

# National Cultural Policy Submission August 2022

Dreamtime Art Creative Consultancy (DACC)

## Question 1.

DACC is a creative agency specialising in Arts & Cultural providing technical and adaptive solutions. Established in 2009, we represent a collective of First Nations artists (unrestricted). DACC works closely with clients and artists to develop better working relationships, skills transfer and mentoring of artists increasing business skills, arts practice, negotiations and readiness to work directly with clients, whilst managing client expectations and deliverables. DACC provides clients education and tools to embed Indigenous Cultural Intellectual Properties (ICIP) and values as working protocols and methodologies, based on respect, relationships, mutuality and opportunities. Through this guidance DACC increases the value-chain delivery to clients whilst impacting the social outcomes First Nations artists and communities.

DACC services include Cultural awareness through arts lens, protections and protocols, brand, design and visual identity, bespoke commissions, artist management, community and stakeholder engagement, licensing, video & photography.

Our submission focuses on **Pillar 1 First Nations** of the National Cultural policy with overlapping and connected importance attaining to the other 4 pillars.

## Question 2.

### Challenge 1: Training

Currently there are skills gaps with many First Nations arts practitioners across all areas of Aboriginal arts. Artists have limited access to training and advice that sits outside of their core creative practices.

### Solution 1: Coordination of Arts resources and service delivery

For First Nations creatives, improved acknowledgement and support networks through development of: Business skills; Better coordination of services; Access to and developing market channels; Digital readiness; Setting equitable pricing structures for licensing and artwork sales; Understanding commercialisation of arts; Up-skilling for negotiations, contract management.

These are just some of the areas that need to be introduced for artists' development, working towards self-determination. This allows artists' autonomy over decision making with free, prior and informed consent. These skills are supporting artists to seek a robust marketplace and future-proofing careers, economies, choices and legacies.

### Solution 2: Centre of Excellence

A National Centre of Excellence needs to be created to assist independent artists who are currently unrepresented by any agencies or arts centres. The centre can focus a service-delivery of all aspects of artists' practice including legal representation, protections, mitigation, and conciliation. The centre becomes the hub-and-spoke delivery model to Aboriginal arts practice, services, Cultural strengthening, trade and commercialisation advice, artist and consumer advocacy and agency. The centre of excellence can produce better governance structures and develop Aboriginal arts leadership models, training and programs. It becomes the place of strong institutions.

### Solution 3: Auditing and Divesting in current funding models

The recent Productivity Commission report recommends independent evaluation of current funding allocation. We recommend that government needs to understand the return on investment (ROI) and key performance indicators (KPI) currently put against funding, acquittals and success measures. Arts funding for arts centres and other recipients must not be based on operational expenditure, whereas art sales should be

the driver of those costs. Working through art centre funding is critical to remote with some urban and regional communities, however, there is a large portion of artist that are neglected under this visioning. Funding targeted towards these activities needs to support training delivery, skills development and First Nations pathways.

It might be worthwhile to consider the divestment of operational funding and seek better performance out of skills development on 'how to run' the business training coupled with business skills matrix needs evaluation. By reallocating funding across all aspects of Aboriginal art, creators will build stronger foundations of working practices and have maximum outcomes for measurement and ROI. The goal is for a robust, strong, independent, sustainable and future-proofed Aboriginal arts market that cuts across all First nations peoples' operating in the space.

#### **Question 4.**

##### **Challenge 2: Indigenous Cultural Intellectual Properties (ICIP)**

ICIP is an incredibly important area that needs to be protected under legislation. It needs to be robustly assertive and proactive allowing First Nations artists to design futures, develop meaningful and informed partnerships, model economic benefits, co-sharing and co-delivery on Indigenous Cultural assets. Currently there are minimal protections in this area allowing for unethical treatment of artists and exploitation of ICIP. Infringements on iconography, stories, narratives, artworks equate to critical losses of economical outcomes and pushes agenda aspirations such as 'Treaty' and 'Voice to Parliament' backwards. It removes the choice of First Nations to understand and work through what social and economic benefit means for themselves, artists and communities. This is central to the place for every story and what protections are needed.

