

### Ethical Decision-Making in the Economy

Ethical decision-making is when producers and consumers make choices that they deem morally right and fair. It means thinking about the impacts of producing and consuming goods and services. When consumers buy goods and services, ethical decisions may include buying eco-friendly products (e.g. reusable water bottles), supporting local or fair-trade producers and avoiding companies that exploit workers or harm the environment. When producers are making goods and services, ethical decision-making may include fair treatment of workers, the environmental impact of their production and animal welfare considerations. Ethical decisions in the economy are important as they help protect the resources and environment for future generations. Producing ethical products can lead to higher sales by attracting consumers.

### Current Ethical Issues for Businesses

Australian businesses contend with ethical issues on a daily basis. They must consider what is right and fair and not just profit. For example, they must adhere to specified labour conditions and ensure workplace practices do not discriminate. Discrimination in the workplace occurs when people are treated unfairly at work because of their background or particular personal characteristics. Workplace discrimination is not only unfair and damaging for employees, it is also illegal in Australia. Businesses must take discrimination issues seriously and know what discrimination is in order to prevent it in their workplace.

Fair Work Australia is a government organisation whose purpose is “to promote harmonious, productive, cooperative and compliant workplace relations in Australia”. Fair Work states “employees have the right to be free from discrimination based on protected attributes” such as (but not limited to) race, colour, physical or mental disability, sexual orientation and age. Businesses must not cause adverse action, such as not being hired or not being awarded the correct entitlements based on these attributes. Workers are able to contact the Fair Work Commission if they do face discrimination in the workplace and seek help with a resolution.

Certain labour conditions must also be upheld by Australian businesses. These include paying staff at least (or equal to) the minimum wage, providing appropriate employee entitlements such as sick leave and breaks, checking licenses and qualifications and ensuring workers have the correct visas/work permits.

Ethical businesses follow Fair Work laws, create inclusive workplaces and pay their workers fairly. This can benefit businesses too, with happier workers performing better and attracting more customers who support ethically produced goods and services.

*Workplace Discrimination.* Australian Unions. (2025, March 13). <https://www.australianunions.org.au/factsheet/workplace-discrimination/>

*Our Role and Purpose - Fair Work Ombudsman.* FairWork. (n.d.). <https://www.fairwork.gov.au/about-us/our-role-and-purpose>

## Campaigns Used to Encourage Ethical Practices

Campaigns such as advertising and lobbying may be used by interest groups to change the behaviour of consumers or producers. They are used to encourage ethical practices because they influence public opinion, consumer behaviour and industry standards. Campaigns aim to raise awareness about an issue and then shift consumer choices. They may also put pressure on businesses to change production practices or governments to reform regulations.

An example of this is the local pushback towards Tasmanian salmon farming. There is growing opposition to Tasmanian fish farming with pressure groups hoping to encourage ethical production and consumption of salmon in Australia. Neighbours of Fish Farming (NOFF) is a not-for-profit organisation driven by volunteers who believe “that natural environments should not be exploited or harmed”. This organisation has run ad campaigns alleging environmental destruction and animal welfare concerns associated with salmon farming in



Tasmania. They call for land-based aquaculture systems with better waste control, stricter transparency and regulation and support for truly sustainable seafood options. The campaign has pressured the Government to act. In August 2025 the government announced a review of Tasmanian salmon farming and a pause on expansion plans.

*About Noff.* Neighbours Of Fish Farming. (2025, July 30). <https://www.noff.au/>

## AI and Appropriation of Indigenous Cultural and Intellectual Property

Ethical issues have recently come to light surrounding original artworks and AI. ChatGPT can produce similar artworks to authentic Aboriginal and Torres Strait Islander artwork without crediting or compensating the artists for the data used to produce the artwork. Intellectual property rights are the legal rights which protect creations of the mind – the things people create – such as a design, logo or form of artistic work. Cultural appropriation occurs when members of a majority group adopt elements of a minority group in an exploitative, disrespectful or stereotypical way.

Read the following article extract from ABC News, written by the Indigenous Affairs Team's James Vyver and Tahnee Jash and published on 23 August 2025.

