

A woman with her hair in an updo, wearing a black dress, is seen from the back, playing a violin. She is standing in a well-lit, modern interior space, possibly a gallery or event space, with other people in formal attire in the background. A music stand with sheet music is visible in the foreground to her right.

**STRENGTHENING
VALUE AND RESPECT
FOR ARTS AND
CULTURE TO MAKE
A BETTER WORLD**

**ARTS
LAW**

STRATEGIC PLAN 2021 -2024

WHY WE EXIST



The Arts Law Centre of Australia (Arts Law) exists to strengthen value and respect for arts and culture to make a better world. Art, in all its forms, is vital to a world where people have good health and wellbeing, economic sustainability, connected communities and self-determined futures.

An empowered creative sector enriches our society but relies on artists, arts and cultural organisations and communities having the necessary skills, resources and confidence to be sustainable. A creative sector with the capacity to deal with a range of governance, intellectual property, employment, commercial law, wills and estates, consumer laws and other legal issues as they arise is an enabled one.

This needs to be built on a supportive environment where the law, policies and practices support the rights and social and cultural value of artists and Indigenous communities. This requires respect and appreciation of the importance of arts and culture in the wider community, especially the rich and unique value of Aboriginal and Torres Strait Islander cultures.

To enable all of this to happen, Arts Law provides practical legal support and best practice advice to strengthen the capabilities and capacity of artists and arts and cultural organisations throughout Australia. Our legal advice enables artists to deal with issues that can be major barriers to their artistic and financial success.

IMAGE: CEO Robyn Ayres with artists from Tangentyere Artists Aboriginal Art Centre. 2017.

JULIE'S STORY

"I approached Arts Law in relation to a Publishing Author agreement that was put to me. The lawyer at Arts Law helped me read through the contract and explained the effect of specific clauses to me so I could more easily understand what everything meant. Based on the feedback from the lawyer at Arts Law, I was able to identify what clauses I wanted to change. In the end this enabled me to propose terms that were a more favourable for me! I now have a much better understanding of the legalities involved in publishing.

The service provided by Arts Law is essential for the whole industry, it's a wonderful thing to have and gives people choice."

Julie Burge, Author, NSW

OUR PURPOSE



STRENGTHENING VALUE AND RESPECT FOR ARTS AND CULTURE TO MAKE A BETTER WORLD

Arts Law's purpose is our aspirational reason for existing and inspires us with a call to action. It is big picture and long term and allows our organisation to create value way beyond financial metrics. Our purpose drives our organisational vision, our mission, our operating values and the behaviours that will reflect these values.

Our purpose guides both our day-to-day and major strategic business decisions.

OUR MISSION

Empowering artists and creative communities through the law.

OUR VISION

To be widely recognised as the trusted source of advice for artists and creative communities and as the preeminent authority on artists' rights and arts law in Australia.

OUR VALUES

- Excellence
- Accessibility
- Empowerment of artists
- Integrity
- Collaboration and innovation



OUR GOALS AND STRATEGIES

WHAT THE FUTURE LOOKS LIKE AND HOW WE PLAN TO GET THERE

GOAL ONE:

Increase national access to legal services and resources to help more people in the arts and cultural communities.

STRATEGIES:

Better understand client base including needs and cost to service

Increase access to affordable, practical and relevant legal advice for artists, creative practitioners and arts organisations

Increase the reach and develop the market for education and professional development services

Leverage technology to improve client and stakeholder experience, the efficiency of service delivery and the ability to scale the service to a broader client base.

Improve website to enhance access to Arts Law's range of services.

Deepen the engagement of legal practitioners and law firms.

OUTCOME:

A better world through increased legal services for artists, creative organisations and communities.

GOAL TWO:

Greater recognition of, respect for, and valuing of Aboriginal and Torres Strait Islander arts and culture.

STRATEGIES:

Increase recognition, respect and valuing within the broader population of the legal and cultural rights of Aboriginal and Torres Strait Islander artists and communities.

