



COMMONWEALTH OF AUSTRALIA

# Official Committee Hansard

## SENATE

STANDING COMMITTEE ON ENVIRONMENT,  
COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE  
ARTS

**Reference: Australia's Indigenous visual arts and craft sector**

TUESDAY, 20 FEBRUARY 2007

DARWIN

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**SENATE STANDING COMMITTEE ON  
ENVIRONMENT, COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS**

**Tuesday, 20 February 2007**

**Members:** Senator Eggleston (*Chair*), Senator Bartlett (*Deputy Chair*), Senators Lundy, Ian Macdonald, Parry, Ronaldson, Webber and Wortley

**Substitute members:** Senator Crossin for Senator Lundy

**Participating members:** Senators Adams, Allison, Bernardi, Boswell, Brandis, Bob Brown, George Campbell, Carr, Chapman, Conroy, Crossin, Chris Evans, Faulkner, Ferguson, Ferris, Fielding, Fierravanti-Wells, Forshaw, Heffernan, Hogg, Humphries, Joyce, Lightfoot, Ludwig, Marshall, Mason, McGauran, McLucas, Milne, Moore, Nash, Nettle, O'Brien, Payne, Robert Ray, Scullion, Siewert, Stott Despoja, Watson and Wong

**Senators in attendance:** Senators Crossin, Ian Macdonald, Moore, Parry and Siewert

**Terms of reference for the inquiry:**

To inquire into and report on:

Australia's Indigenous visual arts and craft sector, with particular reference to:

- a. the current size and scale of Australia's Indigenous visual arts and craft sector;
- b. the economic, social and cultural benefits of the sector;
- c. the overall financial, cultural and artistic sustainability of the sector;
- d. the current and likely future priority infrastructure needs of the sector;
- e. opportunities for strategies and mechanisms that the sector could adopt to improve its practices, capacity and sustainability, including to deal with unscrupulous or unethical conduct;
- f. opportunities for existing government support programs for Indigenous visual arts and crafts to be more effectively targeted to improve the sector's capacity and future sustainability; and
- g. future opportunities for further growth of Australia's Indigenous visual arts and craft sector, including through further developing international markets.

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**Committee met at 8.04 am**

**ACTING CHAIR (Senator Parry)**—Good morning. We will commence the public hearing of the Senate Standing Committee on Environment, Communications, Information Technology and the Arts. This committee meeting is open to the public. It is an inquiry into Australia's Indigenous visual arts and craft sector. I am temporarily acting as chair until our chair arrives; he is detained on other business at the moment. Today the committee will conduct its third public hearing for this inquiry. Further hearings will be held in coming days in Alice Springs and Sydney. The committee's proceedings today will follow the program as circulated. These are public hearings, as I mentioned, but the committee may also agree to a request to have evidence heard in camera or may determine that certain evidence should be heard in camera.

I remind all witnesses that, in giving evidence to the committee, they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee and such action may be treated by the Senate as contempt. It is also contempt to give false or misleading evidence to the committee. If a witness objects to answering a question, the witness should state the grounds upon which the objection is made and the committee will determine whether or not it will insist on an answer. Having regard to the grounds which are claimed, if the committee determines that it will insist on an answer, a witness may request that the answer be given in camera. Such a request may also be made at any other time.

[8.05 am]

**HAWKINS, Ms Stephanie, Manager, Indigenous Arts Development Unit, Arts NT, Department of Natural Resources, Environment and the Arts, Northern Territory**

**LEEDER, Dr Diana, Executive Director, Arts and Museums, Department of Natural Resources, Environment and the Arts, Northern Territory**

**SCRYMGOUR, Ms Marion, Minister for Arts and Museums, Northern Territory Government**

**ACTING CHAIR**—With the formalities over, I welcome you here today. The committee has received the department's submission, which has been numbered 57. Do you wish to make any amendments or alterations to that submission?

