

A new National Cultural Policy

Submission to the Department of Infrastructure, Transport,
Regional Development, Communications, Sport and the Arts

Lowitja Institute, May 2026

29 May 2026

Department of Infrastructure, Transport,
Regional Development, Communications,
Sport and the Arts: Office for the Arts

Dear Office for Arts,

Re: Submission to a new National Cultural Policy

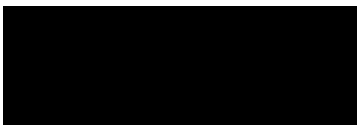
Lowitja Institute is Australia's national institute for Aboriginal and Torres Strait Islander health research, named in honour of our Co-Patron, the late Dr Lowitja O'Donoghue AC CBE DSG, and the only Aboriginal community controlled research Institute in Australia. We welcome the opportunity to provide a submission to the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts, on developing a new National Cultural Policy to shape the future direction of the creative and cultural sector.

As the only community controlled national institute for Aboriginal and Torres Strait Islander health research, Lowitja Institute recognises the value and important role that culture plays in supporting the health and wellbeing of our peoples. Our research, policy and advocacy are all underpinned by the cultural determinants of health and wellbeing.

Based on this experience we offer the following general comments and responses to this public inquiry.

We would welcome the opportunity to further discuss any of the issues contained herein.

Warm regards,



Rosemary Smith
Executive Manager, Policy & Consulting, Lowitja Institute

About Lowitja Institute

Lowitja Institute is a national Aboriginal and Torres Strait Islander Community Controlled Organisation working for the health and wellbeing of Australia's First Peoples through high-impact quality research, knowledge translation, and by supporting Aboriginal and Torres Strait Islander health researchers.

Established in January 2010, we operate on the key principles of Aboriginal and Torres Strait Islander leadership, a broader understanding of health that incorporates wellbeing, and the need for the work to have a clear and positive impact.

Lowitja Institute's research is built on priorities identified by Aboriginal and Torres Strait Islander peoples. We aim to produce high-impact research, tools and resources that will have positive health outcomes for Aboriginal and Torres Strait Islander peoples. To guide this, we work by five principles that underpin our approach to research.

These principles are:

1. Beneficence, to act for the benefit of Aboriginal and Torres Strait Islander people in the conduct of our research.
2. Leadership by Aboriginal and Torres Strait Islander people
3. Engagement of research end users (Aboriginal and Torres Strait Islander organisations and communities, policymakers, other potential research users)
4. Development of the Aboriginal and Torres Strait Islander research workforce
5. Measurement of impact in improving Aboriginal and Torres Strait Islander people's health.

General preamble

Over millennia, Aboriginal and Torres Strait Islander peoples have cared for Country and for our communities in this place now called Australia. We have maintained our health and wellbeing with holistic approaches aimed simultaneously at community and individual health and wellbeing.

Aboriginal and Torres Strait Islander peoples have been creatives and artists for tens of thousands of years. Cultural expression through art in its varying forms, reflects not only the resilience and creativity of our peoples and communities, but also innovation, adaptability and deep connection to culture, land and traditions over generations. Art and culture are protective factors for the health and wellbeing of our people, used to pass on culture, language and relationships with Country. The broad and protective impacts culture and cultural expression for Aboriginal and Torres Strait Islander peoples must be considered deeply in the new National Cultural Policy.

Cultural determinants embedded within arts and culture

Culture is central to Aboriginal and Torres Strait Islander identities, and it is a pathway to healing and wellbeing. For Aboriginal and Torres Strait Islander peoples the concept of health has always been understood to be holistic. It encompasses mental, physical, cultural, environmental and spiritual health and is anchored in ways of knowing and being that have existed and continued for tens of thousands of years, shared through complex kinship systems and passed down through systems of law, lore, ceremony and song.¹

The cultural determinants of health are a conceptual framework, based on Aboriginal and Torres Strait Islander knowledge. The cultural determinants have been increasingly articulated and recognised within health and wellbeing frameworks – they map the elements that form cultural identity and act as protective factors of health and wellbeing.² The cultural determinants of health and wellbeing, as identified in the Mayi Kuwayu Study, include:

1. Connection to Country
2. Family, kinship and community
3. Indigenous beliefs and knowledge
4. Cultural expression and continuity
5. Indigenous language
6. Self-determination and leadership³

Policymaking does not occur in the absence of culture; it is very much informed by the culture of predominantly non-Indigenous policymakers. Cultural determinants must be embedded within cultural policy making, to balance the structural inequality, address institutional and cultural racism, and cede control of spaces that have been inherently and historically colonised.⁴

This inquiry is seeking views on how cultural policy can continue to reflect Aboriginal and Torres Strait Islander priorities, strengthen recognition of cultural rights, recognise the centrality of language to culture and support pathways for Aboriginal and Torres Strait Islander leadership across the cultural landscape. In doing so, the new National Cultural Policy must embed the cultural determinants within, to support partnerships and self-determination, and ensure that Aboriginal and Torres Strait Islander people's priorities and leadership is driving the direction of arts and culture within Australia.