Currently, when engaging with a partnership for artworks or Cultural asserts applied to contracts, the equity in the business model shifts to favour that of the partner by increasing the value proposition, removing the determination, value and inheritance of Culture as a benefit for artists and communities. Infringing upon rights are too often swept under the carpet leaving no legal recourse or just too hard for artists to pursue. This does not shift behaviour in 'how' we should approach. Ethics, Morals, Values need to be asserted under the legislation enshrined in 'Voice to Parliament' principles.

##### **Solution 1: ICIP Legislation**

This legislative framework needs to be First Nations-led, then into co-design. It needs to be asserted by First Nations to decide on what First Nations understand as being the importance of protection and what can be negotiated. If we can't get to this point, the goals of the Cultural Policy are void: *Recognise, Respect and Celebrate*. Raising our eyes to the challenges that exist can only be told by those with the daily lived experiences. First step, informative and qualitative series of roundtables with First Nations artists and whole sector, with government listening and ready to scribe.

First Nations arts and artists need real outcomes for punitive measures, complains and mitigations, reviews and regulatory involvement as protections against unscrupulous behaviours from those seeking to engage with First Nations artists. The recent Productivity Commission recommends legislation of Cultural assets through ICIP.

##### **Challenge 3: Communications and Narratives**

Communications into mainstream sees siloing of independent artists creating confusion with buyer confidence on 'what' is Aboriginal art. Key messaging such as the only 'ethical' way to buy Aboriginal art is through an art centre or an art fair that only includes art centre art isolates independent artists that are working on their own career development. It is damaging as it creates market separation and division affecting many

independent First Nations artists, the Aboriginal arts reputation and acutely confusing buyer confidence. Furthermore, it can be considered anti-competitive while striking at the core of identity for independent artists who are First nations but excluded from the economy by poor language and messaging choices of how and what 'ethical' purchasing is. An Aboriginal artwork is an artwork created by an Aboriginal person.

### **Solution 1: Whole of Market Approach**

Analysis needs to be undertaken to consider all voices and aspects of the Aboriginal arts from retail outlets, market supply chains, independent artists realigning clear messaging of the value chain and what the Aboriginal art market brings to the national economy and wider societal acceptance of Aboriginal art as the national artform.

If we are to seriously consider the needs of First Nations creatives, we need to open a wider vision of what the marketplace looks like, its serviceability, supply chains, market channel infrastructure, access to markets, pivots points, emerging trends, art and artists challenges and barriers, solutions and successes. We need to envision a market that is inclusive of its recognition and complete creative sectors, not just sectional views of the industry. It also means artists can work better through retail outlets such as suppliers, wholesalers, retailers, galleries who support and develop emerging into established arts careers through promotional, established customer bases, exhibiting, retailing and pricing.

### **Solution 2: Education**

To be able to unlock the economic and social benefits working towards prosperity for First Nations artists, the education needs to be two-way. The training and skills development for artists to understand and work through better arts practises. Then education to wider community building on the value and integration of First Nations economic ecosystems, art identity and what this means to the Australian public and appetite. We need to be able to develop the buyer confidence, to reach the right audience, by seeing the value in whole-of-market supply chain approach and its shared-benefits allowing wider-community to become the beneficiaries and authors of good stewardship. It will also correct '*Fake art, harms Culture*' as our citizens become the supervisors of best practice, ethics, compliance by asking the right questions, by interviewing the retailers, by understanding the First nations artist value creation.

### **Challenge 4: Aboriginal Art Peak Council to Government**

There is no national platform for robust, lived experience, whole industry peak to advise and inform government.

### **Solution 1: Establish peak Aboriginal Arts Council**

Similar to what is currently happening through economic and employment councils at national level, the Aboriginal art market needs to have direct access at ministerial levels via a peak council made up from all parts of industry. This council needs to consist of First Nations people and voices. Having council establishment will provide informative and quality information from all parts of the sector with events and challenges, solutions and successes, firsthand and lived. The council would be able to inform policy and decision makers to continue with ongoing market corrections, improving outcomes while strengthening Culture through effective arts practice and 'closing the gap' targets. The council would need to be formed with the scope of understanding the decision-making powers and delegation of authority with clear terms of reference. The council would also need to be in place as a permanent advisory capacity over future election cycles.

### **Question 5. Permission granted**

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