**Ms Scrymgour**—No.

**ACTING CHAIR**—I remind members of the committee that the Senate has resolved that the departmental officers should not be asked to give opinions on matters of policy and shall be given reasonable opportunity to refer questions to superior officers or to a minister. This resolution prohibits only asking questions for opinions on matters of policy and does not preclude questions asking for explanations of policies or factual questions about when and how policies were adopted. If you would you like, you can make a brief opening statement and then we will move to questions.

**Ms Scrymgour**—I thank the senators for coming today and for holding hearings into this most important inquiry. I will make a short introductory statement and then we are happy to be available for questions and discussion. To assist you I will also provide you with a copy of a speech I made last year at the Desert Symposium, which has direct relevance to the work of your committee. As you can imagine, with the Aboriginal visual arts and craft industry being of such a crucial importance here in the Territory, it is something that our parliament has raised as recently as last week. The debate in the Legislative Assembly was in direct response to your committee's inquiry, and I shall also supply you with relevant copies of the *Hansard*.

Without repeating myself from those areas, I would like to make three points to your committee. First, I am aware that you do not have the time to check this out as your timetable is tight, but if you were to walk 700 metres from the site of this hearing you would get a sense of some of the threats to the Aboriginal visual arts and craft industry. Within this radius there are half-a-dozen shops that deal more or less exclusively with Aboriginal art. Two are Aboriginal owned, the Tiwi Art Network outlet in the Air Raid Arcade and the Maningrida Arts and Culture across the road in the Plaza Hotel. By sheer chance these two represent arts centres from my electorate of Arafura. Also within this radius there is a plethora of souvenir shops which sell, as a significant part of their output, arts and souvenir material that is purportedly Aboriginal.

I make no comments about these shops dealing primarily in Aboriginal art; some of them do deal ethnically. It is the other shops that are of serious concern. The materials they call

Aboriginal art are almost exclusively the work of fakers, forgers and fraudsters. Their work hides behind false descriptions and dubious designs. I made the point last week that the vast majority of purchasers of Aboriginal art are sympathetic to Aboriginal artists and want to buy the real thing. Unfortunately, the vast majority of purchasers are being ripped off. I imagine the rules about unparliamentary language are much the same in the Senate as in our Legislative Assembly so I will allow you to imagine the language I would use to describe the producers of this work.

A particular case in point is the production and sale of didgeridoos. The overwhelming majority of the ones you see in the shops throughout the country, not to mention Darwin, are fakes, pure and simple. There is some anecdotal evidence in Darwin that they have been painted by backpackers working on industrial scale wood production. Needless to say, my department refuses to issue forestry harvesting permits for these carpetbaggers, but they still head out bush and rape our bush.

Many are produced and painted by Aboriginal people in New South Wales and Queensland, and it saddens me to criticise these people but I must. It also saddens the people whose birthright the didgeridoo belongs to, those whose cultures take in an arch from the north-east part of the Kimberley, through Arnhem Land and south to and around the borders of Queensland. Many of them live in my electorate. Their heritage has been stolen through the sale out of Darwin of an estimated 1,000 didgeridoos a week. I make the point here: my people, the Tiwi, reside in that geographic arch I just described, but we would never make didgeridoos. They have never been part of our culture, and we would not steal the culture of countrymen from across the water. I would make an appeal to Aboriginal people elsewhere: dressing up didgeridoos with ripped-off design formula such as crosshatching or, more bizarrely, desert iconography does not make a didgeridoo genuine; it merely hides the origins of our respective colonisations behind a mask of complicity.

The second point I make in a sense also involves my role as environment minister with the slight risk of overstepping the bounds of responsibility of my ministerial colleague in tourism and business, and it is the complex issue of sustainability of the Aboriginal visual arts and craft industry. The Aboriginal visual arts and craft industry is in essence a sustainable one but must be nurtured if not protected. It depends on traditions of cultural and intellectual property that have been sustained over many thousands of years. Of course, there have been many innovations in recent years in terms of forms and materials but the lesson is clear: properly fostered, it is an industry that can look to a strong future. To put it bluntly, arts and culture, unlike carbon, are renewable resources so long as the fundamentals of art and culture are sustained.

