arts policy, would include development of an enhanced investment framework to permit increased and targeted investment in innovation, creating pathways for producers and distributors, government and the private sector and artists and technologists to work cooperatively.

Labor recognises that the games industry has already achieved significant success with very little direct support from government.

In the light of rapidly concentrating trends towards foreign takeover of local companies, it is important to support companies which wish to retain intellectual property (IP) in Australian hands, and to renew investment strategies for the industry and ensure that the unique mix of creative, technological and business skills required in this dynamic global creative industry are developed on best practice bases here in Australia.

Labor, through its 'Innovation Blueprint' ([www.alp.org.au/download/060710\\_sp\\_innovation\\_blueprint.pdf](http://www.alp.org.au/download/060710_sp_innovation_blueprint.pdf)), intends to reform existing R&D arrangements and develop new mechanisms aimed at increasing the capacity for innovation and economic potential to ensure that effective assistance to the sector is maximised.

Labor will consider increased investment and support for the digital sector in the areas of IP, government procurement and export, and investment in innovation.

## Education

All Australian students should have the opportunity to learn and experience creative writing, visual arts, film/video-making, digital creation and crafts, music and performance whilst in school.

There is abundant evidence of the positive effects that activities such as learning and performing music produce, including the development of communication and cooperation skills and enhanced literacy and numeracy.

Labor has previously identified that the area of music education in particular has suffered considerable neglect, and this remains an important area which Labor will address. Only 23% of state school students have access to music in comparison to 80% of students in non-government schools. (The Music Council of Australia, 'Trends in School Music Provision in Australia')

Labor will consider the recommendations of the 'National Review of School Music Education Report' ([www.schoolmusicreview.edu.au](http://www.schoolmusicreview.edu.au)) with a view to addressing the deficiencies in music education at present.

Labor will also consider substantially expanding the schools touring program as undertaken by organisations like Musica Viva, and in drama, the Bell Shakespeare Company, to include supporting productions to tour in schools and provide schools with the opportunity to experience performances in theatres and concert halls.

Labor will also review the issue of the provision of music education through the entire education system, working with State and Territory authorities, teacher employers and with universities to create a comprehensive music education in our schools and educational institutions.

Labor will consider supporting programs which provide for professional arts practitioners to participate as 'artists in residence' in schools and as sessional staff in universities.

Labor will review the current role of the Australian National Academy of Music to determine its viability as a teaching and training institution.

At present specific recognition of artistic achievement by peers does not happen in Australia. There is no body which can undertake this task as well as providing a source of independent advice on arts policy to government, unions, academic institutions and the public.

Labor will consider extending the mandate of the Australian Academy of the Humanities to include arts practitioners and to provide a source of independent advice on the Arts.

## Investment in the Arts

Labor will, through a mix of: direct government support, enhanced tax and other arrangements, partnerships with State, Territory and Local governments and communities, and partnerships with the corporate sector, aim to increase the overall level of support to the Arts.

Australians are highly competent, innovative arts practitioners. The lack of private investment in the Arts currently impedes the growth of the arts sector.

And with up to one million younger Australians working overseas, many in arts related areas and often because of the lack of opportunities at home, it is essential to harness their abilities to make a contribution to Australian cultural and economic life.

Significant additional investment is needed across a range of activities including film, the performing and visual arts and crafts, arts promotion, digital art, and importantly in cross-disciplinary work between artists and other professions to provide a fuller opportunity for the Arts to flourish.

Labor will consider amending the R&D Tax Concession Scheme to include projects that fall outside the science and technology criteria.

Labor will specifically consider amending Section 73 B of the Income Tax Assessment Act to enable the conduct of research conforming to recognised expertise and methodologies in the Arts, social sciences and humanities to be included.

Labor will consider ways to allow creative and non-published research and performance to qualify for research grants.

Labor will consider providing that artistic organisations, subject to strict criteria, be classed like community not-for-profit organisations for taxation purposes.

