

Modern Slavery Statement 2023–24

Creative Australia proudly acknowledges all First Nations Peoples and their rich culture of the country we now call Australia.

We pay respect to Elders past and present. We acknowledge First Nations peoples as Australia's First Peoples and as the Traditional Custodians of the lands and waters on which we live.

We recognise and value the ongoing contribution of First Nations peoples and communities to Australian life, and how this continuation of 75,000 years of unbroken storytelling enriches us. We embrace the spirit of reconciliation, working towards ensuring an equal voice and the equality of outcomes in all aspects of our society.

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Foreword

Close to 50 million people around the globe endure the harsh realities of modern slavery.¹ Sometimes hidden in plain sight, the removal of one's freedom for personal or financial gain takes many forms. These include forced labour, forced or servile marriage, debt bondage, forced commercial sexual exploitation, human trafficking, slavery-like practices, and the sale and exploitation of children.

As the Australian Government's principal arts investment and advisory body, Creative Australia has a strong commitment to protecting human rights.

Creative Australia commends the Australian Government on the amendment of the *Modern Slavery Act 2018* to establish the Australian Anti-Slavery Commissioner as an independent statutory office holder. Creative Australia welcomes Chris Evans, former Minister and Western Australian senator and previous Chief Executive Officer of the Global Freedom Network of Walk Free, as Australia's first Anti-Slavery Commissioner. Our work to prevent and respond to modern slavery will be strengthened through this independent mechanism for engagement on issues and strategies to address modern slavery.

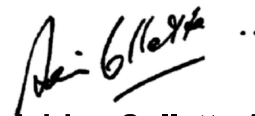
Following the transition of the Australia Council for the Arts to Creative Australia on 24 August 2023, our commitment to ending modern slavery remains steadfast. In 2023–24, Creative Australia continued to focus on reducing the risk of modern slavery in our operations and supply chains. To support this, our policies relevant to addressing and mitigating modern slavery risks provide guidance for staff to assess risks and ensure compliance. Looking forward, we will continue to sustain our robust decision-making and procurement processes in all negotiations with potential suppliers.

Creative Australia is pleased to present our modern slavery statement for the 2023–24 reporting period. This statement was approved by the Australia Council Board of Creative Australia on 4 December 2024.



Robert Morgan

Chair



Adrian Collette AM

Chief Executive Officer

¹ International Labour Organization (ILO), Walk Free and International Organization for Migration (IOM) 2022, [Global Estimates of Modern Slavery: Forced labour and forced marriage](#).



Mandatory criteria under the *Modern Slavery Act 2018*

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1. About Creative Australia

Section 16(1)(a) of the *Modern Slavery Act 2018* requires modern slavery statements to identify the reporting entity or entities covered by the statement.

During the 2023–24 reporting period, Creative Australia was the Australian Government's principal arts investment and advisory body.

We champion and invest in arts and creativity for a dynamic, creative Australia. Our vision is that *Creativity Connects Us* – to culture, to new ideas, to the world and to each other.

Under section 11 of the *Creative Australia Act 2023* our functions are to:

- to support Australian arts practice that is recognised for excellence
- to foster excellence in Australian arts practice by supporting a diverse range of activities
- to support Aboriginal and Torres Strait Islander arts practice
- to support Australian arts practice that reflects the diversity of Australia
- to uphold and promote freedom of expression in the arts
- to promote community participation in the arts
- to recognise and reward significant contributions made by artists and other persons to the arts in Australia
- to promote the appreciation, knowledge and understanding of the arts
- to support and promote the development of markets and audiences for the arts
- to encourage, facilitate and recognise public sector, private sector, philanthropic and commercial support for, and investment in, the arts
- to promote fair, safe and respectful workplaces for:
 - Australian artists
 - persons who are employed, or otherwise engaged, by organisations that engage in, or support, Australian arts practice
 - persons otherwise involved in Australian arts practice
- to provide information, advice, training and mentoring on matters connected with the arts or the performance of Creative Australia's functions

- to provide information and advice to the Commonwealth Government on matters connected with the arts or the performance of Creative Australia's functions
- to conduct and commission research into, and publish information about, the arts, and support for, and investment in, the arts
- to evaluate, and publish information about, the impact of the support Creative Australia provides
- to undertake any other function conferred on it by this Act or any other law of the Commonwealth
- to do anything incidental or conducive to the performance of any of the above functions.