The sustainability of the industry is reflected in economic and enterprise terms. As our submission to the committee points out—and as I mentioned in our parliament last week—Aboriginal arts centres through the support of their artists have been far and away the success stories of Aboriginal enterprise. I would love to be proved wrong but I challenge anyone here to find another industry which has enjoyed such consistent success amidst a literal sea of failure of other enterprises over many decades. In other important ways it is a sustainable industry, including leading to environmental sustainability in other areas, and I am talking here of both land management, sustainable natural resource harvesting and cultural and ecotourism. I will deal briefly with each.

Firstly, the cultural knowledge that is embedded in the production of Aboriginal visual arts and crafts is the same body of knowledge contained in traditional forms of land management, and these traditional forms can have important lessons for the present. Last year we signed the West Arnhem Fire Management Agreement. In brief, this agreement allows the payment to traditional owners and custodians of lands stretching from western Arnhem Land to the upper catchments of the Katherine River to maintain traditional fire management practices as a trade-off for greenhouse gases emitted by the LNG plant here in Darwin. The boss of this initiative, a world first, is one of the most senior painters in western Arnhem Land and many of the other participants are also important artists. I still find it astonishing, though interesting in the context of this inquiry, that the news of this landmark agreement has received its only significant acknowledgement in the arts pages of the *Australian*.

Second is natural resource harvesting. Again, through a growing movement in the Territory and beyond, Aboriginal communities are building towards businesses involving sustainable natural resource harvesting. Again, the cultural and intellectual property driving these initiatives come from Aboriginal arts and craftspeople. They know the country. They know the resources of their country. Third, cultural and ecotourism ventures on Aboriginal land are intimately linked with knowledge of the land. This knowledge resides strongly with our Aboriginal visual artists and craftspeople.

These are not pie-in-the-sky ideas about economic activity on Aboriginal land and within Aboriginal communities; they are happening now. Your committee has the chance to join the dots and make clear recommendations to the Australian government. Since 1967 the Australian government has had the capacity to intervene in Aboriginal affairs. As someone heavily involved in the health sector, I was involved in persuading the then government to remove health funding from ATSIC and provide direct funding of Aboriginal health. Fingers crossed, I think we are seeing the results of that move by the Commonwealth. Other areas of federal funding are less sure.

My challenge now is for the Australian government to continue to expand its support for what is unequivocally the one area of its greatest success: Aboriginal cultural activities. It has been a success in cultural terms and very much a success in economic terms. It has arguably had successes in areas such as health and wellbeing. It is an industry that is expanding its influence from greenhouse gas reduction to tourism and land management. The Northern Territory government, according to the Australian Bureau of Statistics, spends more per capita on arts and cultural activities. A significant portion of this goes towards supporting Aboriginal arts. I argue that we are doing our bit but that the industry must be viewed at the level of its national significance. I ask that this Senate committee come down with firm recommendations for similar long-term support to the Aboriginal visual arts and crafts industry from the Australian government.

**ACTING CHAIR**—We will move to questions and we will start with Senator Moore.

**Senator MOORE**—Good morning and congratulations on the quality of the NT government's submission. I know that sounds wishy-washy when you are talking to a government department and agency but I found the submission particularly helpful in terms of the process and also in the way it ranged across so many issues.

There are so many questions that this committee is struggling with, but I want to start—and I know that other people have different areas to pick up—with your comments about cross-government involvement and a couple of the things you mentioned in relation to energy and greenhouse gases, which do not immediately come to mind when you think of the arts industry. How can that whole-of-government and cross-departmental focus best work in terms of the arts industry?

