



29 January 2020

Re: PRE-BUDGET SUBMISSION PROCESS FOR 2021-22

The Treasury
Australian Government
Langton Crescent
Parkes ACT 2600

prebudgetsubs@treasury.gov.au

The National Association for the Visual Arts leads advocacy, policy and action for an Australian contemporary arts sector that's ambitious and fair.

NAVA is the professional Membership body in our industry. Through our Code of Practice for the Professional Australian Visual Arts, Craft and Design Sector, NAVA sets national best practice standards in collaboration with the industry. Our network comprises over 50,000 artists, arts workers, galleries, arts organisations and industry bodies.

Despite all of the reasons why the arts should be one of the most thriving and celebrated industries in Australia, we are genuinely in a position that we haven't been in for a long time. Following more than six years of debilitating funding cuts and policy shifts, the arts were one of the first industries hit by COVID-19. Event cancellations and venue closures were making front-page news back in early March 2020. The industry's self-generated income quickly disappeared and yet a large proportion of artists, organisations and casual staff were unable to access any stimulus or income support.

A visual arts and craft sector survey undertaken by NAVA in early 2021 has revealed that a majority of Australian artists and arts workers are deeply concerned by income security, program cancellations and reduced sales due to ongoing public health restrictions, cuts to arts education and major declines to mental health.

This is a pivotal time for the Federal Government to invest ambitiously in the Australian arts industry and NAVA welcomes the opportunity to contribute to this Pre-Budget Submission Process.

CONTEXT

The benefits of arts and culture to the social, cultural and economic wellbeing of Australian society cannot be understated. Arts and culture contribute to social cohesion and a higher quality of life. Art can improve the liveability of space, stimulate the imagination, reduce stress and depression, enhance problem-solving and communicate complex ideas. It also shapes our individual and collective identity, and understanding of what it means to be Australian, particularly in providing connections to this country's Aboriginal and Torres Strait Islander heritage.¹

A survey conducted by the Australia Institute found that 73% of Australians agree that the arts have improved their mood and quality of life during the pandemic.² More than half of Australians agree that the pandemic has increased their appreciation for artists and other creative practitioners, including 14% who strongly agreed.³

Artists are incisive observers and creators of the culture around us. They are instrumental in shaping and communicating Australian identity while challenging present social, cultural and economic circumstances. Art can be a testing ground for experimental and alternative ideas, a medium through which underrepresented voices can be heard, and a site where community can be located.

Art is a vital pillar of Australia's national identity, and with adequate government support, this has the potential for greater international recognition. Australia could become a key location that attracts international artists, writers, dealers and curators seeking professional development and opportunities. Conversely, Australia could have the top selling artists and craftspeople, the most informed dealers, critical writers and curators with vision and integrity that are in demand internationally.

Artists are not hermetic or self-sufficient agents in their careers; instead, their practices collaborate with many sectors and disciplines. Increasingly artists' creative capabilities are having effect in very broad areas of public and private sector enterprise: in health; the environment; manufacturing and industry; urban development; object, industrial, graphic and fashion design; media and advertising. Indeed, their capacity for innovation is influencing almost every area of endeavour.

There are countless studies that demonstrate that training in the arts helps students develop crucial skills, including creativity, innovation, agility, intellectual curiosity, resourcefulness, exploratory thinking, communication, teamwork, problem solving, emotional judgement, professional ethics, global citizenship, entrepreneurship and the courage to take risks. These qualities are essential for the 21st century working environment. Further, Australians believe that when children are exposed to, and participate in, arts and culture they develop better self-esteem, self-expression, social and intellectual skills, and preparation for the future.⁴

Arts and culture are at the heart of our everyday lives. A strong arts industry is critical to Australia's future.

