

## VITALSTATISTIX STATEMENT – 12 OCTOBER 2020

### Casey Jenkins – *IMMACULATE*

Vitalstatistix unequivocally expresses our support for the artist Casey Jenkins, and their work *IMMACULATE*. We are extremely concerned about the Australia Council's decision to rescind its funding of *IMMACULATE*, and the broader implications this has for Australian artists and arts funding.

In late June, Vitalstatistix selected Casey's project *IMMACULATE*, an intimate and durational artwork about transforming and reframing the conception of a child through the lens of queer experience, for participation in Adhocracy 2020, our national experimental arts hothouse held annually in September.

Adhocracy is a creative development initiative for new experimental artistic works in Australia. During September 2020 we published video and written outcomes from *IMMACULATE* at [vitalstatistix.com.au/adhocracy-projects/immaculate/](https://vitalstatistix.com.au/adhocracy-projects/immaculate/) and Casey participated in two artist talks. All of which were very well received by our audiences.

Casey Jenkins' artwork *IMMACULATE* is documenting a deeply personal experience, in line with much of their practice, of the process of becoming pregnant by donor insemination and the artist's desire to have a very wanted and planned for second child. It is an artwork about an experience that is entirely legal and extremely common yet surrounded by ideological positions as the responses to this work have made abundantly clear.

The materials of this work are Casey themselves and the representation of their body. Casey is the only person in this artwork. Those engaging in 'pro-life' rhetoric around this work misconstrue what this project is.

We categorically reject the misrepresentation of this work as Casey being paid to become pregnant or the artist having a child as an art project. Casey has not broken any laws and the Australia Council have acknowledged this.

We selected Casey's work for participation in Adhocracy from a highly competitive national call for proposals, and we have been delighted to work with this acclaimed Australian artist. We regularly work with artists who make embodied work, who create from their lived experience, and who explore feminist and queer themes. The work is extremely pertinent, which is one of the reasons why it was selected.

Like much of Casey's practice, *IMMACULATE* has two sides to it: a reflective and stripped back quality of a work made alone from home totally reliant on the passage of time, alongside an incisive critique. As stated on our Adhocracy website this work is "*creating a sanctuary for witnessing and reflecting on non-hetero and solo reproduction, the controls put on a queer body which resists being controlled, and the hope, fear and strength inherent in the process of conceiving alone.*"

The use of the body in art is certainly nothing new. Nor is discussion and depiction of conception and pregnancy, in art, where the pregnant person's body and the pregnant person's body alone, is the subject, in line with decades of feminist work on this topic.

Maude Davey OAM, performance artist and a former Artistic Director of Vitalstatistix, has written:

*“In my opinion Jenkins is one of Australia’s most significant contemporary artists, standing alongside and in the tradition of artists like Patricia Piccinini, Mike Parr and Stelarc. The medium in their most celebrated works, is their own body. The body has been used by many significant artists, (Jackson Pollock, Marina Abramovic, Yoko Ono, Japan’s Gutai Group, Einat Amir, to cite a very few examples) particularly over the last fifty or sixty years, revolutionising the way art is thought about, approached and perceived.*

*Jenkins’ work therefore, is clearly situated within a respected and valued contemporary art tradition. Use of the Body allows artists to refuse mechanistic conceptions of art as the creation of objects that can conform to culturally agreed upon standards of value. This medium claims a subject position for the art as well as the artist, requiring the art to be approached viscerally as well as intellectually. Our encounter with a Body based artwork directly evokes empathy and compassion, as well as a kinaesthetic (sympathetic physical) response”.*

The misrepresentation of *IMMACULATE*, and the Australia Council’s decision to break a contract with an artist and rescind its funding of the work, has deep ramifications for Australian artists. Artists need to be able to make work about lived experience without fear of having their lives assessed for “incalculable” risk or controversy to the Federal Government.

This kind of extraordinary intervention sets a precedent for all artists funded by the Australia Council. It has created an enormous amount of fear and trepidation amongst artists, especially those most vulnerable to these types of attacks, such as queer artists and artists whose practices are embodied and/or experimental, as well of those who have stood up for Casey.

The Australia Council, whose function is to support artists and uphold freedom of artistic expression at arms-length from Government, needs to feel empowered to stand by artists – especially when they are subjected to concerted campaigns by the IPA, religious conservatives and other assorted haters.

We don’t counter conservative attacks on artistic expression, arts funding and artists by dissolving under pressure and throwing people who could be seen to be at the margins under the bus.

Vitalstatistix is proud to support and stand by Casey Jenkins alongside all the artists we work with.

We can confirm that in the course of this issue Vitalstatistix has been asked by the Australia Council not to allocate funds from our peer-assessed grant for Adhocracy 2020, granted by their Emerging and Experimental Art section, towards our payment of Casey Jenkins’ fee for their participation in our curatorial project, Adhocracy. We can confirm that we have reluctantly agreed to this condition and have paid their small fee using our own earned income rather than any funding agency’s grant to our organisation.

**Emma Webb OAM**  
**Director, Vitalstatistix**  
**12 October 2020**

*Please see the following page for Vitalstatistix’s narrative of the timeline around this issue*

## Statement about the timeline

Vitalstatistix selected *IMMACULATE* for Adhocracy 2020 in late June from a highly competitive national callout process.