**Ms Scrymgour**—Thank you, Senator, I will try and do it justice. The West Arnhem Fire Management Agreement was probably one of the most landmark agreements ever signed. The whole issue of bringing together the environment and carbon trading with private enterprise was a first for the Northern Territory and certainly significant. In previous speeches I have talked about it being a virtuous circle, in that Aboriginal people and artists living on those small home communities or outstations were given an opportunity not only to maintain their art and culture but also to participate in land fire management practices. Forty-eight per cent of our greenhouse emissions in the Northern Territory are produced by savannah burning and bushfires. The LNG plant coming onshore here in Darwin provided a great opportunity to be able to work with private industry and Aboriginal landowners towards the reduction of those greenhouse emissions—hence, ConocoPhillips’s signing of that agreement with traditional owners to put in place their traditional bushfire management practices to allow us to bring down the 48 per cent that certainly creates a number of problems for us.

The head, or boss, of that initiative is Lofty Nabardayal Nadjamerrek, who is quite an esteemed artist in western Arnhem Land; his paintings have been sold not just nationally but internationally. They are working with young Indigenous rangers to put in place the traditional practices that have happened for many years, allowing Conoco to offset the emitters which rise with gas coming onshore. It gave the Aboriginal land rangers the opportunity to work with private enterprise, which normally would not happen.

I am fortunate to have a department which brings together all of the natural resources—environment and heritage, arts and museums and parks and wildlife—into one portfolio, across all of those agencies, to make that agreement work. We also have cooperation across those other agencies that impact on that.

**Senator MOORE**—We have had significant evidence about the importance of the arts industry in terms of cultural awareness and maintaining the cultural integrity of communities. Concerns have been raised in many of the submissions that that is not being maintained, that there have been attacks on the integrity. Your submission talked about the role of carpetbaggers, which is a term that has been sprinkled through so many submissions. From your perspective, what is the way that that can be stopped? Is there a legal way of stopping the attack?

**Ms Scrymgour**—I will hand over to Stephanie Hawkins, the head of the Indigenous arts unit, but it is something that has been around for years and poses some real issues and dilemmas. We have looked at whether a legislative framework is possible and I have said on the record that, unfortunately, to do that there are going to be some Aboriginal people who will get caught as a consequence of that. Nevertheless, if that were the case, we would still need to do it. How we do that is another thing. Prior to his retirement, we spoke with Senator Kemp. We were hoping to work with the Commonwealth to look at this because it is a major issue for us here in the

Northern Territory, and I am sure that Queensland and Western Australia would have the same problem.

Other alternatives may involve the Trade Practices Act and the Australian tax office. We are talking about money that people are not paying taxes on. You will get some Aboriginal people who will get caught in the trap with that. The protection of that industry, nevertheless, needs to happen. If a legislative framework is implemented we need to work through this because it is not just a matter of coming up with any sort of legislation and ramming that through and hoping for the best. The unfortunate thing is that we may not catch the very people we want to catch and be able to prosecute. It will be your small fish who will get caught up in that.

I have asked the department and my ministerial office what would be the most appropriate framework to get that message out there. The art industry, led by both ANKAAA and Desart, has put out a code of conduct. I think that certainly needs to be given the support and commitment across government. As a government, we have signed up to the national code, and we will be putting that code across all our government agencies when dealing with Aboriginal people and their art—in any of our government papers and the contents of those papers. That is the commitment we have given.

**Senator MOORE**—Is that the voluntary code of conduct?

**Ms Scrymgeour**—There is the voluntary code of conduct and there is the national code. It is voluntary, but I think committing our government to it certainly leads by example. This needs to happen. I think if will lead with the industry to make that happen others will follow suit.