Collaborate with Aboriginal and Torres Strait Islander key individuals, organisations and other networks to maximise outcomes for Aboriginal and Torres Strait Islander artists and arts organisations.

OUTCOME:

A better world by valuing Aboriginal and Torres Strait Islander Culture.

IMAGE LEFT: Arts Law lawyer Roxanne Lorenz delivering education, 2019. Photo by Emily Phipps

IMAGE RIGHT: Artists in the Black Coordinator John Waight and Artists in the Black Paralegal Jack Howard. Photo by Emily Phipps 2021.



GOAL THREE :

Lead policy and legal change to strengthen value and respect for arts and culture.

STRATEGIES:

Prioritise issues affecting arts and culture and develop effective advocacy strategy.

OUTCOME:

A better world through arts and culture leadership.

GOAL FOUR:

Invest in identifying, exploring and developing a new business model to support longer-term sustainability.

STRATEGIES:

Develop business case for social enterprise to provide greater financial support to Arts Law.

OUTCOME:

A better future as a prosperity-driven enterprise.

GOAL FIVE :

Continue to grow a better, stronger, more sustainable and valued organisation with the right people, expertise, resources, systems and governance.

STRATEGIES:

Leverage Arts Law's Purpose to pursue a prosperity-driven organisation.

Pursue strong and diverse funding base to increase the long-term financial health of the organisation.

Ensure strong system of governance to achieve strategic direction and drive accountability.

Continue to implement sound operational and financial management practices.

Foster an organisational culture that attracts, values and retains the best people.

OUTCOME:

A better world through a strong, sustainable and valued organisation.

STRATEGIC SHIFTS



The major strategic shifts that Arts Law will make to implement this plan in order to maximise our impact are to:

Continually improve Arts Law’s effectiveness and efficiency, taking into consideration the scarce back office resources, how we can improve the client experience and allow Arts Law to scale the delivery of client programs with appropriate public and private investment.

Enhance and improve Arts Law’s sustainability and sector reach by developing new, complimentary business models, through purpose and values-aligned strategic partnerships, to scale Arts Law to reach further artists and creative organisations, in a financially sustainable delivery model.

Develop our capacity to raise funds to support the delivery of our vital services through targeted and enhanced supporter and philanthropic relationships.

IMAGE LEFT: Stage and the Law. Photo by Samantha Stratton 2019.

IMAGE RIGHT: The Sydney Local Health Distract Feel Good Choir (taken pre-pandemic). Photo by Isabel Hanson 2019.

“PRIOR TO TALKING WITH ARTS LAW, I WASN’T SURE IF I COULD EVEN PURSUE THE “HANDWASHING” PROJECT. IF IT WASN’T FOR HAVING HAD THE OPPORTUNITY TO ASK YOU ALL MY QUESTIONS, AND HAVING YOUR PROFESSIONAL EAR, I PROBABLY WOULD HAVE DROPPED THE WHOLE THING. THANK YOU ARTS LAW. I HAVE BEEN RAVING ABOUT YOU TO EVERYONE!”

- ELIZABETH LECOANET,
CHOIR CONDUCTOR



THE FEEL GOOD CHOIR

The COVID-19 crisis has certainly changed the way we all thought 2020 would play out. For the conductor of a community choir of health workers, it meant that in-person rehearsals were halted, prompting the question: what can be done to keep the choir going, and to provide an outlet for the incredible doctors and nurses in this difficult time?

Choir conductor Elizabeth Lecoanet conducts the Sydney Local Health District Feel Good Choir, a community choir made up of healthcare workers at Royal Prince Alfred Hospital in Sydney. Elizabeth had an idea. Each choir member could record themselves individually singing a song, which she could then edit together into a video of the choir all singing together. It was decided that it would be fun to adapt the lyrics of Neil Diamond's "Sweet Caroline" in a way that would encourage people to wash their hands.

