Making cultural work visible in cultural policy

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Introduction

Cultural work, also referred to as creative labour (McKinlay and Smith 2009), has recently received more attention in academic journals and literature. This is in clear contrast with economic and cultural policy interventions in the last two decades that, while increasingly highlighting the role of culture and creativity in the economy and society, have failed to consider the centrality of cultural work and its practices and specificity (Banks and Hesmondhalgh 2009; Oakley 2013). Taking further the argument of Banks and Hesmondhalgh (2009) that cultural work has been mostly invisible in cultural and social policy, this chapter argues that there have been critical moments in recent years where cultural work has become more visible, contextualised and contested. We use a selection of these moments to highlight the need for a more sustained engagement with what Banks (2007) calls the politics of cultural work. Using these moments, we illustrate that the politics of cultural work become visible when a specific critical point is reached in which questions of its value, sustainability or ethics are raised. Furthermore, we highlight the role of academic engagement and research in this area and its potential impact. This is at the centre of recent UK-based projects focused on key issues in the field of cultural work studies. For example, recent AHRC-funded projects on cultural value and 'improving cultural work' have contributed to an increasing focus on examining inequalities in cultural and creative industries, a hitherto unspoken but pervasive problem in this sector. This kind of research, which seeks to connect academics with policymakers, union representatives, external stakeholders and practitioners, highlights the need to reflect and reconnect research with policy and practice to enable cultural work to become consistently visible and understandable.

In the chapter, we focus on three critical but different moments in the last decade that have made cultural work more visible and have facilitated interventions from policymakers, mass media and academia. First, we consider the emergence of new critical debates around the value of creative education and cultural work that have followed the introduction of full fees for UK students. This event has specially questioned the role of education in the sector as well as how higher education policy interconnects and shapes the future of cultural work (Comunian and Faggian 2014). Second, we consider the implementation of sector-based research and policy. Here we take the case of the recent role played by Creative Skillset in evidencing and implementing policy to promote diversity and gender equality in creative and cultural industries (CCIs). We highlight the importance of data but also the temporality of the actions and concerns around equality as well as how visible issues often return to invisibility (Gill and Pratt 2008). Following our discussion of temporality, we finally take the case of a union-led protest against working conditions of film workers in New Zealand to consider how specific industrial disputes in cultural sectors make the role of unions and workers momentarily visible in the creative and cultural industries (Conor 2015). All three moments make visible the politics of cultural work, the contestations that characterise them – in relation to access and inequality in particular – and the policymaking and legislative practices that shape them. The conclusion highlights other possible bottom-up responses to the invisible nature of creative and cultural work and the absence of it in current cultural policy.

Cultural work: definition, patterns and criticalities

The importance of cultural work is often understated and hidden behind its metonym: cultural and creative industries. However, while the creative and cultural industries are celebrated globally for their contribution to economies and to societies (UNESCO 2013), very little is acknowledged about the role of cultural work within them and/or about the everyday experiences of cultural workers. This is an important contraction both in qualitative and quantitative terms. In relation to qualifying the importance of cultural work, all the literature (and the very first definition of creative industries in 1998 by the UK's Department of Culture, Media and Sport (DCMS)) points towards the fact that these industries rely heavily (sometimes exclusively) on talent (i.e. on skilled or 'creative' individuals). In relation to quantifying the role of cultural work, it is also widely acknowledged that most of these individuals are sole-traders, freelancers or contractors or are working in the context of small and medium size enterprises – again highlighting that cultural workers and cultural industries are often the same thing (Comunian 2009). Therefore, this chapter first considers the key contradictions that surround cultural work. On the one hand, there is a tendency to celebrate and promote the role of the creative economy and the cultural industries at local, national and international levels, and central to this tendency is the celebratory valuing of these industries via neoliberal milestones of economic growth, exports and 'success' (DCMS 2015a). On the other, we see a growing literature highlighting the unstable careers (Menger 2006), inequalities (Conor, Gill, and Taylor 2015) and fluctuating salaries (Comunian, Faggian, and Li 2010) offered to workers in creative and cultural occupations, suggesting the wider issue of a 'creative under-class' in these same economies (Morgan and Ren 2012).