**Senator MOORE**—Ms Hawkins, did you want to add anything?

**Ms Hawkins**—The minister has covered most of the areas. The other area that the Northern Territory government is very keen to pursue is the education of both artists—through not only the art centres but also other support agencies, both within the Territory and nationally—and consumers, so that they have an awareness of what they are actually purchasing and what they are looking at when they go to galleries. So through ANKAAA, the Northern Territory government has funded the consumer brochures, which we now have in four languages, to assist tourists coming into the country to get some background and to understand copyright law, intellectual property, moral rights and all the different aspects of purchasing Indigenous art. The other area that has come up recently, which I guess you would have noticed with all the different submissions that you have, is that there are different issues with unethical practice; both in the Top End, the Central Desert area, Queensland and New South Wales. For the Northern Territory, I guess from a Top End perspective, there has been a lot of discussion to do with Aboriginal land rights and the permit system. The minister might want to comment little on that.

For the Central Desert area, not all of those areas are protected through land rights so the permits are a bit of a different system. Obviously the minister also touched on the trade practices. There needs to be more collaboration between the various organisations in terms of having one view to pursue that and actually be able to use the law to stop some of these practices. There is also a national consumer awareness strategy that the Northern Territory government has signed up to—and which we can provide you with copies of if you have not already seen this—called Taking Action, Gaining Trust: a National Indigenous Consumer

Strategy. The arts industry is priority No. 7. So it is definitely on the agenda, both within the Territory and at the national level. Minister, did you want to comment on the permit system?

**Ms Scrymgour**—I was hoping to avoid that. I will get Diana to comment on the Trade Practices Act and then I will make some comments about the permit system, the threat of lifting that and what that would create.

**Dr Leeder**—My comment is really just to pick up on what Stephanie was saying about the national priority and the fact that that sits a little bit at odds with the way in which the Trade Practices Act is enforced and the understanding of unconscionable conduct and the special disadvantage of Indigenous people, particularly in the remote communities. One of the areas the Northern Territory would suggest is aligning the legislation that exists with the priorities that have been established and taking in account the remote area Indigenous communities and the special disadvantage of that in terms of understanding their consumer rights and the pressures that can be brought to bear on them.

**Senator MOORE**—I have to admit that, when I read that bit of your submission, I was not clear from my past knowledge about how those acts work together. Did I take it rightly that the remote Indigenous people did not qualify? That is how your submission reads.

**Dr Leeder**—My understanding is that, when it comes to action applying that and considering the special disadvantage—and my background is not in law so I cannot comment on it in that way—

**Senator MOORE**—We have at least one lawyer on the panel.

**Dr Leeder**—I am aware that you do. From the practical application point of view—from the department's point of view trying to take up both with the ACCC and with the Northern Territory and Commonwealth acts—we come into some difficulties in the ability to push home unconscionable conduct and take some action there.

**Senator MOORE**—And that is federal legislation?

**Dr Leeder**—Yes.

**Senator MOORE**—The minister was going to mention something about the permit system and, in view of the evidence we had yesterday when we were asking the people from Balgo about the use of permits, that might be useful.

**Ms Scrymgour**—I know that the Northern Territory government's submission to the minister for Indigenous affairs, Mal Brough, argued against any lifting of the permit system from Aboriginal communities. In the context of arts and crafts centres or arts centres, and we have done a paper on this called 'Cultural monopolies', there is a big threat of opening up particularly our major communities. I know that appearing before you sometime today is Apolline Kohen, who is the coordinator of the Maningrida Arts and Crafts Centre, a very successful centre in my electorate of Arafura. If the threat of lifting the permit system and having other investors or developers going in and being in competition with those well-established arts centres were to happen, that would create a number of crises. I will not go into that because I am sure Apolline is

more than capable of doing that and will go through some of that. With the permit system and the need for it to be removed, that is misguided and needs more thinking through. The Aboriginal land rights act is the enabling act, but the permit system is actually under the Aboriginal Land Act of the Northern Territory. We as a government have given a commitment too that we would not agree to any process of lifting the permit system.

**Senator SIEWERT**—I would like to follow up the issue of authenticity certificates, as they were called in Western Australia yesterday. I am talking about certificates that identify provenance. The argument that has been put quite strongly is that they would be a way of enabling enforcement of some of the existing legislation by basically having an audit trail of the provenance of a painting and providing evidence of that. I note that in your submission you talk about lack of evidence in a number of cases. What is your opinion on provenance certificates?