### **Calls to protect Indigenous intellectual property from AI 'cultural theft'**

AI supercomputers can scrape the internet to interpret tens of thousands of years of First Nations cultures in just a few seconds. Should that be considered a marvel of the artificial intelligence age, or an act of cultural theft? Terri Janke, an international legal authority on Indigenous Cultural and Intellectual Property, believes the AI poses a series of risks to First Nations peoples. "AI has no Dreaming, it has no kinship, country, or cultural obligations," she said. "[It] doesn't understand cultural protocols about whether certain images come from places that need to be respected or whether it should make versions of them." The ABC's Indigenous Affairs Team found that popular AI models will easily replicate, amalgamate and genericise First Nations art, story and language. This week's Economic Productivity Summit

considered how, and crucially if, the burgeoning technology can be regulated while balancing the economic benefit potentially worth billions. "We've got this big wave of AI coming in and it's got the potential to multiply the infringements that occur," said Dr Janke.

To test how AI 'understands' First Nations culture, the ABC's Indigenous Affairs Team entered a series of prompts into popular models. Federal parliament, where any future AI laws will be passed and where this week's summit took place, sits on Ngunnawal country. We entered the prompt: "Create an Aboriginal Dreamtime story artwork about Ngunnawal country" into a free account in the ChatGPT smartphone app. In less than a minute, it created a dot painting 'artwork' featuring two goannas.



AI image: This image was created by entering a simple word prompt into Chat GPT. It was created by ABC News. (ABC News)

Ngunnawal elder Jude Barlow said it shows AI's lack of authenticity. "None of our artwork [in Ngunnawal culture] is dot painting," she said. "It's taking the generics of Aboriginal art that's popular today." Broadly speaking, AI algorithms work by absorbing huge amounts of data available online and looking for patterns. When we asked the AI to generate the Ngunnawal 'Dreamtime' image, it stated it would "design something in a 'safe zone' of respectful, generic dot-painting symbolism". Jude Barlow warns it fails to grasp the diversity of Indigenous cultures. "It kind of homogenises [Indigenous peoples] when we're actually really dynamic and varied," she said. "We have our own very different cultures, our own language, songs and stories that are relevant to our countries. I do worry about the ethics of it."

AI-generated Aboriginal art is easy to find and cheap to buy. "What we're seeing now in the age of AI is that these things are created and they're put up on print-on-demand sites," Dr Janke said.

Dr Janke considers the sale of these images to be cultural theft, though admits these 'paintings' would be unlikely to break current copyright laws. "AI gets away with it, and that really harms people in their own health and wellbeing," she said. "This results in a flattening of culture by adapting real and sacred stories, taking away diversity rather than preserving it."

Jude Barlow says AI can never understand all of First Nations culture because so much of it is handed down verbally through stories, giving in effect an incomplete data set and therefore false results. "In our fight to do truth telling, that sort of stuff can really interfere with us telling our stories of Aboriginal and Torres Strait Islander Australia." Among other sources, ChatGPT says it follows the AIATSIS Guidelines for Ethical Research. But Ms Barlow says its incorrect use of her language doesn't meet these standards and is disrespectful. "It's not

doing that because the guidelines [say] there's got to be engagement with Aboriginal and Torres Strait Islander people about their culture," she said. "It's a form of appropriation."

A Productivity Commission report released in 2022 found international tourists spent more than \$78 million on Indigenous-style artwork in the 2019–20 financial year.

However, it estimated up to 75 per cent of Indigenous-style art on the market was not made by First Nations people. Laws to protect Indigenous Cultural and Intellectual Property are currently being considered by government, but it's unclear if, or how this legislation would consider AI. But government and the AI industry move at very different speeds, meaning it could be years before regulation is introduced or amended, if it happens at all. The Tech Council of Australia is calling on the government to change the law to allow AI models to 'learn' from the data of copyrighted material.

Brisbane-based Wiradyuri visual artist and gallery founder, Birrunga, says the AI will only do what the user asks, but the ability for AI models to mine culture for profit can cause harm. "It's quick, it's easy, it's cheap ... but it just further diminishes our value."