¹ Lowitja Institute 2020, Culture is Key: Towards cultural determinants-driven health policy – Final Report, Lowitja Institute, Melbourne. DOI: 10.48455/k9vd-zp46

² Ibid.

³ Lowitja Institute 2020, Culture is Key: Towards cultural determinants-driven health policy – Final Report, Lowitja Institute, Melbourne, p.2

⁴ Lowitja Institute 2020, Culture is Key: Towards cultural determinants-driven health policy – Final Report, Lowitja Institute, Melbourne

The cultural determinants are great sources of strength and resilience for Aboriginal and Torres Strait Islander peoples.⁵ Embedding the cultural determinants of health within the new National Cultural Policy is essential in recognising and respecting the crucial place of Aboriginal and Torres Strait Islander stories at the centre of Australia's arts and culture, supporting the health and wellbeing of Aboriginal and Torres Strait Islander peoples, and lends itself well to addressing Pillar 1: First Nations First.

The role arts and culture play towards truth-telling

Truth-telling is the process of openly sharing historical truths after periods of conflict, to allow societies to move forward in an inclusive way, based on justice and human rights. Truth-telling is important for recognising injustices that have taken place, and the ways that they have been ignored or hidden from the Australian consciousness and histories; to empower individuals to openly share their stories and have their truth acknowledged; and to expose what has happened as a result of colonisation – who is responsible, the harms that were caused, and how these structures continue to impact Aboriginal and Torres Strait Islander peoples.⁶

Art and cultural expression play a powerful role in storytelling, and through it, truth-telling. Those who are able to tell their stories, control the narrative. They decide what is heard and what isn't. As Aboriginal and Torres Strait Islander peoples have historically been excluded from the national story of Australia, this has had a profound impact on the recognition of injustices and accountability as a nation to our past.

Pillar 2: A Place for Every Story, recognises the need for diverse forms of cultural expression and participation to address this. We, at Lowitja Institute, see freedom of expression through art and culture giving way to and facilitating truth-telling. Truth-telling is critical for correcting public, education, understanding, addressing racism and prejudice, ignorance, fear and misinformation. It is a powerful vehicle for self-determination and empowerment. The new National Cultural Policy must have strong mechanisms and structures for empowering and prioritising the culture, storytelling and art of Aboriginal and Torres Strait Islander communities, and it is vital that Aboriginal and Torres Strait Islander stories are being prioritised, and underpinned by Aboriginal and Torres Strait Islander leadership and self-determination.

⁵ Lowitja Institute 2020, Close the Gap: We nurture our culture for our future, and our culture nurtures us, Close The Gap Campaign, Sydney

⁶ First Peoples' Assembly of Victoria, 2021, 'Truth-telling', FAQ, <https://www.firstpeoplesvic.org/wpcontent/uploads/2021/03/tt-faqs.pdf>

Connection and knowledge translation

Knowledge translation is at the heart of Lowitja Institute's work – transforming research for practice, policy and community wellbeing. Knowledge translation is the complex series of interactions between knowledge holders, knowledge producers and knowledge users, with the goal of achieving research impact, which we define as positive and sustainable long-term benefit for Aboriginal and Torres Strait Islander peoples, beyond the realm of academia.⁷ There is so much research today that is still done on, rather than by or with Aboriginal and Torres Strait Islander peoples and communities. Without our priorities, knowledges and wisdom embedded within research and research agendas, it continues to cause harm to our peoples. Indigenous knowledges can be translated in many ways – knowledge translation can include changes to policy and clinical practice guidelines, but it can also include video, storytelling, dance, performance and art.⁸ Knowledge translation is about reciprocity; giving stories and knowledge back to communities in a variety of ways. These forms of knowledge translation and exchange are just as important and valuable as other forms of knowledge translation, and they are vital to sharing best practice, truth-telling, knowledge and stories. Therefore, it is important that the new National Cultural Policy recognises the inherent value and importance of art and cultural expression as a form of knowledge translation and exchange, and that the impacts of this knowledge translation can be profoundly impactful for communities.

As identified under Pillar 5: Engaging the Audience, the new National Cultural Policy will afford opportunities for representation and voice, both nationally and internationally. As the consultation document notes, culture has the power to define who we are and how Australia is understood globally. Aboriginal and Torres Strait Islander peoples have lived on this continent for tens of thousands of years. Our communities have cared for Country, practiced Culture and maintained and maintain sophisticated knowledge systems. Aboriginal and Torres Strait Islander peoples must be given the opportunities to lead cultural participation, and afforded self-determination and ownership over art and storytelling on a national and international scale.