Many of the issues faced by cultural workers seem to be placed within the pre-existing frameworks and business models of the CCI and their production systems and thus policymakers consider these challenges as endemic to the system and prefer to support its self-regulation.[1] This often leads to further inequalities and forms of exclusion as specific sections of the society are not able to adapt to the most challenging conditions of the sector. For example, the exclusivity of arts education favours the presence of certain classes within the arts and ensures that only the most privileged students can undertake the free or unpaid labour (via internships for example) that is now considered to be 'essential' to securing paid employment in the CCIs (Banks and Oakley 2016). While the working dynamics of the creative and cultural industries favour risk-sharing business models and unstable contract conditions, these are not the only industries that rely heavily on intellectual property and have to manage high levels of risk. For example, the science & technology and pharmaceutical industries operate via similarly high-risk business models. However, what is perhaps unique to work undertaken in the CCIs is that the majority of the weight, risks and costs are individualised, placed on the individual worker, and this is now the modus operandi of these industries. Interestingly, the individualisation of work and the structural imposition of precarity as a business model have been expanding beyond the CCIs and are now reaching other sectors (higher education, for example). Neilson and Coté (2014) confirm the continuous expansion of precarity beyond cultural work, and Ivancheva specifically highlights the increasing pressure of "self-exploitation, impoverishment and insecurity" (p. 40) within academia. Furthermore, with new professions emerging linking the creative economy with higher education, and new external impact agendas, there is also an increasing demand on new researchers to be freelancing or engaging in short-term contracts that lie somewhere between university work and external creative work (Comunian and Gilmore 2015).

In the sections that follow, we focus on three specific and divergent issues that often make work invisible within the CCIs and are particularly related to these dynamics of individualisation and precarity. Part of this invisibility is connected to the individualised nature of cultural work in many industries, but some of it we argue has been created also by a tendency of policy circles, at local, national and international level, to promote the creative economy as the new answer to economic development without questioning or investigating its inner workings. The first is training and education. There is broader acknowledgement that creative and cultural industries workers are amongst the most highly qualified across a range of sectors; more than half (58.8%) of jobs in the Creative Economy in 2014 were filled by people who had at least a degree or equivalent qualification, compared to 31.8 percent of all UK jobs (DCMS 2015b). However, there is also a recognition that compared with other highly qualified individuals, they do not enjoy the same level of salary and economic stability (Comunian, Faggian and Jewell 2011). It is also important to recognise that cultural workers are often required to invest in continuous

training and professional development (which often needs to be self-funded, as they are freelance or employed part time). In respect to training and education, we see a tendency towards it being seen as a personal investment, and in this chapter we question how this has stretched to also include debates within the provision of higher education and its funding models.

The second issue is diversity and access to cultural work. Oakley and O'Brien have recently highlighted what they term "unprecedented media interest in questions of representation and inequality in cultural production" (2015, p. 19). Their examples highlight the preponderance of recent headlines about the lack of gender and minority ethnic representation in the UK and US in, for example, Academy Award nomination lists or art school graduates. This is relatively new and novel, however, because as Conor, Gill and Taylor have also recently written, there has been a distinct *lack* of attention to inequalities in these fields in policymaking and cultural analysis and, as we noted above, this "is particularly striking and dissonant given the prominence attached both to 'creativity' in general, and the CCIs [cultural and creative industries] in particular, in national policies across the world" (2015, p. 1). While the CCIs benefit from a positive image as being open, flexible and anti-hierarchical, it is easy to present supporting evidence of the lack of diversity in the sector, both in relation to gender (Conor, Gill, and Taylor 2015) and ethnicity (Freeman 2007) and social class (Hesmondhalgh and Baker 2013).

The third is the role of unions and collective action in the field of cultural work. The unionisation of cultural workers such as actors, advertisers or visual effects workers is often viewed as rare, irrelevant or unnecessary in highly individualised, flexible and mobile industries. Unions or guilds are not routinely visible in cultural policymaking and the overall policy agenda which, in the UK at least, has become "increasingly linked to educational and employment policy, but under the sign of economics rather than social reform or cultural equity" (Banks and Hesmondhalgh 2009, p. 428). Unions in the CCIs are at the frontlines when it comes limiting the adverse effects of insecure or unsustainable working conditions, and they also face significant challenges in representing their freelance and precarious members. There are crucial and isolated moments at which cultural workers become visible; these are times of disagreement, when collective action by actors, screenwriters or journalists makes cultural workers visible. The final section of our chapter focuses on one particular and highly visible dispute.

