



3 October 2025

Committee Secretary  
Senate Standing Committees on Environment and Communications  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
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Dear Environment and Communications References Committee

**Submission into National Cultural Policy Senate Inquiry**

To inquiry into:

- (a) the National Cultural Policy released on 30 January 2023; and
- (b) any other related matters.

Diversity Arts Australia (DARTS) is pleased to make this submission for the Senate inquiry into the National Cultural Policy.

Diversity Arts Australia is the peak national organisation promoting racial equity across the arts, screen, and creative sectors. We work to build a creative sector that reflects Australia's cultural diversity and believe creative expression is a fundamental human right, which strengthens and connects communities. Our recommendations are informed by our engagement with thousands of Culturally and Racially Marginalised (CaRM) creatives<sup>1</sup> and communities through our programs, talks, events, research and advocacy. Additionally, this submission reflects insights gained through collaboration with a range of grassroots and advocacy organisations.

We welcome the opportunity to discuss the contents of this Submission with you further.

Kind regards

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<sup>1</sup> Please see the next page for more information about DARTS' language choice.





## About Diversity Arts Australia

Diversity Arts Australia (DARTS) is the national voice for ethno-cultural and migrant racial equity in the arts, screen, and cultural sectors. Our vision is clear: A creative sector empowered by Australia's cultural, linguistic and racial diversity. Guided by principles of self-determination, autonomy and social justice, Diversity Arts combines service provision — resources, events, research, training, advocacy — with creative production. We act as a broker between artists, industry, educators and government, and commission content from culturally and racially marginalised (CaRM) creative workers that articulates key issues and showcases leading practice. While our focus is on underrepresented cultural and linguistic diversity (CaLD), we work intersectionally and in partnership with other communities to deliver programs, in particular with First Nations, women, gender diverse communities, and people with disability.

## A Note on Terms

**Creative workers** and **Creatives** refer to practitioners working in the arts, screen, cultural and creative industries.

**Culturally and Racially Marginalised (CaRM)** is used as an umbrella term to refer to individuals who identify with any of the following groups: Culturally and Racially Marginalised (CaRM), underrepresented Culturally and Linguistically Diverse (CaLD), People of Colour (PoC), racialised migrants and refugees, and members of the Global Majority.

**First Nations** When First Nations is used in this submission, it is specifically referring to Aboriginal and/or Torres Strait Islander peoples.

We acknowledge the limitations of these terms and respect individuals' right to self-identification.





## Diversity Arts' Perspectives on REVIVE three years on

The National Cultural Policy, *Revive*, was launched in January 2023 with the vision to embed the principles of access, equity, participation and representation in arts and cultural activities for all Australians. These principles are consistent with Article 27 of the Universal Declaration of Human Rights which states that 'everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.' Almost three years on, we welcome the opportunity to pause, reflect, and assess both the achievements and the unfinished work of *Revive*. While there has been significant progress, **more targeted action is urgently required to address systemic exclusions and persistent underrepresentation of CaRM creatives in Australia's cultural sector.**

First and foremost, we acknowledge the policy's foundational commitment to First Nations communities and creatives, and support the work being undertaken through targeted funding and initiatives. We also celebrate the release of *Equity: The Arts and Disability Associated Plan*, a significant step forward for building the infrastructure to support d/Deaf and Disabled artists and cultural workers, and audiences with Disability, removing barriers to meaningful participation. Equally, initiatives such as the launch of Creative Workplaces and dedicated research into the creative workforce are vital steps toward recognising and valuing the work of artists and creative workers at the centre of cultural life. As noted in our 2023 submission, for Creative Workplaces to be effective they must embed cultural safety and anti-racism as core components of safe workplace practices. Without this focus, systemic inequities will persist.

Despite these achievements, significant gaps remain. In particular, CaRM creatives and communities are not explicitly recognised in *Revive*. This absence represents a significant oversight, as it means the contributions, needs and experiences of these communities risk being overlooked in funding priorities and policy implementation. Addressing this gap is essential if *Revive* is to fully reflect its vision of access, equity and representation for all. Recognition of CaRM creatives in future iterations of the policy would provide a critical foundation for ensuring systemic barriers are dismantled and that cultural diversity and equity is embedded at every level of Australia's cultural life.