JOBS

On a 2016 Census basis, the creative and cultural industries in Australia employ 645,303 people, or 6% of the total Australian workforce.⁵ Within these industries, the arts and entertainment sectors employ 193,600 people (1.8% of the total workforce). This is four times the number of people employed by the coal mining industry.⁶ Between 2011 and 2016, the number of people employed in creative occupations increased at double the rate of those in other occupations.⁷

For every million dollars in turnover, the arts industries produce nine jobs, which is far higher than more capital-intensive industries like construction, which produces about one job per million in turnover.⁸ Women also make up 51% of the Australian arts industry workforce.⁹

The industry is incredibly diverse in its business models and highly employment-intensive, with a large proportion of expert workers employed casually. Only a small proportion of Australia's visual artists and craftspeople earn all of their income through their creative work alone; the rest work casually and part-time, in both arts- and non-arts-related work. 70% of those earning arts-related incomes work as teachers, including as casuals in the tertiary education sector. Many also work casually in hospitality.¹⁰

Employment opportunities for Aboriginal and Torres Strait Islander people can be seen across the breadth of the arts sector; in literature, contemporary music, opera, in telling stories on stage and screen, and through visual art.¹¹ One in three First Nations people in remote Australia creatively participate in First Nations arts and almost one in ten earn income from the arts.¹²

Compared with other industries, the cultural and creative industries also have higher spill-over effects into other industries in terms of total output, value-added and employment multipliers.¹³ One in two of Australians believe the arts build the creative skills that will be necessary for the future workforce.¹⁴

However, public policy and investment has not kept pace with industry growth and diversification. The application of fair industry standards declines under diminished funding. Organisations cannot prioritise the costs they perceive as obstructions to deliver policies on diversity, accessibility and good industry practice.

The numbers of visual artists and craft practitioners are declining, and so are their incomes¹⁵ – both their overall incomes, which are 21% below the average wage,¹⁶ and the incomes professional artists derive exclusively from creative work, which are well below the poverty line and have dropped 19% between 2009 and 2016.¹⁷ First Nations arts participation rates declined between 2008 and 2014-15, driven predominantly by declines in remote Northern Territory and Queensland. This is a concerning trend given the importance of First Nations arts to cultural and economic sustainability, and community wellbeing.¹⁸

Many artists are underpaid or work for free. This disparity is becoming increasingly abundant, as artists are often told that they will receive reward in the form of exposure, which would not be acceptable for other industries' workforces. Despite working longer, harder, and across more disciplinary areas¹⁹ than ever before, more and more artists are living precariously,²⁰ with it taking longer for artists to become established.²¹ In addition, the gender pay gap is worse in the arts than in any other industry.²²

Arts organisations are doing it tougher than others; prior to COVID-19 they were recording the highest percentage of struggling organisations in any sector, and the lowest percentage of organisations that say they are in good financial health.²³ The increased pressures experienced by arts and culture organisations have led to declining numbers of full-time arts professionals and the casualisation of the sector's workforce. Arts professionals on average are paid a small fraction of average Australian earnings and are generally well below recommended industry rates.²⁴

In late 2020, many Australian universities began revealing numerous course and staffing cuts as well as proposals for more to come. The debilitating cuts being made at all universities are targeting the arts and studio-based learning in particular. The months leading to these difficult decisions have been a stressful and exhausting time for many as universities consider sweeping changes as part of their COVID-19 recovery plans at the cost of the livelihoods of hundreds of staff members.

The Higher Education Support Amendment Bill 2020 now makes it significantly more challenging and more expensive for people to study the arts at university. This is in spite of the Government's own statistical research that demonstrates that arts and humanities graduates are more employable than science and mathematics graduates.²⁵ The Australian Government's Bureau of Communications and Arts Research 2019 research report, *Creative Skills for the Future Economy*, reinforced the importance of creative skills for future economic outcomes.²⁶ The report, which analysed the skills and qualifications of people working in creative fields and how these may be used in the future, showed that businesses rely on \$87 billion worth of creative industry input for success, a figure that is growing rapidly. Creative skills, including original thought and innovation, are particularly sought-after and are likely to face even higher demand in the future workforce.

While artists and the industry create significant cultural and economic value, that value is not returned in cultural, nor economic terms. For a number of years, the Federal Budget has neglected the arts. The impact of this is concerning: declines in artists' incomes and career prospects, and worsening prospects for organisations' sustainability.