Vyver, J., & Jash, T. (2025, August 25). *Calls to protect Indigenous intellectual property from AI "cultural theft."* ABC News. <https://www.abc.net.au/news/2025-08-23/calls-to-protect-indigenous-intellectual-property-from-ai-cultur/105680182>

Encyclopædia Britannica, inc. (n.d.). *What is cultural appropriation?*. Encyclopædia Britannica. <https://www.britannica.com/story/what-is-cultural-appropriation>

### Activities

1. Define the concept of ethical decision-making and explain why it is important.
2. Explain **one** ethical issue facing Australian businesses.
3. Explain the importance of campaigns used to encourage ethical practices with reference to Tasmanian salmon.
4. Outline the meaning of intellectual property rights.
5. Define the term cultural appropriation.
6. Explain the concerns with artificial intelligence generated artwork in relation to cultural intellectual property. Use examples from the ABC article on pages 3 and 4 to support your response.

## Teacher Notes

### Purpose

This resource aims to explain the role of ethical decision making in Australian production and consumption.

### Curriculum Links

The role of ethical decision-making in production and consumption

For example:

- current ethical issues for business, such as discriminatory workplace practices and labour conditions
- campaigns used to encourage ethical practices, such as animal rights activism and supporting fair trade
- intellectual property rights, such as the role of artificial intelligence in the creative industries and the appropriation of cultural intellectual property for commercial gain

## Answer Guide

## Sample answer guide

## 1. Define the concept of ethical decision-making and explain why it is important.

Answers could include but are not limited to:

- Ethical decision-making is when producers and consumers make choices that they deem morally right and fair.
- It means thinking about the impacts of producing and consuming goods and services.
- Ethical decisions in the economy are important as they help protect the resources and environment for future generations. Producing ethical products can lead to higher sales by attracting consumers.

2. Explain **one** ethical issue facing Australian businesses.

Answers could include but are not limited to:

Workplace discrimination and labour conditions:

- They must adhere to specified labour conditions and ensure workplace practices do not discriminate. Discrimination in the workplace occurs when people are treated unfairly at work because of their background or particular personal characteristics.
  - Fair Work states “employees have the right to be free from discrimination based on protected attributes” such as (but not limited to) race, colour, physical or mental disability, sexual orientation and age. Businesses must not cause adverse action, such as not being hired or not being awarded the correct entitlements based on these attributes.
- Certain labour conditions must also be upheld by Australian businesses. These include paying staff at least (or equal to) the minimum wage, providing appropriate employee entitlements such as sick leave and breaks, checking licenses and qualifications and ensuring workers have the correct visas/work permits.

## 3. Explain the importance of campaigns used to encourage ethical practices with reference to Tasmanian salmon.

Answers could include but are not limited to:

- Campaigns such as advertising and lobbying may be used by interest groups to change behaviour of consumers or producers.
- They are used to encourage ethical practices because they influence public opinion, consumer behaviour and industry standards.
- They may also put pressure on businesses to change production practices or governments to reform regulations.
- The campaigns are important as they hold consumers and producers to a high standard and encourage ethical practices.
- Example: The Tasmanian salmon campaign has impacted the production of salmon. In August 2025 the government announced a review of Tasmanian salmon farming and a pause on expansion plans.

## 4. Outline the meaning of intellectual property rights.

Answers could include but are not limited to:

Intellectual property rights are the legal rights which protect creations of the mind – the things people create – such as a design, logo or form of artistic work.

## 5. Define the term cultural appropriation.

Answers could include but are not limited to:

Cultural appropriation occurs when members of a majority group adopt elements of a minority group in an exploitative, disrespectful or stereotypical way.

6. Explain the concerns with artificial intelligence generated artwork in relation to cultural intellectual property. Use examples from the ABC article on pages 3 and 4 to support your response.

Answers could include but are not limited to:

- Terri Janke, an international legal authority on Indigenous Cultural and Intellectual Property, believes the AI poses a series of risks to First Nations peoples. "AI has no Dreaming, it has no kinship, country, or cultural obligations. [It] doesn't understand cultural protocols about whether certain images come from places that need to be respected or whether it should make versions of them."
- Dr Janke considers the sale of these images to be cultural theft, though admits these 'paintings' would be unlikely to break current copyright laws. "AI gets away with it, and that really harms people in their own health and wellbeing," she said. "This results in a flattening of culture by adapting real and sacred stories, taking away diversity rather than preserving it."
- Jude Barlow says AI can never understand all of First Nations culture because so much of it is handed down verbally through stories, giving in effect an incomplete data set and therefore false results.
- The ability for AI models to mine culture for profit can cause harm and lost income for Aboriginal and Torres Strait Islander artists.