Problematising the relationship between higher education and cultural work

Arts degrees become the preserve of the wealthy

The Guardian, 26th September 2010

Don't stifle creativity with more cuts to arts education, say experts

The Guardian, 8th May 2015

As these headline highlight, one of the debates that has made cultural work visible concerns its relation with creative (higher) education. More specifically, in the last three years – from the introduction of full fees for UK students to attain higher education – concerns have grown about the value of creative education per se and in relation to the opportunities to work in the CCIs. Of course, the introduction of full fees following the Browne Review in 2009 has opened up a debate around the value of education in general across all subjects (Wilkins, Shams and Huisman 2013). However, while most subject areas can demonstrate an economic return on salary for graduates attending those courses (Blundell et al. 2000), arts subjects have struggled to make the same arguments (Comunian, Faggian, and Li 2010). Even more, 40.82 percent, graduates from creative disciplines themselves in the longitudinal Higher Education Statistical Agency (HESA) data collection suggested that "the qualification was 'not required' at all" for their job (Abreu et al. 2012, p. 317). This is not only a short-term outcome but persistent in the long term (three and a half years after graduation). So aspiring creatives might risk investing more than £30,000 in a degree that would result in a job they could have secured without any tertiary degree (Comunian, Faggian, and Jewell 2015).

The literature on the poor economic rewards and unstable careers of cultural workers is extensive. However, only recently has the focus of this debate moved to embracing education, and this is partially in response to these policy changes (Oakley 2007; Banks and Oakley 2016; Comunian, Gilmore and Jacobi 2015). On one side of this debate of course rests a serious concern that higher education should not be only or primarily understood in terms of economic value and that the value of undertaking a university degree in a creative or arts & humanities-based discipline should rest in its cultural value and its ability to develop students into mature members of society with the ability to think critically (Belfiore and Upchurch 2013; O'Brien 2014). However, these arguments have been undermined by the market-driven approach adopted by many higher education institutions as well as by considerations that this kind of education might have become a luxury that only certain sectors of the population might be able to afford (Oakley and O'Brien 2015), as suggested also by the first *The Guardian* headline at the opening of this section. Furthermore, it might lead to class-based stratification in the selection of degree courses students are accessing or attracted to (see Born and Devine 2015 for their recent work on music education).

In this brief account of new visibility in the role of education in cultural work, we focus on two key issues. The first is the role of the providers (higher education institutions) and cultural policy in shaping and connecting with opportunities and (existing or non-existing) demand in the sector; the second is about the true value of creative education beyond the creative industries as well as how cultural work could play a broader role in the economy and society.

In the academic literature, the lower economic rewards of cultural work have been strongly linked to issues of oversupply (Towse 2001; Abbing 2002). The same has not been explored by policy and higher education providers. In fact, the main argument explaining a considerate expansion of creative courses in higher education needs to be more focused on a new market-driven and neoliberal approach to education (Comunian, Gilmore and Jacobi 2015). This expansion is undeniable; however, it seems to be led by the demand and attractiveness of these courses to students, rather than by a growth in jobs and employment opportunities. From the early 2000s, HESA (2009) highlights the steady growth of creative subject areas. Between 2003/2004 and 2007/2008 Creative Arts and Design have shown a 14.2 percent increase, while Mass Communication and Documentation has shown a 7.3 percent increase. This compares to an overall growth across all subjects of 4.8 percent. A similar growth seems to extend until 2011 (Table 17.1, from HESA 2015) when there is a sudden drop in enrolment in these subjects (but also overall).

Table 17.1 Data extracted from HESA (2015) to highlight specific trends for creative disciplines.

First year first degree enrolments by subject area 2007/2008 to 2013/2014							
Subject area	2007/8	2008/9	2009/10	2010/11	2011/12	2012/13	2013/14	7 year % change
(E) Mass communications & documentation	13,400	14,360	15,090	14,470	15,550	13,010	14,050	5%
(H) Creative arts & design	46,725	48,490	51,600	50,685	53,775	46,545	48,880	5%
Total	460,240	493,650	518,850	518,280	552,240	495,275	521,990	13%

A similar accelerated positive trend seems to characterise staff numbers in these subjects until the fees introduction. Between 2004/2005 and 2011/2012 a Universities UK report highlights that two creative areas exhibited the highest level of expansion in percentage terms across all subjects in Architecture & Planning (+ 29.3%) and Design, Creative & Performing Arts (+ 24.0%) (Universities UK 2013). The same data published late in

2015 (Universities UK 2015) sees the same subjects towards the bottom of the list for growth; between 2012/2013 and 2013/2014, Design, Creative & Performing Arts (+ 8.5%) and Architecture & Planning (+ 2.0%).