Recent research connects arts investment to innovative industry development for the future of work,²⁷ and offers investment opportunities that prepare Australia for the challenges ahead.

GROWTH

While the primary purpose of the arts is cultural, social and intellectual, they also contribute substantially to Australia's economy.

First Nations arts and culture makes a large contribution to the economy. It is estimated that the Aboriginal and Torres Strait Islander visual arts industry brings \$400 million to the economy each year.²⁸ Further, Australia's First Nations tourism has an estimated value of \$8.4 billion annually, catering to 978,000 international visitors and 715,000 overnight domestic trips in the 2017/2018 financial year.²⁹ In 2018-2019, four Indigenous art fairs alone hosted more than 96,400 visitors, achieved more than \$5 million in art sales, featured work by more than 2,700 artists and made a combined estimated contribution of approximately \$20 million to their regional economies.³⁰

The creative and cultural industries overall contributed \$111.7 billion to the economy in 2016-17. This equated to 6.4% GDP and saw a 30% increase to 2008-09 according to the Australian Government Bureau of Communications and Arts Research.³¹ These figures omit significant elements of the visual arts economy³² including the creation, exhibition and sale of contemporary art in public and commercial galleries, the secondary market of sales at auctions or through dealers, and the work of all Aboriginal Art Centres. The economic contribution of Australia's painters, sculptors, photographers, public artists and so many other contemporary practices has not been considered at all. So, while \$111.7bn, or 6.4% of GDP, sounds like a huge contribution, these figures actually underestimate the total value of the arts sector. In fact, the full size and scope of Australia's arts and cultural industry is unknown.

In 2014, the Australian Bureau of Statistics (ABS) ended its contribution to collecting culture, sport and recreation statistics following budget cuts. While likely to be underestimated, it was reported in 2018 that Australian households spend over \$6.5 billion annually on arts-related goods and services.³³ Recent research from the Australia Council for the Arts shows us that 63% of Australians support public funding for the arts.³⁴ Arts and culture have also been successfully used to improve relations and trust between countries, leading to increased trade levels, investment and security.³⁵

The quantitative evidence that illustrates the direct and indirect economic benefits is vast, albeit incomplete. For many years, there have been economists, researchers and various government departments publishing data and statistics that support the case for greater economic investment in the Australian creative and cultural industries.

Despite the evidence in favour of greater economic investment in arts and culture, there has been an 18.9% fall in the Australian Government's arts and cultural expenditure per capita across the past decade,³⁶ a halving of the Regional Arts Fund, cutbacks and increased fees for arts education, successive cuts to our National Cultural Institutions, unclear and sometimes retrospective applications of efficiency dividends including to the Australia Council, as well as significant policy and funding disruptions. The long-term decline in funding per capita indicates investment has not kept pace with public demand and industry needs. This means

that Australia's arts and cultural industries, sought after by Australians and overseas visitors every day, are at risk of perilous decline.

While Aboriginal Art Centre sales have been growing over the past eight years, average sales are still 12% lower than their peak in 2007–08.³⁷ In some remote areas, income derived from art sales is the only source of non-government income. The potential for growth in this area continues to be stifled by the lack of laws protecting Indigenous Cultural Intellectual Property (ICIP). Despite numerous calls from the industry to end fake 'Indigenous' arts and craft being sold in Australia, the proliferation of art fraud continues to cheat First Nations artists and communities of income and other opportunities.

The 2011 changes to self-managed super funds (SMSFs) caused significant disruption and uncertainty to many artists. In the twelve months following the changes, the commercial art market was decimated, and artists' careers suffered – with First Nations artists disproportionately impacted. The majority of commercial galleries in Perth and Adelaide closed and the market suffered a \$200 million loss in that year. No strategy was put in place to deal with the direct impact this had on artists and communities, and the impact continues to be felt today.