We reaffirm the recommendations made in [our submission to the Senate Inquiry into the National Cultural Policy 2023](#). These remain critical to realising the vision of *Revive*: a *Place for Every Story, and a Story for Every Place*. **However, almost three years on, new challenges and developments highlight the urgency of targeted action. We take this opportunity to call for four additional recommendations moving forward.**





## Summary of Key Recommendations:

1. Enable and resource an industry-led Anti-Racism Strategy aligned to Revive *and* the National Anti-Racism Framework.
2. Embed compulsory, sector-wide training in anti-racism and cultural safety, building on proven models such as Fair Play and Anti-Racism & the Arts.
3. Create mechanisms for creative workers to safely raise concerns about censorship within funding bodies, organisations and institutions without risking retaliation.
4. Pursue equitable tax reform to address precarious conditions in creative work.
5. Build a strong regulatory and ethical framework to ensure emerging technologies support, rather than undermine, creative livelihoods, cultural sovereignty and equity.

## Key Recommendations

### 1. Enable and resource an industry-led Anti-Racism Strategy aligned to Revive and the National Anti-Racism Framework

Australia's shifting political, social and cultural landscape highlights the urgent need for government support to ensure CaRM creatives are represented in the creative sector and positioned to thrive, lead and shape Australia's future. Their systemic exclusion and under-representation in the arts, screen and cultural industries not only reflect demographic inequities, but also restrict the stories Australians create and experience, shaping the narratives that define our culture. Addressing these inequities requires **targeted investment** in under-represented and marginalised creatives and organisations, leadership development and equitable access to opportunities. It also requires concrete action to address systemic and structural barriers to participation, and to promote racial and cultural equity across the sector.

In this submission, we want to highlight the **urgent need for the National Cultural Policy, Revive, to enable and resource an industry-led Anti-Racism Strategy for the creative sector**, developed in alignment with the principles and implementation plan of the National Anti-Racism Framework, launched in November 2024. The Framework includes 63 recommendations for a whole-of-society approach to address all forms of racism, including actions to be implemented within the arts and media sectors. While we reaffirm our call for anti-racism, diversity and equity principles to be embedded across all five





pillars of the policy and federal funding, to ensure meaningful and lasting change, **we recommend an industry-led anti-racism strategy embedded in national policy.** This approach would see peak bodies, creative organisations, community-led groups, and independent artists co-design and lead the development of anti-racism standards, accountability measures, training programs, research and data collection guidelines, building on the work of organisations such as Diversity Arts Australia. **Federal investment and a clear policy mandate would provide the resources to design and implement the strategy, with the government embedding the agreed standards into funding frameworks, requiring recipients of public funding to implement and report on the strategy's action plan.** Embedding the strategy within Revive would ensure that anti-racism is a core, actionable component of our national cultural policy and other government-funded initiatives.

Fair Play, developed by Diversity Arts with Creative Victoria and partner organisations in the First Nations and Disability sectors, has demonstrated the impact of equity and inclusion training at scale. The program supported over 50 organisations to embed equity across governance, programming and workplaces, driving measurable reforms through training, mentoring and diversity and inclusion plans. Building on this, Diversity Arts has developed **Creative Equity at Work**, a suite of ten online and on-demand training modules for organisations. Scaling these programs nationally would advance Revive's goals by equipping organisations with the tools to dismantle systemic barriers and create lasting cultural change.

We also highlight the potential of Anti-Racism and the Arts ([AntiRacism.ART](#)), a campaign developed by Diversity Arts in NSW, which combines education, sector engagement and public awareness. Expanding such initiatives nationally would provide a visible, accessible platform for addressing racism in and through the arts.

## **2. Create mechanisms for creative workers to safely raise concerns about censorship within funding bodies, organisations and institutions without risking retaliation**





Recent events<sup>2</sup> have highlighted institutional failures to safeguard freedom of expression in our sector. When governance decisions undermine these principles, they risk eroding sector confidence and reinforcing structural exclusions. As we have previously outlined<sup>3</sup>, CaRM creative workers face heightened scrutiny when their work addresses issues of racism, social justice and human rights. The nation's creative community must be a space where diverse voices can be heard without fear of censorship, silencing or reprisal. Our position aligns with international human rights instruments such as the *Universal Declaration of Human Rights* and *UNESCO's Statement on Artistic Freedom* and reflects the broader consensus across Australia's creative sector that safeguarding freedom of expression is essential to the implementation of Revive. This consensus<sup>4</sup> emphasises that artistic works, including those that challenge, disturb or provoke, must be supported within an arm's length framework, free from political interference.

**We call on the 48th Parliament to ensure that Revive builds in protections that reflect the realities of cultural marginalisation and censorship.** We recommend that Revive establish a trusted, confidential, independent reporting mechanism where artists and cultural workers can safely raise concerns about censorship, interference, or discrimination without fear of reprisal. While we acknowledge existing workplace protections, these do not adequately address the unique conditions and vulnerabilities of precarious contractors and freelance creatives, making a dedicated mechanism essential to safeguard freedom of expression in practice.