2. Structure, operations and supply chains

Section 16(1)(b) of the *Modern Slavery Act 2018* requires modern slavery statements to describe the structure, operations and supply chains of the reporting entity.

Our structure

Creative Australia is a corporate Commonwealth entity of the Australian Government.

Responsible Minister

The Minister responsible for Creative Australia during the 2023–24 year was the Hon Tony Burke MP, Minister for the Arts.

Accountability

Creative Australia's corporate governance arrangements are primarily determined by the *Creative Australia Act 2023* and the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

Under the *Creative Australia Act 2023*,² Creative Australia is established as a statutory authority and is governed by a Board of Directors appointed by the Minister.

The PGPA Act sets out the financial reporting, accountability and other rules that Creative Australia must follow. The PGPA Act also prescribes the expected standards of conduct for 'responsible officials', which includes the Board and all Creative Australia employees.³

² On August 24 2023, the [Creative Australia Act 2023](#) replaced the *Australia Council Act 2013*, establishing Creative Australia.

³ As defined under section 13 of the [Public Governance, Performance and Accountability Act 2013](#).

Our Board

Under the *Creative Australia Act 2023*, Creative Australia is overseen by a Board of Directors.⁴

Under the PGPA Act, our Board is directly accountable for Creative Australia's resource management.⁵ This includes promoting efficient, effective, economical and ethical use and management of public resources. The Board is ultimately responsible for the successful performance and ongoing sustainability of Creative Australia.

Board membership comprises a range of expertise across artistic practice, arts management, finance, business and management, public policy, corporate governance and administration, regional issues, gender, multicultural and First Nations arts and culture, philanthropy, legal affairs, corporate strategy and research.

The Board has a maximum of 14 members, including the Chief Executive Officer (CEO) who is an Executive (ex-Officio) member of the Board. Terms of appointment are generally four years. Members are eligible for re-appointment; however, appointments are limited to a total of nine years. The Minister for the Arts, the Hon Tony Burke MP, was responsible for Board appointments throughout 2023–24.

There were two accountable authorities during 2023–24 due to the transition to Creative Australia: the Board of the Australia Council for the Arts which operated from 1 July 2023 and ceased on 23 August 2024; and the Australia Council Board of Creative Australia which commenced on the 24 August 2023.⁶

Our organisational structure

During 2023–24, Creative Australia had five divisions:

- Office of the CEO (Music Australia and Creative Workplaces sit within the office)
- First Nations Arts and Culture
- Arts Investment
- Development and Partnerships
- Corporate Resources

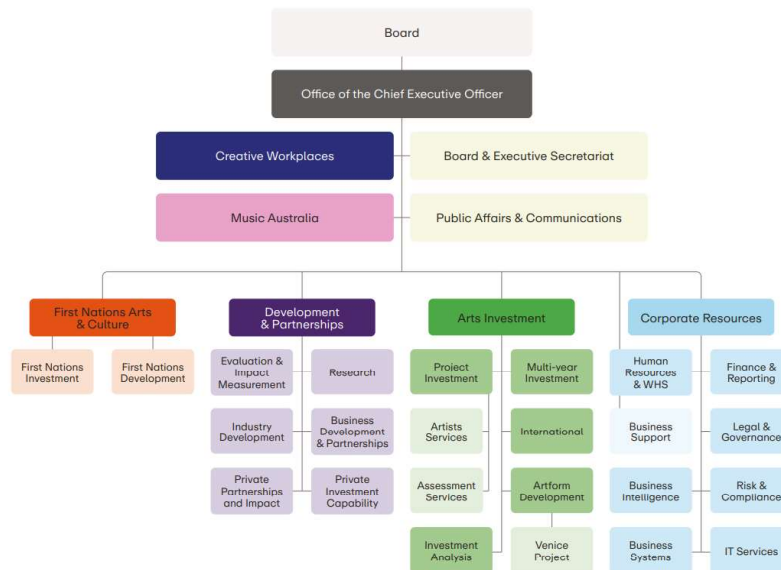
During 2023–24, Creative Australia had an average staffing level of 131.0.