We argue that cultural policy – and specifically New Labour's cultural policy agenda (Hesmondhalgh et al. 2015) has played a strong role in making the sector attractive and appealing both to prospective students and to higher education institutions aiming to expand their course offerings. As Heartfield (2005) highlights, many universities have expanded their provision in these fields without questioning the real opportunities available to graduates. Overall, this strategy has promoted the creative industries and creative work as a whole, but in fact the data shows that few of these sectors are able to deliver sustainable career paths and a healthy job market for students graduating in creative disciplines (Comunian, Faggian and Jewell 2011). Furthermore, Buckingham and Jones (2010) critically point out "there is a danger that 'creativity' and 'culture' will come to be seen as magic ingredients that will automatically transform education" (p. 13). Cultural policy has translated, in higher education provision, into a belief that creativity and creative courses would automatically translate to employability and high economic competiveness, under the banner of the greater economic and social contribution of creative activities in our national economy. The introduction of full fees for higher education studies has exposed further issues of access to education for aspiring cultural workers. The introduction of fees has led to the perception that in a market-driven higher education system – where it is important to evidence returns on significant financial investments – arts degrees are not as 'valuable'. This connects also with further issues of the exclusivity of creative careers (O'Brien et al. 2016), which make arts degrees unaffordable for many students. These changes have also led to increased public debate and new advocacy groups – such as Arts Emergency[2] – that argue for the value of arts and humanities education in the face of ongoing funding cuts. However, in opposition to the arguments that led to the introduction of full fees for higher education, there has been limited debate about the 'repayment' problem and its long-term economic sustainability. In the long term, arts degrees might become cross-subsidised if employment opportunities do not grant for the repayment necessary – which seems more likely to happen from science and business courses[3].

Another key issue, connected to the educational infrastructure surrounding cultural work and highlighted by the limited benefit of creative education in relation to employability and salary satisfaction, relates to the ability of both graduates and higher education institutions to articulate the value of creative education beyond the creative industries and its broader role in the economy and society. Alper and Wasaal (2006) tend to justify this poor return on investment in higher education by saying that artists are 'risk-takers' in their career choices and are aware that they are trying to maximize their opportunities and earnings in the long term. However, they do point out that the return on investment in education is low and that this does not tend to significantly increase their artistic earnings (but has a positive effect on their non-artistic earnings (Alper and Wassall 2006)). So interestingly while education might not make a difference to an individual's success as an artist, it possibly gives one a better opportunity to engage with other sectors of the economy. If we look beyond the creative industries to gain a broader understanding of the impact of creative knowledge and talent in the economy, it seems clear than creative graduates are undervalued in the labour market, especially when they do *not* enter a creative occupation (Faggian, Comunian and Li 2014; Comunian, Faggian, and Jewell 2015). This raises questions about the value of the education they receive in relation to the overall economy. Specifically, we can articulate two difficulties: first, there is a difficulty for the graduates themselves in articulating the value of their skills and training, possibly because during their education they have not been exposed or asked to think about how their knowledge and skills could apply more broadly across a range of careers and occupations. Second, there is a difficulty in terms of the economy: to place a value (and therefore offer a reasonable salary) to the contribution that creativity and artistic skills can add to a variety of sectors, not just the cultural economy.

Partially, it can be argued that the excessive emphasis of governments on the creative and cultural industries has limited understandings and applications of creativity to a narrow area of economic potential rather than supporting a broader understanding of the creative and cultural dimension of each economic activity (Hartley 2004; Mato 2009). This is partially confirmed by the data on digital graduates, because although there has been great emphasis on the role of digital technologies in cultural and creative industries and their convergence (Deuze 2007), there is little evidence of the embedding of these skills in the broader cultural and creative industries (Comunian, Faggian and Jewell 2015). Higher education institutions have the positions and the leverage to

increase the visibility of creative education and cultural work in society more broadly, rather than silo'ing them within a few sectors of the economy; avoiding narrowly defined artistic career pathways would help creative graduates to position themselves more successfully within the wider economy (Oakley 2009). Overall, this section suggests that the strong emphasis on creative and cultural industries rather than on cultural work has contributed to the continued invisibility of cultural work. Recent work from NESTA (Bakhshi and Windsor 2015) highlights how half of creative occupations are now outside the creative industries and despite different 'creative intensity' across sectors, this should be made more visible. The creative skills of graduates in these disciplines are not visible enough in the labour market while the hype surrounding the creative industries has created an 'economic bubble' that has further expanded the provision of those skills without sustainable corresponding opportunities.

Making gender and diversity visible: policy work and interventions

Women successful yet sidelined in film writing and directing

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The Guardian, 26th November 2013

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UK's creative industries 'must back regional and ethnic diversity'

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The Guardian, 24th February 2014

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In this second section, we highlight the role of sector-based research and policy in providing evidence, as well as tracking changes, in relation to cultural work. In particular, we take the case of the recent role played by Creative Skillset in evidencing and implementing policy to promote diversity and gender equality in creative and cultural industries. We highlight the importance of data but also the temporality of the actions and concerns around equality; we are concerned here with how 'visible' issues can often return to invisibility (Gill and Pratt 2008).