Shortly after we selected Casey's project, we became aware that Arts Centre Melbourne had also selected the same project for their Take Over program, unanimously and with a great deal of enthusiasm just like our curatorial panel, and that they had begun to contract Casey on 7<sup>th</sup> July. Vitalstatistix and Arts Centre Melbourne briefly liaised about *IMMACULATE*, in a collegial and positive manner, until such time as Arts Centre Melbourne withdrew from the project.

Through the process of developing the website for our public launch of the Adhocracy 2020 program ([adhocracy.org.au](http://adhocracy.org.au)) where we acknowledge project-specific funding bodies and other partners, we were made aware by Casey that the Australia Council had accepted a variation of a peer-assessed career development grant awarded to the artist, from an international project that could not happen because of COVID-19 travel restrictions to a suite of other projects to occur in Australia, *IMMACULATE* being one of these.

These types of simple variations to peer-assessed grants have been extremely common in 2020. The original project and *IMMACULATE* have much in common materially and thematically; being made from the body and lived experience, exploring solo queer parenting. In the process of applying for this variation the artist double checked that the Australia Council understood the nature of the work. This variation was confirmed on 4<sup>th</sup> August and then again on 13<sup>th</sup> August.

On the 14<sup>th</sup> August, the Sydney Morning Herald published an article about *IMMACULATE*; then on the 18<sup>th</sup> August, conservative commentator Peta Credlin and the Director of Foundations of Western Civilisation Program at the Institute of Public Affairs, Dr Bella d'Abrera, presented a highly negative discussion of the project on Sky News. Over this period of time the Australia Council confirmed to the Herald Sun and Sky News that the project was in receipt of Australia Council funding.

On the evening of the 18<sup>th</sup> August, the evening before Casey's first planned outcome, a live video, the Australia Council contacted both Casey and Vitalstatistix, separately, to ask for an overview of ethical considerations and legislative compliance (which was provided immediately by the artist and over the following two days by Vitalstatistix).

On the 19<sup>th</sup> August, Casey and Vitalstatistix were asked and agreed to temporarily remove the Australia Council logo/funding acknowledgment from publications of the project. The Australia Council informed us they were seeking some legal advice; it was strongly suggested that this was in order to confidently support the project and that it was hoped this advice would be confirmed within a week.

On the 20<sup>th</sup> August, the Australia Council confirmed that Vitalstatistix should not pay a fee to Casey Jenkins from our Australia Council grant towards Adhocracy 2020 until such time as the issue was resolved, which we reluctantly agreed to.

Emma Webb, director of Vitalstatistix, wrote to the Australia Council: *"I am also concerned about the precedent this could create in regards to funding curatorial projects such as Adhocracy – will you go through all the projects we have selected, months after the funding is confirmed, to see if there is potential for controversy? I hope and believe the answer here is 'no, of course not'."*

The same email included a summation that confirmed:

Casey Jenkins is:

- Engaged in a lawful process of attempting to conceive a child;
- Making an artwork that documents their lived experience which is completely in line with their body of work and practice;
- Absolutely transparent about what the artwork involves to any organisation that has funded the work;
- Publishing the artwork in a lawful and sensitive manner.

Vitalstatistix is:

- Supporting the artist, artistically and emotionally;
- Monitoring the process of the work's implementation alongside Casey;
- Publishing the artwork in a lawful and sensitive manner, as part of a curated program of 28 artworks responding to themes that include isolation, home life, healthcare and queerness.

On 26<sup>th</sup> August, Casey received correspondence from the Australia Council which indicated that legal advice had not yet been sought and asked Casey to agree to a new variation that would not include *IMMACULATE*. In response to querying of this approach it was suggested that Casey was “regrettably” not accepting a “compromise”.

At this time, Emma Webb emailed the Australia Council: *“With the greatest of respect, genuinely, it seems to me that the Australia Council has suddenly this week – quite apart from the conversations had last week - attempted here to procedure Casey into accepting a variation to a funding agreement that is not ideal for their work or situation, in order to avoid the trouble. I’ll reiterate again from my email earlier today: we thought you were seeking legal advice last week in order to make sure you had everything covered in order to confidently support the project – to now hear you are seeking it regretfully, is quite disconcerting. It is perfectly reasonable for Casey to question why their work is being called into ethical and legal question by the Australia Council, after a variation inclusive of Immaculate was previously acceptable.”*

Casey Jenkins and Emma Webb met with Australia Council staff on 28<sup>th</sup> August, where it was agreed that the Australia Council would seek legal advice and then provide clarification of their position to Casey. At that meeting it was acknowledged that this had been handled insensitively by them. At that meeting an Australia Council representative made a statement to the effect of ‘You do know that our Prime Minister is a religious man and could defund the Australia Council’.

On 4<sup>th</sup> September, the Australia Council provided Casey with a legal undertaking to sign. A series of communications occurred between the artist and the Australia Council, up until 18<sup>th</sup> September, in which the artist repeatedly communicated to the Australia Council that they were attempting to obtain legal advice.

On 22<sup>nd</sup> September, the artist informed Vitalstatistix that Australia Council CEO Adrian Collette AM had phoned and emailed them to advise that he and Australia Council Chair, Sam Walsh AO, had decided to rescind the decision to fund *IMMACULATE*, citing “incalculable” ethical and legal risk.

**See Casey Jenkin’s statement on this here: [casey-jenkins.com/works/IMMACULATE/](https://casey-jenkins.com/works/IMMACULATE/)**