Labor will consider amending the Copyright Act so that sculptures and artistic works permanently on display in public contain the same copyright protection as other artistic works.

The Australian Business Arts Foundation (AbaF) is intended to facilitate and increase the amount of private sponsorship and philanthropy in the Arts. Labor will consider reviewing the performance of AbaF to determine whether its functions can be further enhanced.

There has been increased attention given to securing private investment in recent years but the levels of sponsorship and donation remains low, with figures showing 0.6% of total philanthropic donations going to the Arts compared with 8.9% to sport and recreation. (M. Kessler, 'Big Picture' research reports and interviews, Private Sponsorship and Philanthropy)

Labor will consider implementing the relevant recommendations of the Myer Report including amending the Cultural Gifts program to permit 125% deductions for gifts of new works by contemporary Australian artists to public collecting institutions.

Labor will consider implementing an expanded visiting artists scheme to facilitate the return of Australian artists and as well to encourage prominent and emerging artists from overseas to regularly visit.

### Indigenous Art

Labor recognises the profound cultural and economic contribution Indigenous art makes and is strongly committed to enhancing and strengthening Indigenous arts practice.

In particular Labor notes that Indigenous art is one of the few current ways that Indigenous people living in remote areas have to engage in meaningful work and that such activity makes a fundamental contribution to alleviating poverty and enhancing cultural practice.

Aboriginal Art Centres play a central role as co-operatives which: produce significant amounts of Indigenous art, promote professionalism and ensure adequate return of proceeds to Indigenous people and their community organisations.

They also fulfil a wider function by offering a location which provides more general assistance to communities who experience inadequately developed social institutions.

Labor will expand policy in the area of Indigenous art paying special attention to ensuring the sustainability of existing Aboriginal Art Centres, addressing the problems of authenticity and copying, and reviewing existing programs, including those of the Australia Council, which contribute to Indigenous arts.

Labor will consider ensuring an expanded capital works program for Aboriginal Art Centres is put in place to meet the current level of need for maintenance, refurbishment and construction of new facilities.

Labor will consider additional support for business training, including in governance, to enable Aboriginal Art Centres to develop business plans.

Labor will consider the implementation of the Myer Report recommendations applying specifically to Indigenous arts practitioners.

Labor supports the introduction of a national licensing scheme for dealers in Indigenous art, and the adoption of a national Code of Conduct in the Indigenous art industry.

Labor has long been committed to the introduction of a resale royalty scheme which would provide additional income to Indigenous artists when their work is resold in the art market.

Labor will support the establishment of a parliamentary inquiry to investigate bootlegging and unauthorised reproduction of Indigenous arts and craft and to consider the best means of providing additional protection for Indigenous cultural heritage.

### Sustainable employment

Labor believes the work that artists produce shapes our identity and gives an immeasurable, sustaining dimension to the life of the nation, and that the Arts as a significant field of endeavour are worthy of support in their own right.

That many artists are very poorly remunerated has been well documented ('Don't Give up Your Day Job', Throsby & Hollister). This situation continues, notwithstanding the overall modest increase in funds generally available for the Arts over the past decade.

Labor will review the current state of artists' incomes and develop policies to redress this situation.

Labor will consider reviewing the fellowships and grants schemes that operate through the Australia Council to ensure a fair and sustainable allocation of support is made possible.

Labor will specifically address the issue of young and emerging artists and introduce programs which provide start up assistance for emerging professional artists.

Labor will consider implementing a program of mandatory presentation by major performing companies of work created by and featuring young and emerging artists.

Labor will consider requiring the major companies to increase their support of training programs to enable graduating artists the opportunity to build practical knowledge and skills.

Labor will require the Visual Arts and Craft Board to mandate the payment of artist's exhibition and loan fees in publicly funded institutions to visual and craft artists.

Labor will consider introducing initiatives which enable artists currently on welfare greater opportunity to produce work and generate employment.