Every year, the DCMS publishes data on employment in the UK's creative industries. For the past year the growth and success of the creative industries have made headlines as the total employment continues to show growth: "between 1997 and 2013, employment in the Creative Economy has increased from 1.81m jobs to 2.62m jobs. This was equivalent to a rise of 2.3 percent each year, around four times greater than the 0.6 percent increase each year in the number of jobs in the UK Economy" (DCMS 2015b, p. 7). However, for the first time this year the DCMS published data to consider also the role that gender, ethnicity and class plays in determining rates of employment, workforce entry and workforce retention in these industries. In relation to gender, the report highlights that women accounted for 36.7 percent of jobs in the Creative Industries (compared with 47.2 percent in the whole UK Economy). In relation to ethnicity, 11.0 percent of the jobs in Creative Industries were undertaken by Black, Asian and minority ethnic (BAME) workers "an increase of 8.0 percent between 2013 and 2014 (34.3% since 2011)" (DCMS 2015b, p. 21). However, in relation to class the 'more advantaged groups' (which usually make up 66 percent of the UK workforce) make up 92.1 percent of occupations in the Creative Industries. This is highlighted as a growing trend as 'more advantaged groups' have benefitted from a 17 percent employment growth since 2011 in the sector, in contrast with a 2 percent growth for the 'less advantaged group' (DCMS 2015b). However, the report does not attempt to link this information and consider how class might intersect with ethnicity and gender. Recent work from O'Brien et al. (2016) does highlight how class plays a role not only in creating barriers to entry in the creative industries but also – for the people who are employed in creative fields – remains a factor connected with lower career achievements and salaries. This is crucial as Oakley and O'Brien (2015) also note that there is hugely varying information about inequality, and some categories of disadvantage are more visible than others. We know quite a bit about gender inequality, something about inequalities of ethnicity and age, but relatively little about inequalities of class, sexuality, disability and region or place. We certainly know that patterns of inequality in relation to gender and ethnicity often replicate from industry to industry. But there are real gaps in our knowledge about how these inequalities intersect in any particular industry and then how these inequalities link up across regional, national or supra-national boundaries.

We discussed above how this also interconnects with the role played here by higher education as the level of entry in these sectors is high and degree qualification is a common trend. The greatly reduced opportunities for entrants from less advantaged or BAME backgrounds to successfully access higher education might be an initial barrier to future employment in the CCIs (Faggian et al. 2013). While in every sector there is a degree of difference across the range of sectors included within the creative industries, we are interested here to highlight some of the policy work and campaigns that particularly focused on the film and television sector to consider their role in making cultural work and its issues more visible.

In relation to the importance of diversity and its analysis, we argue that this increased attention is a result of a previous 'crisis' usefully highlighted in media and policy circles with the publication of the Creative Skillset Labour Force Survey in 2012, which has seen an increased emphasis and policy attention towards the level of diversity in cultural work. We explore this through two specific campaigns and media interventions; one is the Directors UK and BBC partnership "to improve work opportunities for women directors", the other is the establishment of Creative Diversity Network as an umbrella body to support and monitor diversity in the sector.

In 2013, following and deepening early data provided by Creative Skillset, Directors UK commissioned a report specifically on the presence of women directors in UK screen production. The report highlighted "a worrying decrease in employment for women directors in the most recent two years analysed (i.e. 2011 and 2012), specifically in drama, entertainment and comedy" (2014, p. 2). While this is not only an issue in the UK (Walters 2015), it explored key barriers and dynamics in the sector, which created barriers for women's progression though the industry and more general access to opportunities. Others such as Wreyford (2015) have more recently highlighted the struggle of women in film to reconcile unstable working conditions with motherhood and personal life. Wing-Fai, Gill and Randle (2015) use the term career 'scramblers' to describe the gendered nature of freelancing in the UK film industry. They also highlight the ways in which motherhood is a key theme in sexist discourse in these industries, discourse that ensures that the challenges of juggling parenting or care work with work in this industry are relegated to 'women's problems'. The advocacy of sector associations like Women in Film and Television UK (WFTVUK) as well as policy bodies like Creative Skillset, and the added attention of mainstream media (Criado 2014), has allowed new visibility for these issues. As well as visibility, interventions and support initiatives, such as the publication of career guidance documents such as *'Why her? Report'* (Skillset and Women in Film and Television UK 2009) investigating key factors that have influenced the careers of successful women working in film and TV have paved the way to open conversations and possible policy interventions.