⁴ Part 3, [Creative Australia Act 2023](#).

⁵ Division 2, [Public Governance, Performance and Accountability Act 2013](#).

⁶ See Creative Australia 2024, [Annual Report 2023–24](#).

Figure 1: Creative Australia organisational structure



Our operations

What we do

- **We commit** to First Nations self-determination to strengthen Australian cultural identity.
- **We invest** in creative talent, organisations, businesses, and their audiences and markets to strengthen communities and build a dynamic creative country.
- **We develop** skills and workforce capability, networks, and partnerships to build sustainable and equitable creative careers and workplaces.
- **We advocate** with and for the creative sector for the social, cultural and economic value of arts and culture, to influence policy and improve outcomes.

How we do it

- **Investment and development:** Stimulate creative practice, entrepreneurship, and discoverability through investment in artists and organisations.
- **Markets and audiences:** Champion and celebrate Australian artists and creativity nationally and internationally, developing opportunities to share and experience our stories and culture.
- **Partnerships and philanthropy:** Maximise the impact of our investments and development by building new partnerships that bring together philanthropic, commercial, and public funding.
- **Research, evaluation and advocacy:** Use research and insights to inform the public and government policy, promote the role and value of creative participation, and bring the creative sector together to advance shared priorities.

- **Participation and connection:** Empower communities to access, generate and share creative work and support opportunities to deepen and extend cultural engagement.
- **Safety and welfare:** Promote fair, safe and respectful workplaces for artists and creative workers.

Our supply chains

Creative Australia's Procurement Guidelines set out the requirements for the procurement of goods and services for Creative Australia. They apply to all our employees and contractors.

The aim of our Procurement Guidelines is to ensure all procurement activities we undertake are fair, transparent and ethical, and maintain our integrity and reputation.

Under these robust guidelines, responsible officials are required to consider social procurement when procuring goods and services. Social procurement refers to procurement practices that generate social benefits and impacts beyond the goods and services required. This includes considering SupplyNation, or other First Nations suppliers, and BuyAbility, a network of Disability Enterprises and social procurement specialists.

Social procurement has the potential to create stronger connection between economic and social policy and outcomes. It can also help us deliver on sustainability and corporate social aspirations, including social inclusion, equity and fair trade.

For contracts with a value over \$150,000, Creative Australia's officials must conduct due diligence checks on prospective suppliers, including reference checks.

Creative Australia maintains open and transparent communication with our suppliers through a range of measures. These include following the Procurement Guidelines when making purchasing and acquisition decisions, including engaging with the supplier from the outset; ensuring contract performance reviews are conducted; and adhering to reporting requirements throughout the duration of the contract.

During 2023–24, Creative Australia procured goods and services from both local and international providers with contracts primarily signed with Australian suppliers.

Contracts for goods and services included:

- sponsorships and partnerships with external parties such as arts organisations, institutions and universities
- agreements with consultants, peers, industry advisers and subject matter experts
- information and communications technology (ICT) hardware and software contracts
- contracts for internal audit and legal advisory services
- facilities and property management service agreements.

3. Risks of modern slavery practices

Section 16(1)(c) of the *Modern Slavery Act 2018* requires modern slavery statements to describe the risks of modern slavery practices in the operations and supply chains of the reporting entity and any entities it owns or controls.

What is modern slavery?