COVID-19

The COVID-19 pandemic is the most debilitating disruption to cultural life that most Australians have ever experienced. Event cancellations and venue closures were making front-page news back in early March 2020. The industry's self-generated income quickly disappeared and yet a large proportion of artists, organisations and casual staff were unable to access any stimulus or income support. This includes the hundreds of galleries and museums which are government or university owned and their thousands of staff. Meanwhile many artists found it near impossible to have their professional status as an artist recognised by Centrelink, despite the temporarily expanded eligibility criteria for sole traders and self-employed people.

The disruption caused by COVID-19 on Aboriginal and Torres Strait Islander Art Centres was profound and immediate, with art sales dropping by more than 50% in some locations and communities.³⁸ The economic impact is felt most by First Nation women artists, who produced around 79.8% of all artworks between 2016/17 and 2018/19.

Australia's leading economists, including the Government's own, identified the arts as the first hit and the worst hit by the coronavirus crisis:

- On 7 April 2020, ABS data showed that only 47% of arts and recreation services businesses were still trading, identifying it as the worst-hit industry while 90% continued to trade in the majority of other sectors;

- On 19 April 2020, the Grattan Institute projected a 75% employment downturn in the arts and recreation sector, with over 70% of businesses impacted, identifying it as the equal worst-impacted industry;
- On 29 April 2020, Deloitte Access Economics assessed a \$6.5bn hit over four months to wages and profits, identifying the creative industries as the second-worst impacted after accommodation and food services, and well ahead of mining, construction, professional services, manufacturing and retail;
- On 19 May 2020, the ABS released unemployment data showing that arts and recreation services had recorded the two biggest hits on payroll jobs in two Australian states and territories, and the second biggest hits across all others. Since 14 March 2020, payroll jobs in arts and recreation services decreased by 19.0%;
- On 17 October 2020, the ABS unemployment data showed arts and recreation services were still recording the second highest decline in payroll jobs behind accommodation and food services.

NAVA welcomed the Prime Minister's announcement of a \$160m industry package for the arts (plus \$90m in loans) in June 2020 as an important first step towards redressing the economic impact of COVID-19.³⁹ Recent announcements from the Australian Government of a high-level Task Force as well RISE and Sustainability Fund recipients are incredibly helpful and valued. However, NAVA remains concerned that these initiatives do little to assist individual artists and rebuild many parts of the visual arts, craft and design sector, already weakened by exclusions from existing income support measures. With premature reductions to JobKeeper and JobSeeker, Australian artists and arts institutions are facing further devastating long-term losses.

Over four days this week in preparation for this Pre-Budget Submission, NAVA undertook a quick survey of the visual arts and craft sector. Over 90% of the 485 respondents said they were impacted by the ongoing COVID-19 public health restrictions, while 30% said they had been, or were going to be impacted by the latest reduction to the JobKeeper and JobSeeker payments or the upcoming end of these support payments. Almost 60% of respondents said their main concerns this year included income security, followed by program cancellations, postponements, or downscaling (58.3%), and cuts to art education (44.22%).

When asked about the longer-term impacts on them and/or their organisation, the answers were many and varied. Many expressed sincere fears over the uncertainty of the future, financial stresses, major declines in mental health, restricted earning capacity and limited job prospects, organisational and sole trader economic survival, reduced ability to continue art practice due to income insecurity and no superannuation, the expenses and time consumption associated with digitisation and presenting art safely, and several feared poverty and homelessness.

SAMPLE OF NAVA SURVEY RESPONDENTS - JANUARY 2021

I now have no livelihood. The projects that were cancelled in 2020 have left me with a huge debt. The majority of my income comes from making art for festivals and events both internationally and nationally. All the annual events I would normally work for have been cancelled and I am unable to travel to the destinations these festivals and events took place. Sales and commissions of my personal artwork has also dried up due to my inability to travel and people spending less money on art over the year. The added competition for jobs due to lack of employment has also meant people are undercutting each other and this is not sustainable for me. I have already had to sell most of my assets to survive the year. I have nothing left.

My art practice has suffered. I can't afford a studio and can't make living expenses with my one remaining paid gig anymore. I haven't been able to draw and have been focussed on applying for jobs that I am not qualified for, to keep Centrelink happy. Damaging my reputation with these organisations and demoralising myself as I go.