Similar to the gender gap recognised in the previous paragraph, Skillset work has also given visibility to the continued lack of BAME cultural workers. The 2012 Skillset Census revealed a steady decline of their contribution from 12,250 in 2009 to 10,300 in 2012 (BAME people represented 7.4 percent of the total workforce in 2006, compared to 6.7 percent in 2009 and 5.4 percent in 2012). Again, the data and report have made an issue secretly acknowledged widely visible. This has triggered further media headlines (Wiseman 2015) and even media patrons to the cause with actor and comedian Lenny Henry (Jackson 2015) taking a leading role. However, the debate and interventions seems to have specifically targeted the media and television sectors, with many key players in this sector contributing to a new umbrella forum called The Creative Diversity Network and a new industry-wide diversity monitoring system (Diamond) being launched in 2016 to facilitate monitoring of diversity across activities and organisations.

However, the same campaign seems to have received less visibility in other areas of cultural work despite an attempt from the Creative Industries Federation (2015) to map initiatives across a range of sectors. The invisibility of diversity is here explored both in current trends and business opportunities but also in relation to barriers and possible facilitators. In particular, and linking across our previous reflection on the role of higher education, access to education for BAME students seems to represent an initial hurdle often too high to overcome (O'Brien 2015).

Union-led protest and collective action in cultural work

Following our discussion of inequalities and their visibility or lack of it, in the CCIs, we finally take the specific case of a union-led protest against working conditions of film workers in New Zealand to consider how specific industrial disputes in cultural sectors make the role of unions and workers momentarily visible in the creative and cultural industries (Conor 2015). As the above quote indicates, in a recent 'issues paper' on 'employment relationships in the media and culture industries', the International Labour Organisation highlighted a change to New Zealand employment legislation as one that signalled the increasing erosion of labour rights for cultural workers. This threatened or actual erosion is often visible at moments of crisis: particularly during disputes, strikes or other moments of collective action. A prominent example here would be the 2007–2008 screenwriters' strikes in which the relatively robust US Writers Guilds were able to mobilise their members to strike against producers in a collective action to secure future revenue from digital circulation of their work. Screenwriters are a good example of the individualised freelance cultural workers we discussed above – those who move from project to project and often have no guarantee of long-term job security. But where unions exist and can exercise some power in a particular industry, they ensure that their members can bargain collectively and thus secure minimum pay rates, benefits and due credit for their work. A less prominent and more worrisome example is the one signalled above by the ILO.

To briefly summarise, a dispute developed in New Zealand among New Zealand Actors Equity (NZAE, representing around 400 local actors), the Australian actors' guild (the Media Entertainment and Arts Alliance, MEAA) and the producers of *The Hobbit* films, concerning the use of non-unionised actors in the production. In New Zealand, film workers unions (such as the NZAE or the New Zealand Film and Video Technician's Guild, NZF&VTG) are voluntary organisations who work with two agreements (The Pink and Blue Books) as guidelines for film industry working conditions, both negotiated with the Screen Producers and Directors Association of New Zealand (SPADA), which covers best practice in the engagement of screen cast and crew (SPADA 2016). These best practices cover a range of issues from contracts and residuals to harassment and discrimination. These are guidelines only and not legally binding. Producers can offer their own contracts to engage cast and crew in New Zealand and can incorporate all or none of the Pink and Blue Book recommendations. As Kelly (2011) highlights, there had been ongoing concerns that New Zealand film workers had experienced 'deteriorating' conditions in the industry, with both local and international producers 'reducing conditions' and not complying with various aspects of the Pink and Blue Books.

In October 2010, International Federation of Actors (FIA) issued a 'do not work' order to its members and affiliates because the producers of *The Hobbit* films was offering non-union contracts with no minimum payments and conditions of work. When these New Zealand cultural workers raised concerns about their labour conditions, the producers of the films including the director Peter Jackson refused to offer union contracts and threatened that the production would "go east" (to Eastern Europe) if the dispute was not quickly resolved. Over the proceeding days, New Zealand union representatives met with the producers, but the dispute was also recast in the New Zealand media as a 'boycott', and this led to street protests, both by other local film workers concerned about their job security and members of the public.