Ethical practice and strong supporting infrastructure

Pillar 3: Centrality of the Artist and Pillar 4: Strong Cultural Infrastructure, highlight the need for strong governance and ethical structures to support Aboriginal and Torres Strait Islander art and cultural participation on a national and international scale, that adhere to Indigenous Cultural and intellectual Property (ICIP) principles. ICIP refers to the rights that Aboriginal and Torres Strait Islander peoples have and use to

⁷ Williams, M. 2021, Profiling Excellence: Indigenous Knowledge Translation, Lowitja Institute, Melbourne, p.8

⁸ Williams, M. 2021, Profiling Excellence: Indigenous Knowledge Translation, Lowitja Institute, Melbourne.

protect traditional and sacred arts and culture. ICIP can encompass but is not limited to traditional knowledge; cultural objects; documentation of heritage in all forms of media; traditional cultural expression; languages; manifestations of Indigenous sciences, technologies, and cultures; and sports and traditional games⁹.

ICIP rights refer to the rights of Aboriginal and Torres Strait Islander peoples, communities and nations to:

- Own, control and maintain our ICIP
- Use the principle of self-determination to protect our ICIP
- Be recognised as the primary guardians and interpreters of our cultures
- Authorise, or refuse, the use of ICIP according to our own laws
- Maintain the secrecy of our knowledge and other cultural practices
- Guard the cultural integrity of our ICIP
- Be given full and proper attribution for sharing our cultural heritage
- Control the recording of customs, expressions and language that may be intrinsic to our cultural identities, knowledges, skills and teaching of culture¹⁰

Protection and promotion of ICIP is embedded with a cultural determinants approach. It is often applied within a research context, but it is integral to recognise the importance of ensure ICIP within the new National Culture Policy, to ensure the centrality of the artist, and that Aboriginal and Torres Strait Islander peoples and communities have protection, ownership and control over their stories, data, knowledges and art. While Aboriginal and Torres Strait Islander visual arts and crafts markets are strong, dynamic and growing, the popularity of Aboriginal and Torres Strait Islander art has given rise to unethical trade and appropriation by people who have taken advantage of artists and the system. This can include the use of work without appropriate permission and in ways that are inappropriate or taking advantage of artists financially in a con known as carpet-bagging – when work is bought from artists at very low prices and then sold in galleries for significantly more.¹¹ The Productivity Commission, in their 2022 inquiry into Aboriginal and Torres Strait Islander visual arts and crafts,¹² found that two-thirds of Indigenous-style souvenirs are made without input from Aboriginal and Torres Strait Islander people, and that ICIP is sometimes used without permission and in ways that are inappropriate.¹³

As a result, underpinning the new National Cultural Policy must be strong governance structures, driven by the leadership of Aboriginal and Torres Strait

⁹ Lowitja Institute, n/d, *Research Pathways: Indigenous Cultural and Intellectual Property*, https://lowitja.org.au/wp-content/uploads/2025/12/328551_indigenous-cultural-and-intellectual-property.pdf

¹⁰ Ibid.

¹¹ AIATSIS, n/d, *Art and authenticity*, <https://aiatsis.gov.au/explore/art-and-authenticity>

¹² Productivity Commission, 2022, *Aboriginal and Torres Strait Islander visual arts and crafts: Study Report*, <https://www.pc.gov.au/inquiries-and-research/indigenous-arts/report/>

¹³ Ibid.

Islander peoples within all cultural contexts. Principles of genuine co-design,¹⁴ strong ethical partnerships and shared decision-making,¹⁵ and self-determination¹⁶ are guiding and non-negotiable principles that should guide the new National Cultural policy framework. Particularly in light of the risks discussed above, as well as the increased use of AI and the risks that unregulated AI pose to cultural misappropriation, ensuring free prior and informed consent and strong cultural authority within these spaces is needed to uphold ethical standards, ICIP and mitigate potential harms.

¹⁴ Butler, T; Anderson, K; Black, O; et.al, 2025, *Co-design Versus Faux-design of Aboriginal and Torres Strait Islander Health Policy: A Critical Review*, Lowitja Institute, Melbourne

¹⁵ The Coalition of Aboriginal and Torres Strait Islander Peak Organisations & all Australian Governments, 2020, National Agreement on Closing the Gap,

<https://www.closingthegap.gov.au/national-agreement/national-agreement-closing-the-gap>

¹⁶ Lowitja Institute 2020, *Culture is Key: Towards cultural determinants-driven health policy – Final Report*, Lowitja Institute, Melbourne. DOI: 10.48455/k9vd-zp46