COVID-19 saw the closure of the only commercial contemporary gallery in my region, this gallery was my main source of regular income for over 10 years. The future is more uncertain than it has ever been.

Most paintings are sold at exhibition openings, but because of COVID restrictions openings are either banned or severely reduced in numbers. It is very hard to sell at the moment and I can't make ends meet.

We are an Aboriginal Art Centre and gallery that is a part of a larger Aboriginal owned & directed organisation. We have been identified as an essential service within that organisation and therefore continue to run our studio (Covid safe) by having artists on a roster. We are unable to open our gallery to the public when the artists are present. We have moved to online sales but our sales are down dramatically. We have lost revenue, lost momentum, lost cohesion, and have high staff burnout.

The restrictions have impacted programming, visitation and our capacity to make plans. This has a real cost implication for the organisation. It has also impacted artist travel, exhibition installation, public programs and performances. The end of JobKeeper payment will impact casual employees who are engaged by our gallery. As opportunities across the sector continue to decline, we may see a loss of skills and expertise across the sector as people engaged in casual work have to make alternative decisions about their employment.

As a sole trader who runs events with creative businesses - hiring arts contractors over employees in the past, I have not been eligible for the non-competitive business funding and have been seen as 'too business' for arts grants, and 'too creative' for business grants. There are quite a few smaller arts or creative businesses like mine that are falling through the cracks here. With ongoing restrictions and concerns impacting client confidence in ticket sales, and reductions now in JobKeeper, I will be forced soon - after 20 years in business - to close my doors and register as unemployed.

INVESTMENT PRIORITIES

- Extend JobKeeper and JobSeeker payments until the end of the year and open eligibility to those who had previously missed out, noting that continued public health restrictions such as closures and capacity limits have a very real impact on artists and arts organisations' ability to recoup the losses of 2020 and 2021;
- Invest in the Indigenous Art Code as recommended by the Parliamentary Inquiry on Inauthentic 'Aboriginal-style' art and introduce enforceable standards to shut down the market of fake Indigenous art that denies First Nations artists income and other opportunities;
- Invest in a national First Nations body – a National Indigenous Arts and Cultural Authority (NIACA) or otherwise, with the autonomy and self-determined expertise to advise governments, consult on current and future needs, and determine areas of focus and priority;
- Invest an additional \$32 million in the Australia Council's budget:
 - \$2 million to top up repurposed Australia Council funds for new sector-led initiatives to support the recovery of Australia's cultural and creative industries (Re-imagine);
 - \$5 million to top up repurposed Australia Council funds to provide immediate relief to the Australian arts sector (Resilience);
 - \$7 million to top up the Four-Year Funding program and invest in the nation's industry-leading organisations to boost the sector's capacity;
 - \$8 million to top up the Project Funding program to propel the work of individual artists and small-to-medium organisations, thus driving the sector's innovation;
 - \$5 million to support specific sector research and development initiatives, identifying and leading the trends that build long-term success;
 - \$5 million to allocate across all funding programs and redress the impacts of past cuts, to ensure that the record-low success rate can once again meet international benchmarks and excellent work doesn't miss out on being experienced by Australian and international audiences;
- Eliminate the efficiency dividend on the Australia Council and the National Cultural Institutions;
- Double the Regional Arts Fund. Invest an additional \$2.5 million:
 - The Regional Arts Fund was halved back in 2008, dropping from \$22 million to today's \$13.8 million over four years. Success rates have declined while our regions continue to grow. Investment here will have transformative impacts on regional development;
- Reverse the increase of fees for arts and humanities degrees, noting employment outcomes and earning prospects are recorded to be higher than those of science and maths graduates, and ensures access to culture which will guarantee new cultural

voices in this moment of recovery;