Labor will consider development of a 'Social Security and the Arts' policy that harmonises current Australia Council, Centrelink and Australian Tax Office rules, reframes JobSearch requirements so as to permit new employment opportunities to be maximised and considers the most equitable way to treat earnings and royalty payments for artists currently receiving welfare.

Labor recognises that artists often have the opportunity to produce unpaid work which contributes to the social, economic and cultural

life of the community and increases the likelihood of paid work at a later stage.

In some instances art professionals end up performing routine tasks through Centrelink whilst existing opportunities for on going work cannot be taken up.

Labor will consider adding 'participation in arts projects' under the criteria for employment and community participation in work for the dole where it is likely that such participation will improve a person's prospects to gain employment or private income.

Labor will consider expanding support for NEIS (New Enterprise Incentive Scheme) to assist practitioners in small business development.

Labor will ensure the ruling on workable tax concessions takes into account the current economic and employment experience of artists so as to enable non commercial losses to be claimed in relevant cases.

### Culture and the Arts

The question of whether a more comprehensive cultural policy should be developed by the Labor Party is already being keenly debated and needs thorough consideration.

Labor believes that increasing understanding of the contribution arts makes to our culture and the relationship between culture and the Arts and beyond is important and would assist in general policy development and in enabling a more effective whole of government approach to the Arts.

Labor will initiate a nation wide round table discussion, including arts practitioners, academics, government departments, arts organisations, private sector creators and individuals, to address the need and desirability of producing a cultural policy.

## Freedom of artistic expression

Labor is committed to the guarantee of freedom of artistic expression for artists and ensuring that artistic expression, and decision making in relation to arts funding, is quarantined from political pressure by government.

Labor will insist on maintaining arms length funding and ensuring a transparent process of independent board and ancillary appointments as described in the current policy.

Labor will ensure that legislation, including that intended for national security, does not impinge on artists' legitimate expression. Labor is committed to repealing the Sedition provisions of the Anti -Terror Bill No 2.

## Australia Council

Labor is committed to there being a body separate from government responsible for: the delivery of funding for new and existing arts programs, to act as an advocate for the Arts and to work closely with arts organisations and individual artists.

Labor will consider streamlining the number of existing grant making bodies, and ensuring there are rigorous peer review processes in place.

Labor will consider placing a limit on the number of repeat Board appointments to ensure diverse and new representation, including young people and arts entrepreneurs, is a feature of these bodies.

It is a matter of real concern that the bureaucratic requirements imposed on artists and arts organisations by the Australia Council and in the arts funding arena generally shows no signs of diminishing.

Whilst recognising that maintaining accountable and rigorous funding processes are fundamental to the Australia Council, Labor will consider implementing greatly simplified and speedier grant application processes.

Labor will consider retrieving all existing programs from DCITA and placing them under the Australia Council.

Labor will consider modifying the efficiency dividend calculation for arts funding. The past series of reforms (including the efficiency dividend) instituted up to now have, for the most part, ensured that arts organisations operate more efficiently. But even though the dividend in some instances has been suspended, labour and ancillary costs continue to rise, and a number of arts bodies operate on the threshold of insolvency.

Labor recognises the special need for arts bodies to have additional funds to provide some margin for risk and experimentation, and to try new audience development ideas.

Labor is committed to ensuring that dance and small to medium sized theatre organisations are given every opportunity to flourish.

Labor would ensure, for example that in relation to dance, the Australia Council develop a Dance Action Plan as identified in the 'Resourcing Dance' review (Australia Council February 2004).

And in relation to small and medium-sized theatres, that the Australia Council develops a Small and Medium-Sized Theatre Action Plan, drawing on the 'Small to Medium Performing Arts Review' and the 'Make It New?' discussion forum.

Labor will consider reviewing the system of fellowships and grants to determine the fairest and most effective way of supporting artists in the course of their career.