### 3. Pursue equitable tax reform to address precarious conditions in creative work

Creative workers remain among the most financially precarious in Australia, with insecure employment, low pay, and inadequate protections exacerbated by the pandemic and

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<sup>2</sup> For example, Creative Australia's decision to decommission artist Khaled Sabsabi and curator Michael Dagostino from representing Australia at the 2026 Venice Biennale in February 2025 (a decision later reversed), and more recently, the withdrawal from 2025 Bendigo Writers Festival's program by several authors and publishers following the last-minute imposition of a code of conduct and adherence to La Trobe University's contested definition of antisemitism included in its Anti-Racism Action Plan.

<sup>3</sup> Diversity Arts Australia's Response to Creative Australia's Reinstatement of the Venice Biennale Artistic Team & Governance Review, 16th July 2025:  
<https://diversityarts.org.au/response-to-creative-australias-reinstatement-of-the-venice-biennale-artistic-team-and-governance-review/>

<sup>4</sup> For example, [NAVA's Code of Practice](#); MEAA's [position on political interference in artistic expression](#)





cost-of-living pressures. This precarity is not evenly distributed: First Nations and CaRM creatives face compounded barriers. We believe that tax reform is an important step in this direction, however, it must centre equity as a foundational objective.

Australia's creative workforce is an essential contributor to our national cultural, social and economic fabric. However, the current tax system fails to recognise the distinctive working conditions of creative workers, especially those engaged in freelance and project-based work. Research shows that most artists and cultural workers in Australia have low and irregular income, and are reliant on short-term projects, commissions and grants, instead of steady, continuous employment.<sup>5</sup> This results in income instability, limited access to tax concessions, and challenges in claiming legitimate deductions — **barriers further compounded for CaRM creative workers by structural racism, limited access to mainstream funding, and fewer pathways into employment.** Similarly, small-to-medium arts and cultural organisations are the bedrock of Australia's cultural ecosystem. They produce more work and attract more audiences than larger organisations<sup>6</sup>. Furthermore, these organisations are led by or support the work of First Nations, CaRM and other underrepresented creatives. Yet, these not-for-profit organisations face significant challenges including limited core funding, financial instability, high level compliance, and issues with workforce retention.

**Tax policy should recognise that creative contribution is not merely an economic commodity but part of the national cultural fabric, deserving consistent support.** In our recent submission to the NSW Government's Inquiry into Cultural Tax Reform on 13 August 2025, we outlined six opportunities for tax reform relevant to organisations and independent creative workers to be adopted at the national level (please see Appendix on pp. 8-10). We urge that the 48th Parliament consider these recommendations, as well as the recommendations discussed at *The Art of Tax Summit*<sup>7</sup>, held at the Sydney Opera

<sup>5</sup> For example, see: Eltham, B., Gu, X., & Badham, M. (2025). 'Artists as workers'? Re-imagining cultural policy for insecure and precarious artists and cultural workers. *Journal of Sociology*, <https://doi.org/10.1177/14407833251345856> and Throsby, D., & Petetskaya, K. (2024). *Artists as Workers: An Economic Study of Professional Artists in Australia* (p. 268). Creative Australia, Macquarie University.

<sup>6</sup> Eltham, B., & Verhoeven, D. (2020). A 'natural experiment' in Australian cultural policy: Australian Government funding cuts disproportionately affect companies that produce more new work and have larger audiences. *International Journal of Cultural Policy*, 26(1), 81–94. <https://doi.org/10.1080/10286632.2018.1436167>

<sup>7</sup> NSW Government, Consultation Summary Report, September 2025: [https://hdp-au-prod-app-nsw-haveyoursay-files.s3.ap-southeast-2.amazonaws.com/5217/5875/9882/D CITHS0557-Tax-Reform-consultation-brochure-WEB\\_2.pdf](https://hdp-au-prod-app-nsw-haveyoursay-files.s3.ap-southeast-2.amazonaws.com/5217/5875/9882/D CITHS0557-Tax-Reform-consultation-brochure-WEB_2.pdf)







House on 25th September 2025. As stated in the summary report leading up to the summit, 71% of submissions called for mechanisms that support creative workers. This underscores the urgency of addressing the precarious conditions that characterise their practices and livelihoods, through effective, fair, and sustainable measures, including tax reform.

#### **4. Build a strong regulatory and ethical framework to ensure emerging technologies support rather than undermine creative livelihoods, cultural sovereignty and equity.**

As highlighted in the 2024 Report by Ashwini K.P., the *Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance*<sup>8</sup> Artificial Intelligence (AI) systems are not neutral tools, they reproduce and amplify racial bias and discrimination. For First Nations people and other marginalised and racialised creatives in Australia, there is an additional and urgent threat: the loss of control over how their cultural heritage and creative expressions are used, especially when their work is taken without permission or compensation to train AI models. This is not merely a matter of intellectual property, it is a practice that exacerbates long-standing exclusions and poses a direct risk of exploitation, eroding cultural sovereignty and equity in creative expression. Such exploitation undermines the right of all peoples to promote and protect their intellectual and creative work, breaches human rights protections for participation in cultural life, and presents real risks to creative workers' livelihoods.