Elizabeth knew that using someone else's song might raise some legal issues – she was right! Not knowing what to do next, Elizabeth contacted APRA AMCOS, a natural first step. The problem was, while APRA AMCOS can issue a licence to record someone else's song, it can't issue a licence

to adapt the song (eg. change the lyrics), or to use it on a video (known as a sync licence). APRA AMCOS suggested that Elizabeth contact Arts Law, which she did. Arts Law informed Elizabeth that she would need to get a licence to adapt the lyrics of "Sweet Caroline", to record it, and to include it on the video for the purpose of sharing online and displaying in the hospital. Arts Law also informed Elizabeth that as the songwriter, Neil Diamond would need to give personal consent for his lyrics to be altered.

It would be fair to say that Elizabeth felt this all might be too hard given the fact that the project was so small and there was no intention to make any money out of the video. The Arts Law lawyer, Lee Elsdon, advised Elizabeth that she should contact the Sydney office of Neil Diamond's publishing company to see if it has the authority to issue a licence. Elizabeth did so and was told she would hear back. After a short wait, Elizabeth was pleasantly surprised to hear that not only had Neil Diamond consented to the changed lyrics, but he had sent a personal message of support along with his wife Katie that read:

"Please tell them that (we) appreciate all the healthcare workers. We've got lots of friends over there and wish everyone the best during this time."



CONTEXT - WHERE ARE WE NOW?

2020 THE YEAR THAT WAS

Arts Law commenced the development of our 2021-2024 strategic plan in late 2019 when, in the final stages of its development, the COVID-19 pandemic exploded across the world, having a catastrophic impact on communities and economies. While the focus is now on recovery, the evolution of client and sector needs continues to evolve as we work towards the “new normal”. We believe our purpose, goals and strategies, are ever more relevant and vital to the ability of the arts sector to respond to, and ultimately recover from, the economic and professional losses experienced by artists and their communities consequent to the pandemic.

ORGANISATIONAL STRENGTH

A key driver in the development of this strategic plan was to increase Arts Law’s strength and resilience as an organisation in order to grow the provision of vital legal services and support to artists, creative organisations and cultural communities. As we have had to adapt quickly and creatively to the needs of the arts and cultural sectors at this time of uncertainty, this experience has emphasised the need for Australia’s creatives to have a trusted source of sound legal advice and support to help them navigate so many unknowns.

QUALITY AND BREADTH OF OUR SERVICES

Arts Law is unique, both in Australia and internationally, as the only national community legal centre working across the arts and the law. Arts Law fills an important marketplace gap for artists and organisations, enabling them to access free or low cost legal advice, professional development and other resources which they otherwise could not afford. The increasingly high demand for Arts Law’s services across regional, remote and metropolitan communities demonstrates the relevance of our programs and the important role we play in the arts and culture.

Arts Law helps individual arts practitioners, including visual artists, authors, performers, musicians, composers, writers, screen creators, choreographers, game creators, designers and independent Aboriginal and Torres Strait Islander artists as well as arts organisations who are peak bodies, theatre companies, music schools, festival organisers, artist- run initiatives and Indigenous art centres. The breadth of issues we advise on includes copyright and moral rights, contracts, business structuring, governance, insurance, defamation, censorship, privacy, confidential information, debt, and wills and estates.

IMAGE: Arts Law board and staff purpose planning workshop, 2019. Photo by Emily Phipps



EMMA'S STORY

"I sought advice from Arts Law because I was approached by a large retailer to license my work on their products. I had never had to create a contract before so it was a particularly daunting process. The lawyers explained everything to me clearly, using terminology I was able to understand, and taking me through each step of the contract. Following this, I have secured an agreement with the retailer for them to use my work to create a range of products. I would not have achieved this outcome without Arts Law's support and guidance - and clear information. I have given Arts Law's details to other artists who have required legal advice, knowing that it would be done professionally and with wonderful people. I am and will always be grateful for the support I have received as the results are actually life changing for me and my family."