- Harmonise income averaging arrangements between the ATO and Centrelink to ensure that artists receiving JobSeeker or other benefits do not risk jeopardising their income support if they receive funds that are targeted at creative production purposes – especially funds that are being made available specifically for the creation of work during the COVID-19 crisis – Centrelink should adopt an annual averaging process aligned with the ATO Tax Ruling: carrying on business as a professional artist. This will ensure that funds or grants received will not be treated by Centrelink as income that contributes to living expenses;
- Introduce tax exemptions for philanthropic art prizes, awards and government grants to recognise that artists incomes are often low and winning awards, prizes and grants is a rare;
- Introduce tax incentives which promote the purchase of work by living Australian artists;
- Reform tax laws so leaving a rental property vacant is no longer a better option for landlords than renting it out at a reduced rate. This will assist artists and creative businesses to take up tenancies in the increased number of vacant offices and buildings across Australia;
- NAVA endorses the submission from our colleagues at A New Approach in which they recommend a targeted industry package in the 2021-22 Federal Budget to pilot and/or scale-up digitally-rich, ‘antifragile’ business models suitable for a with-COVID environment for the arts.

FURTHER RECOMMENDATIONS

- Develop a national arts policy or plan with a set of strategies for fostering the arts ethically, strategically and ambitiously through increased funding and programs;
- Conduct comprehensive research to improve understanding of the full scale and scope of the arts sector. Use artform definitions that align with the realities of the industry;
- Introduce a cultural and creative industries satellite account via the Australian Bureau of Statistics. This should be done every year as it is for tourism;
- Introduce additional questions to the Census under Income and Work and Unpaid Work to improve our understanding of the numbers of artists and creative practitioners in Australia. Prioritise the gathering of data on creative practice, hours worked, and creative and cultural output, capturing more than just the one professional activity;
- Ensure affordable spaces for artists are included in urban and regional master planning;

- Reverse the superannuation changes that have devastated the market and ensure that investors need not put artworks in storage;
- Amend the Superannuation Guarantee (Administration) Act 1992 (Cth) by changing the word "display" to "exhibition" in Section 12(8)(a), expanding definitions to align with contemporary standards. Paragraph 84 of SGR 2005/1 is deleted to remove the anachronistic ruling that a painter does not perform or present an exhibition;
- Continue the Artists Resale Royalty regime without any diminution of its benefits paid to artists;
- Mandate the payment of artists' fees and copyright license fees as a condition of public funding. These should be paid at the art industry rates recommended in the NAVA Code of Practice (or other art-form equivalent);
- Retain the current 'fair dealing' regime to ensure that the financial and moral rights of intellectual property creators are protected;
- Implement copyright, design registration and patent legislation that provides an accessible and affordable regime of protection for craftspeople and designers against exploitation of their ideas, and unauthorised use or replication of their work;
- Implement and match service organisations policy priorities and ensure they are able to access dedicated funding that recognises this key industry development partnership;
- Promote policies that strengthen the independent or small-to-medium arts sector and recognises it as the engine room for the arts;
- Provide secure affordable, high-quality in-depth education for their profession through choice from a breadth of offerings at university arts schools and TAFE's which reflect the scope of what is needed to practice in any medium or a range of mediums across the disciplines;
- Ensure all students studying arts and creative courses at TAFE and Universities are eligible for student loans such as Fee Help and student support payments such as Youth Allowance;
- Implement all recommendations from the Senate Inquiry into the Impact of the 2014 and 2015 Commonwealth Budget decisions on the Arts, with a priority on evidence-based arts policies and indexed public funding at appropriate levels, taking the 2013 level as a baseline.

The Australian visual arts sector is in dire need of assistance. Greater investment in the arts is needed at a federal level, not only to assist survival through this crisis, but to enable this industry to thrive.

As demonstrated earlier in this submission, the arts sector is one of the most effective industry targets for successful economic stimulus. This is the time when we need to be investing in pathways that strengthen the creative economy, not just adventurously, but fairly and equitably too.

In this year's Budget, NAVA urges the Government to preference the majority of Australians who believe that arts and culture should be financially supported.⁴⁰

Please do not hesitate to contact me for any further information I can provide.

Sincerely,

A handwritten signature in black ink, appearing to read 'PBenton', with a horizontal line extending from the end of the signature.

Penelope Benton
Acting CEO

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