In line with existing frameworks, including Australia's AI Ethics Principles and Creative Australia's principles on generative AI and creative work, we call for a stronger regulatory and ethical framework embedded in our national cultural policy. The framework must be grounded in consent, transparency, oversight and fair compensation, **ensuring emerging technologies support rather than undermine creative livelihoods, cultural sovereignty and equity.**

<sup>8</sup> United Nations General Assembly, 2024: <https://docs.un.org/en/A/HRC/56/68>







## Appendix:

### Proposed Tax Reform Interventions (Extract)

Diversity Arts Australia Submission to NSW Government, 13 August 2025.

[https://diversityarts.org.au/app/uploads/Final\\_Diversity-Arts-Australia\\_2023-Senate-Inquiry-National-Cultural-Policy.pdf](https://diversityarts.org.au/app/uploads/Final_Diversity-Arts-Australia_2023-Senate-Inquiry-National-Cultural-Policy.pdf)

### Proposed Tax Reform Interventions

#### **1. Extend Public Benevolent Institution (PBI) status to eligible cultural organisations**

While PBI status is determined under federal legislation, the NSW Government can play a vital role in advocating to the Australian Government for reforms that extend eligibility to cultural organisations whose work addresses social and cultural disadvantage. Currently, PBI status is typically limited to organisations providing direct benevolent relief, such as housing, health, and social care. This excludes cultural organisations that deliver indirect but equally critical services to advance social justice and reduce disadvantage — including small and medium-sized charitable not-for-profit arts organisations.

We recommend that the NSW Government support efforts to broaden PBI eligibility criteria to include such organisations, recognising their role in addressing structural inequities through creative, intersectional, and culturally safe approaches. Gaining PBI status would improve their financial sustainability, enhance their competitiveness as employers, and increase their ability to attract and retain skilled staff through fringe benefits concessions.

#### **2. Strengthen tax incentives for private donations and sponsorships**

The current tax incentives around cultural giving unintentionally favour large cultural institutions which are more likely to hold DGR status, are highly visible, and have an administrative infrastructure that sustains their fundraising capacity. This leaves many small to medium organisations under-supported despite their community impact. Tax incentives for private giving and sponsorship should be redesigned to better support the sustainability of small to medium arts and cultural organisations.

#### **3. Develop a tax rebate scheme modelled on the Producer Offset to support investment in diverse areas of the creative economy and foster local talent from underrepresented communities.**





The Screen Producer Offset has proven to be an effective mechanism for supporting investment in Australian screen content. A similar model could be developed for other areas of the creative economy — including community cultural development projects, festivals, live music, and the performing and visual arts. A key focus of this scheme could be the development of local talent, particularly through tax rebates for projects and productions that engage underrepresented and financially marginalised creatives and communities.

#### **4. Exempt creative workers from Non-Commercial Loss (NCL) provisions if they meet the “in business” test under TR 2005/1 regardless of income thresholds.**

Creative workers often invest significant time and money into developing their work, yet their income may vary greatly year to year. The ATO, through the Tax Ruling 2005/1, already has clear criteria for determining whether a creative worker is in business. If these professional standards are met, creative workers should be able to claim deductions for legitimate expenses regardless of their yearly income. This tax change would acknowledge the realities of creative practice shaped by intermittent work and irregular income, including long creative development periods and low financial returns.

#### **5. Expand and simplify access to income averaging for creative workers.**

Many creative workers earn income on an irregular basis, and some years they might receive a one-off major grant, fellowship, or prize. This means that, at times, they can be pushed into a higher tax bracket which does not reflect their regular yearly income. Currently, income averaging can be accessed, if eligible, by creative workers. However, accessing this benefit could be confusing. The Australian Tax Office (ATO) should provide clearer guidance and plain-language resources for creative workers to use income averaging without navigating complex rules and specialist terminology.

#### **6. Exclude government grants, fellowships, and art prizes from taxable income.**

This type of income often represents compensation for work that has already happened, such as research, grant and project writing, community engagement, networking and relationship building. These payments are also meant to fund future work, including creative projects delivered across several years. Taxing these funds decreases the resources available for creating and presenting work, and unfairly assumes that this funding is stable rather than irregular income. We recommend excluding these payments from taxable income to align the tax system with the realities of creative practice.