Modern slavery refers to situations where victims are subjected to coercion, threats, deception or exploitation to undermine their freedom, for the perpetrator's gain. Modern slavery practices include:

- **trafficking in persons** – the recruitment, harbouring and movement of a person for the purposes of exploitation through modern slavery. Exploitation also includes the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs
- **slavery** – where the offender exercises powers of ownership over the victim
- **servitude** – where the victim's personal freedom is significantly restricted, and they are not free to stop working or leave their place of work
- **forced labour** – where the victim is either not free to stop working or not free to leave their place of work
- **forced marriage** – where coercion, threats or deception are used to make a victim marry or where the victim does not understand or is incapable of understanding the nature and effect of the marriage ceremony
- **debt bondage** – where the victim's services are pledged as security for a debt and the debt is manifestly excessive or the victim's services are not applied to liquidate the debt, or the length and nature of the services are not limited and defined
- **the worst forms of child labour** – involves situations where children are exploited through slavery or similar practices, including for sexual exploitation or engaged in hazardous work which may harm their health or safety, or used to produce or traffic drugs
- **deceptive recruiting for labour or services** – where the victim is deceived about whether they will be exploited through a type of modern slavery.⁷

Modern slavery describes the worst types of exploitation. It does not include situations of poor working conditions or underpayment of workers, for example. However, these circumstances are likely to be unfair and unlawful and they may be an indication that modern slavery is also occurring.

⁷ Department of Home Affairs, [Commonwealth Modern Slavery Act 2018: Guidance for Reporting Entities](#), Appendix 1, Table 5.

Risks in Creative Australia's operations

Creative Australia has measured the risk of modern slavery within our internal operations for the 2023–24 financial year as low.⁸ In reaching this finding we considered the contractual arrangements and employment conditions of the officials who work at Creative Australia.

Legislative and industrial frameworks govern and regulate Creative Australia's employment conditions. Additionally, all officials are employed under an enterprise agreement, individual employment agreement or employment contract determined by the Remuneration Tribunal. These instruments contain protective measures to ensure we comply with our industrial relations obligations which include preventing modern slavery practices.

Both the Workplace Forum and the Work, Health and Safety Committee provide transparent and accessible avenues for Creative Australia officials to raise concerns. These frameworks significantly assist to mitigate the risk of modern slavery practices within our organisation.

Creative Australia's Workplace Forum is a group of officials committed to contributing to the development of a purposeful and engaging working environment for Creative Australia staff. The Workplace Forum comprises up to four employee representatives and up to four management representatives. Membership is open to employees outside of the Executive and Senior Management teams.

The Work, Health and Safety Committee comprises both employee and management representatives with at least 50% as employee representatives. Each member is appointed for a two-year term which may be extended.

Risks Within Creative Australia's supply chains

Creative Australia has again assessed the risk of modern slavery in our Tier 1 supply chains as inherently low.⁹ This assessment considered the relatively low number of contractual arrangements in place to support our activities and functions, and further noted the nature of our operations and our procurement practices that ensure we do not regularly engage with suppliers considered most at risk.¹⁰

However, we recognise that we do engage with a small number of suppliers considered 'at risk' due to their supply chains, in particular our contracts for facilities or building services (for example cleaning and maintenance) as well as suppliers of information communications technology ('ICT') equipment. These supply chains are long and complex and very often difficult to discern. We take active measures to engage with these providers to better understand their business, operations and supply chains. We know the risks of modern slavery can be more prevalent with Tier 2 suppliers and we are always looking at ways we can better manage these risks with our suppliers.

⁸ Having considered the guidance in the Department of Home Affairs, [Commonwealth Modern Slavery Act 2018: Guidance for Reporting Entities](#).

⁹ As above.

¹⁰ Refer to the list of products, industries and geographic regions which identify the highest risks of modern slavery in Walk Free Foundation 2023, [The Global Slavery Index 2023](#).

4. Our actions

Section 16(1)(d) of the *Modern Slavery Act 2018* requires reporting entities to describe the actions they have taken to assess and address the risks outlined in the previous section, including due diligence and remediation processes.

Actions we have taken

In 2023–24, Creative Australia continued to enhance and build on the actions taken during the previous year (2022–23) to assess and address modern slavery risks. These included:

- continued inclusion of a Supplier Code of Conduct in all our contracts with a focus on Creative Australia's requirements for all contractors to address any risks of modern slavery in their business and supply chains
- continued inclusion of a modern slavery clause in our Services Agreements
- attending sector webinars addressing the outcomes of the first four years of modern slavery reporting and the opportunities to improve practices
- ensuring modern slavery is explained and discussed during the induction of new starters
- increasing our understanding of modern slavery risks across our operations
- continuing to embed and increase staff awareness regarding modern slavery risks in our procurement processes
- continuing to review policies and processes to identify further opportunities to include consideration of modern slavery risks where relevant
- continuing to monitor our supply chains and take pre-emptive action when a supplier, or potential supplier, is identified as 'at risk' for modern slavery
- actively engaging with our contractors and suppliers on modern slavery risks to encourage and inform better practice.