The resolution to the dispute came after the widespread vilification of the NZAE and its members. Very quickly, the NZAE and MEAA had reached a resolution, in discussion with the New Zealand Council of Trade Unions (CTU), Warner Brothers, the principal Hollywood financers of the films and New Zealand government ministers. But in the mainstream New Zealand media, writer/producers Fran Walsh and Phillipa Boyens characterised the New Zealand creative economy as inherently 'risky' and precarious as a result of the union action (Kelly 2011). In this context, Warner Brothers' executives flew to New Zealand to negotiate a settlement directly with the New Zealand government. Generous tax breaks and forms of marketing subsidisation were offered by the New Zealand government and willingly accepted by Warner Brothers, and these totalled nearly $NZ100 million (McAndrew and Martin Risak 2012, p. 71). But more than simply subsidisation, the agreement detailed 'emergency' overnight changes to New Zealand employment legislation that ensured that New Zealand film workers would never be legally considered employees in this industry in the future. They will always and by

default be temporary contract workers. As McAndrew and Risak characterise it, such legislation is "effectively 'immunizing' the New Zealand film industry against union activity and legislated employment regulation" (Ibid., p. 57). But it is also another very interesting example of cultural policymaking (and law-making) used to shore up the model of the individualised and fully 'independent' cultural worker. McAndrew and Risak go on to note in their analysis that this specific legislative change can now conveniently be extended to other workers or workplaces in New Zealand, a "textbook example of an effective strategy to keep a workplace, an industry or even a national labour market union-free and unregulated" (Ibid., p. 74). *The New Zealand Herald* (2010) called the deal 'extortionate' and *The Hollywood Reporter*'s Jonathan Handel argued that the deal was a "pretty extraordinary display of multinational power" (Sherer 2010).

To connect this very distinctive case to the other critical moments we have presented in this chapter, it is important to highlight that this resolution is arguably an inevitable outcome of trends in cultural policymaking in New Zealand that have consistently side-lined or directly undermined issues of access and equality as they are understood within collective employment rights. This case represents a modest attempt by a small group of cultural workers to bargain collectively in order to secure those employment rights on a high-profile international film production; it was designed to enable exposure and visibility for these workers and their current and future conditions of work. The extreme and remarkable response by the New Zealand government, the further stripping out of those basic rights, also enabled visibility for this cultural work; in this case, it illuminated the lengths to which employment policy and legislation can be pushed in favour of cultural employers and producers as opposed to employees and workers. As Conor (2015) has discussed elsewhere, this case actually represents the latest episode in a long history of the dismantling of collective employment legislation and policy that would otherwise ensure that workers have recourse to voice and representation when it comes to issues such as workplace discrimination.

This is crucial because the New Zealand film industry replicates the patterns of inequality visible in many other cultural industries as we outlined above. In contrast to the UK, however, diversity statistics have not been routinely collected by organisations such as the New Zealand Film Commission although this has very recently changed (see New Zealand Film Commission 2014). Studies from Handy and Rowlands (2014) and Jones and Pringle (2015) have illustrated the 'inequality regime' in which New Zealand film workers operate. But as this case study indicates, cultural policymaking in New Zealand has been entirely geared to workforce 'flexibility', encouraging individually negotiated employment contracts determined by employers as opposed to workers. This sits within a wider policymaking context concerned with securing New Zealand's long-term position as a competitive service provider for international productions. For example, a Screen Advisory Board that was announced in 2014 will consult over issues such as gender equality but will primarily be focused on ensuring "the New Zealand screen sector create the skills and connections to be able to generate their own intellectual property, compete internationally and attract overseas finance" (Joyce and Finlayson 2014). Members of this Board include Peter Jackson and James Cameron, who has announced he will film his next three *Avatar* films in New Zealand (Trevett 2013) with unprecedented tax rebates, another cornerstone of New Zealand's film policy agenda.

After the resolution to *The Hobbit* dispute, a new SPADA/NZAE Individual Performance Agreement was introduced. This is an individual agreement only, to be negotiated between individual workers and producers and as NZAE describes it: "SPADA will be responsible for issuing the Agreements to producers on a production-by-production basis, and Equity New Zealand members will be able to access the Agreements for review" (New Zealand Actors Equity 2014). But the NZAE considers this to be an improvement over the unenforceable Pink Book and they have seen an increase in membership since *The Hobbit* dispute, from 438 members in 2012 to 613 in 2013 to 725 in 2014 (New Zealand Companies House 2016). Thus, this 'bottom-up' action has increased the visibility of the NZAE. The emergency legislative changes have also starkly illuminated the everyday working conditions of New Zealand cultural workers and the lengths to which both international and local producers and policymakers will go to ensure a cultural industry and its workers are framed as 'risk free' and 'open for business'.