### Film & Television

Labor acknowledges the enormous contribution the film and television industry has made to the cultural life of the nation and the significant amounts governments have provided to the film industry.

Labor will review the effect of free trade agreements to determine the impact on the levels of Australian content, including: drama, documentary and children's programming on free to air and subscription television services.

Labor recognises film is one of the most powerful of contemporary creative expressions, that the film industry is capital and talent intensive and that Australian creativity and stories are more often experienced through film than many other art-forms.

Labor views with concern the recent trends in the Australian film industry with fewer and less successful films made and with substantial human resources and infrastructure remaining underutilised.

Labor will work with all sections of the film and television industry, to develop a Strategic Film Industry plan.

Labor will consider merging the AFC and FFC to produce greater synergy of operation, as well as exploring whether there are additional consolidation measures that could include the AFTRS and Film Australia, and refining existing, as well as developing, new taxation and other measures, to harness increased private investment for the film industry.

Labor will explore renewing the broadcasting fund in order to provide a pool of funds for independent TV production.

Labor will ensure the ABC and SBS are adequately funded and that Board appointments are strictly arms length.

## Regional

Labor recognises regional communities are enriched by a healthy arts presence which provides for greater cultural amenity as well as increased economic activity and enhanced social engagement.

In particular Labor believes it is vital that young people in regional areas have access to creative opportunities and are encouraged to participate in the Arts.

Labor recognises the important role that Local councils play in supporting and developing the Arts in regional areas and will examine ways to improve cooperation between Federal government, State government and Local councils.

Labor will maintain the regional touring arts programs and further consider ways of assisting Local councils and State governments to better secure and protect arts venues with heritage significance in regional areas.

### International

Labor believes the scope for Australian artists and their work to find and establish outlets overseas is huge and remains significantly untapped. New digital art, Indigenous art, novels and non-fiction, and some medium sized specialist touring companies have all made significant inroads overseas.

Labor will ensure that there is adequate recruitment, training and appointment of cultural officers with broad arts experience to Australian embassies abroad, and that cooperation and communication between DCITA and DFAT in relation to arts, including cultural exhibitions, export markets and skill sharing, is enhanced.

Labor will consider establishing an international arts information database detailing Australian artists' work and international programs, trade fairs and exhibitions to enable better information flows concerning Australian artists and international activities.

In 2005, following extensive international negotiations, the General Conference of UNESCO approved (148 votes for, two against, four abstentions – including Australia) the Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

The convention identifies the need to promote and protect cultural diversity, without hindering current legislative frameworks in signatory countries.

Labor will ratify and give effect to the UN Convention on the Protection and Promotion of the Diversity of Cultural Expressions and consider ratifying the Convention for the Safeguarding of the Intangible Cultural Heritage.

Labor will ensure artists' copyright is adequately protected, at the same time as exploring new regimes for the maintenance of

intellectual property which do not impede the spread of ideas and works in the digital domain and elsewhere.

### Research and Creative Activity

The development of 'creative industries' policy is now a primary task of government and substantial research and discussion is underway as to the best means of amplifying Australia's potential in this area.

Labor has long recognised the need for a significant investment of political, financial and intellectual capital in the creative industry agenda, as the potential for sustainable economic growth is significant.

Creative research is central to the growth of arts and innovation and increasingly draws across disciplines and involves emerging technologies.

Labor will consider reviewing the current framework for Australian Research Council grants to consider allowing creative and non-published work the opportunity to qualify.

Labor will consider reviewing the Commonwealth frameworks for research to ensure it addresses creative activity.

Labor will consider establishing an online artists' data base and web directory of resources to enable artists to profile their work and communicate with galleries, festivals, literary agents, government departments and others to better facilitate the placement of work.

### Parliament

Labor will ensure the Parliament House collections policy includes diverse works of artists - emerging and established.

Labor will consider establishing a Parliament House collection loans scheme to enable the display of works on a rotating basis in schools, communities and local councils.