Emma Stenhouse, Emerging Indigenous Artist in Warrnambool, Victoria

INVESTING IN ARTISTS IN THE BLACK

The services we provide to Australia's Aboriginal and Torres Strait Islander arts community through our signature program, Artists in the Black (AITB) support the protection of the rights of Indigenous creators, and grow the opportunities for Aboriginal and Torres Strait Islander artists and their communities. Artists in the Black mirrors our core services but is tailored specifically to best address the needs of the Aboriginal and Torres Strait Islander artists and communities, based on our unique and extensive experience, engagement and consultation with Indigenous creative communities around Australia.

Our Artists in the Black service is widely known and highly utilised across Aboriginal and Torres Strait Islander communities. The demand for AITB services far exceeds our current resources and needs greater investment. We evaluated the financial return on investment of four recent outreach trips to Aboriginal communities and found for every \$1 invested it returned \$10 in value. Investing in Artists in the Black is a key priority of our strategic planning.



IMAGE: CEO Robyn Ayres with Kristabell Porter and Warakurna Artists. Photo by Clara Edwards 2018.

OUR PRIORITIES



SCALE SERVICES TO INCREASE ACCESS TO SUPPORT AUSTRALIA'S ARTISTS AND CULTURAL COMMUNITIES.

Statistics estimate there are between 48,000 (Australia Council) and 124,000 (ABS) Australian artists eligible for Arts Law's services. Either way Arts Law reaches less than 4% of them with our current resourcing. Arts Law wants to help more artists and creative organisations access legal advice and resources when and where they need it.

DEMONSTRATE ARTS AND CULTURAL LEADERSHIP

Arts Law provides leadership to Australia's artists, creative organisations and cultural communities by acting as a strong voice for artists. Our engagement with current legal issues ensures targeted advocacy, which promotes artists' interests. Through Artists in the Black we provide an ongoing voice for protection of Indigenous Cultural and Intellectual Property (ICIP), notably through the Fake Art Harms Culture campaign.

ACHIEVE GREATER RECOGNITION OF, RESPECT FOR AND VALUING OF ABORIGINAL AND TORRES STRAIT ISLANDER ARTISTS, ARTS AND CULTURE

As the oldest living cultures in the world, Aboriginal and Torres Strait Islander arts and cultures are fundamental to Australia's understanding of our national identity. Arts Law's Artists in the Black program provides crucial support to ensure that Aboriginal and Torres Strait Islander legal and cultural rights are recognised and respected and that the strength and beauty of Aboriginal and Torres Strait Islander arts and culture are valued both at home and across the world.

EXPLORE ALTERNATIVE BUSINESS MODELS TO INCREASE SUSTAINABILITY

Arts Law will invest in identifying, exploring and developing a new business model to support longer-term sustainability.

IMAGE: Guests at the 2019 Arts Law Art Sale at 6 St James Chambers. Photo by George Zeaiter.



BUILD STRENGTH AND SUSTAINABILITY

Arts Law seeks not only increased investment from governments but also plans to build strength and sustainability through developing business capability and growing income streams, including philanthropy and fund-raising. If anything, COVID-19 has demonstrated the overwhelming need for organisations such as Arts Law, to be technologically savvy and flexible, and to be able to deliver its products and services in a highly digitised environment. Investing in the right IT architecture is critical to being able to deliver on these objectives. Data is central to engaging with our clients so we understand what, when and how they want our services provided. Staff engagement, enablement and wellbeing are also fundamental to strengthening and sustaining the organisation by developing a skilled and productive workplace well-equipped to deliver services to our clients.

IMAGE: Arts Law CEO, Robyn Ayres and KWM Solicitor Karen Litherland with participants at the education session at Jilamara. Copyright Arts Law 2019.

COVER IMAGE: Apex Ensemble perform at the Arts Law 2021 Pro Bono awards at King & Wood Mallesons. Photo by George Zeaier.

OUR IMPACT - HOW WE MEASURE SUCCESS

We assess our impact through quantitative and qualitative measures.

We count the number legal advices given, website views, publication sales, workshop sessions, attendance and the laws and policies we influence or change.

We also collect qualitative data about the services we have delivered including feedback from clients and education participants through surveys, impact statements and case studies.