Conclusions

In this chapter, we have tried to highlight some key issues surrounding cultural work and its understanding in academic, policy and media literature. We acknowledged the lack of visibility of cultural work within policy as highlighted also by Banks and Hesmondhalgh (2009). We also posed that this invisibility has been a barrier for cultural workers themselves to engage in debates about their working conditions as well as for durable and lasting policy interventions to take place. However, we also presented three very different examples of key critical moments where academic work, policymaking and media coverage have led to broader debates and interventions within this field. We argue that while these critical moments have been useful in framing the issues and making them visible, long-term change will happen only through continuous and sustainable bottom-up responses from cultural workers and their organisations. These responses may be newly influential in terms of policymaking and legislation. Our New Zealand case study above represents an extreme example of top-down legislative change having deleterious effects on cultural workers, but the case also indicates that local cultural workers can very effectively make visible the politics of their work and the inequalities therein. We sketch here some further possible interventions that represent opportunities for cultural work to become more central to the general debates about working conditions and highlight some relevant areas for future research.

First, we would highlight the importance of sustained advocacy campaigns that engage workers – as well as the companies they work for – to critically reflect on access, opportunities and ethical practice. An interesting example of this has been the campaigns run by Carrotworkers' Collective and others (such as Intern Aware) focused on the established practice of unpaid internships in cultural work. These interlinked campaigns have been successful in arguing that alongside making an ethical case for the importance of *paid* labour in the creative and cultural industries, it is important to empower workers – in this case future workers entering the sector – as to the value of their work. The Carrotworkers have published and circulated a 'Counter Internship Guide in London' (Carrotworkers' Collective 2009) for example, and they are now working on curriculum guides for HEI courses in the CCIs. The Arts Council England followed suit, publishing its own guide for internships directed at arts organisations in 2011. Thus advocacy groups are explicitly engaged in a critical dialogue with policymakers as well as higher education practitioners and students in the full-fees era we outlined in section one. They are again focused on raising awareness and increasing the long-term visibility of the other issues we have discussed here: inequalities, exclusions and the potentialities of collective, grassroots action. We would also urge further research in this area, the documenting of grassroots or bottom-up initiatives and disputes (whether successful or not) led by cultural workers. An understanding of how cultural workers can directly effect change in policy and employment legislation will enable us to link up these otherwise disparate and potentially (still) invisible campaigns and actions.

Second and relatedly, we would highlight the importance of platforms and opportunities for cultural workers to come together and 'organise' in traditional and perhaps, new ways. The fragmented, freelance and project-based nature of cultural work seems to be geared towards individualisation and competitive behaviours as much of the CCIs and cultural work literature has documented. However, as the work of de Peuter and Cohen (2015) and their research network Cultural Workers Organise shows, there is evidence of an international emergence of groups, collectives and platforms trying to make visible the political and social insecurities of cultural work. It is crucial that popular and academic research, some of which we have highlighted in this chapter, continues to extend this visibility across industries, regions and places.

Finally, while it is important to make cultural work visible, we think it is also important to make it visible within and across sectors and alongside broader economic trends and issues. This could give rise to further cross-sector alliances, for example on issues of precarity, insecurity and visibility that go well beyond cultural work and have become a feature of our knowledge-driven society (as the International Labour Organisation 2014, has highlighted). If these common issues were addressed but also contextualised it would help unite cultural workers with other workers, for example in education and higher education, as well as in the rapidly expanding service sectors in which precarious, insecure and unequal experiences of employment are also the new norm. In fact, analysing the politics of cultural work across a range of sectors and disciplines is crucial, we believe, to understand, as Ross puts it "how it is that contemporary media, or the so-called creative industries, have emerged as an optimum field for realising the long-standing capitalist dream of stripping labour costs to the bone" (2008, p. 37). This also could open up to new research that tries to map the expansion of these dynamics beyond the

cultural sector, for example, with recent literature emerging in relation to precarity in research and academia (Cupples and Pawson 2012; Ivancheva 2015).

Overall, this chapter has made the argument that the invisibility of cultural work should not be justified or accepted as endemic to the nature of the sector and its fragmentation or 'risky' business models. The invisibility of cultural work and its deleterious conditions are desirable and necessary for the continued exploitation of that labour and/or for the ongoing erosion of labour rights in a context of widespread precarity and uncertainty. Cultural labour, whether in film production, the music industry or the art market, is a process fraught with complex mobilities, temporalities and asymmetries. These should be openly discussed, questioned and challenged in order to empower those workers and experiences that we do not see.

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[1] It is relevant here to reference David Cameron's speech after his visit to the Silicon Roundabout in East London (Geere 2010) where he highlighted that the government should play a minimal role in the sector by, in his words "giving power away and trusting in the creativity of the British people".

[2] For more information visit www.arts-emergency.org/about-us/arts-humanities-matter/ (last accessed 23 March 2016).

[3] For more details see McGettigan, A. (2015).