Due diligence

Many of Creative Australia's internal controls contribute to identifying, addressing and mitigating modern slavery risks in our operations.

Creative Australia's Executive oversee the procurement and contract management processes. They are required to sign a compliance checklist every 6 months to confirm their respective divisions have complied with the Procurement Guidelines, among other responsibilities.

Creative Australia's officials responsible for finance, risk management and its legal functions ensure compliance with both relevant laws and internal policies across the organisation and are regularly report on these to the Executive, the Audit and Risk Committee and the Board.

To support Creative Australia's governance frameworks and internal controls, a number of policies relevant to addressing and mitigating modern slavery risks are in place. In 2023–24 these included:

- Authorisations Framework
- Code of Conduct
- Contract Registers
- Credit Card Use Policy
- Cultural Engagement Framework
- Discrimination, Harassment and Bullying Prevention Policy
- Equal Employment Opportunity Policy
- Gifts and Benefits Policy and Register
- Governance Manual
- Feedback Management Policy
- Fraud Control Policy
- Modern Slavery Policy
- Procurement Guidelines
- Public Interest Disclosure Policy and Procedure
- Risk Management Framework
- Risk Management Policy
- Recruitment and Selection Policy
- Supplier Code of Conduct
- Travel Policy
- Work, Health & Safety Policy
- Workplace Forum Charter.

Remediation processes

Creative Australia's Feedback Management Policy provides guidance and assistance to stakeholders who wish to provide feedback to Creative Australia, including complaints and concerns about our operations. The policy is located on our website and includes a dedicated email address.¹¹

In line with the *Public Interest Disclosure Act 2013* (or 'whistle-blowing' framework) Creative Australia's Public Interest Disclosure Policy facilitates the disclosure and investigation of any wrongdoing or maladministration within Creative Australia, by Creative Australia officials.

Creative Australia's Modern Slavery Policy includes specific guidance on identifying and responding to reports of suspected and actual risks of modern slavery practices in Creative Australia's operations or supply chains.

Next Steps

We will continue to monitor our supply chains and take pre-emptive action when a supplier, or potential supplier, is identified as 'at risk' for modern slavery. We will actively engage with our contractors and suppliers on modern slavery risks to encourage and inform better practice.

5. Effectiveness of our actions

Section 16(1) (e) of the *Modern Slavery Act 2018* requires modern slavery statements to describe how the reporting entity assesses the effectiveness of the actions being taken to assess and address modern slavery risks.

Creative Australia is committed to ensuring we address and mitigate any risks of modern slavery in our supply chains. We expect our suppliers to share and adhere to this position. Our standard terms and conditions of contract include compliance with the *Modern Slavery Act 2018*, *Fair Work Act 2009* (Cth) and the *Criminal Code Act 1995* (Cth).

We measure the effectiveness of our actions taken through:

- active engagement with identified 'at risk' suppliers
- the types of information suppliers provide during procurement activities
- contract performance reviews.

¹¹ Refer to [Feedback - Creative Australia](#).

6. Consultation

Section 16(1)(f) of the *Modern Slavery Act 2018* requires reporting entities to describe the process of consultation with any entities that the reporting entity owns or controls.

Creative Australia does not own or control any other entities.

7. Related activities

Section 16(1)(g) of the *Modern Slavery Act 2018* allows for reporting entities to include any other relevant information that the reporting entity thinks is relevant.

Creative Australia has no further information to report in our 2023–24 Modern Slavery Statement beyond our current actions and commitment to progressing work to address modern slavery risks.

To see the latest information on modern slavery, refer to the 2022 [Global Estimates of Modern Slavery: Forced Labour and Forced Marriage](#), a report produced by International Labour Organization, Walk Free and International Organization for Migration.