**Ms Hawkins**—They are more commonly known as certificates of authenticity throughout the arts centres. With artwork that is purchased through an arts centre and produced within an arts centre environment there are databases and systems set up to record every artwork that is produced. Through doing that you are obviously tracking the provenance of the artist, the story that goes with the artwork, the price it was sold at and the dimensions, and it is approved by the manager and the artist or whoever the committees of those arts centres choose to sign those certificates. The arts centres keep a copy of that. There is also a digital image attached to that and it is stored in a database. Based on that, you would be able to track the works specifically through the catalogue number that would be on the certificate, which would also be recorded on the back of the artwork. So you could track where the artwork came from. But after it leaves the arts centre it is always a hard thing to track. Certificates may be separated from the artwork, and some galleries in some cases choose to replace the certificates with their own certificates through the commercial galleries. Ideally, the best practice is that that certificate stays with that artwork, and obviously the purchaser would like to keep their receipt with that. You can then track that through the history of the work.

**Senator SIEWERT**—The point that was put to us is that it should be a formalised system. Then, particularly on second resale, if an artwork went to auction, for example, you would not be able to auction it unless it had a registered certificate. That way it could be tracked through the system and, for example, you would have to produce the certificate for the tax office—for all those sorts of issues.

**Ms Scrymgour**—In terms of the authenticity labelling scheme, whilst ensuring the authenticity of work offered for sale is of high importance, any scheme such as that should be subject to wide-scale consultation and debate before it was introduced. You touched on resale royalties.

**Senator SIEWERT**—That was going to be one of my next questions, so go for it.

**Ms Scrymgour**—When you talk about that, it brings in the whole issue of the resale royalties. That was raised during our debate in parliament last week. Both the peak art organisations support the introduction of resale royalties. The Northern Territory government supports any initiative that will increase the return of the sales of their work to artists. More investigation and consultation into a more appropriate, workable scheme is required around this. If such a scheme is to be introduced, there should be a clear set of objectives and the scheme should be adapted to

Australian conditions. This issue was raised in the past and has been debated over many years, but there was a lack of commitment from the federal government to any scheme that might look at that. As I said, there would need to be more consultation.

**ACTING CHAIR**—When you say ‘lack of commitment from the federal government’, there is nothing being developed and no firm concept for the government to commit to, is there?

**Ms Scrymgour**—No. But, as I said, both of the peak art organisations, ANKAAA and Desart—I know that they are both appearing before you this morning and it is probably more appropriate for them to talk about this—have previously raised at a federal level that such a scheme be looked at. As I said, it would need more work and more consultation to find out how those initiatives could work.

**Senator SIEWERT**—I was saying to Senator Moore that I think that your submission really points out the major issues. It was really easy to read. The issue around long-term funding comes out again and again. It came out in your submission that there is lack of infrastructure and also uncertainty around funding. There are many suggestions, such as to make it triennial or make it much longer term, and you also raised the issue of longer term planning. Would you support, for a start, going to triennial funding? There have been comments that it is not just arts centres that are successful at the moment that should be getting funding; it is the ones that are not quite managing at the moment that should also be focused on. Can you give us some more thoughts on that?

**Dr Leeder**—The Northern Territory government uses triennial arrangements for organisations such as ANKAAA and Desart to provide some continuity and surety for the organisations. We acknowledge that you cannot always use triennial funding, particularly for emerging arts organisations and activities. There has to be some proven track record. But, for a number of the arts centres and organisations, that exists. Many of the arts centres have been in place for up to 30 years, so going from year to year always keeps them on tenterhooks. I know that the Commonwealth department, DCITA, has been looking at triennial funding. We would certainly support that and also perhaps looking at ways in which there could be similar sorts of reporting mechanisms so as to make it not such an onerous process. There are two parts to it: the security of having assured funds and also the necessary bureaucratic follow-up and accountability that goes with public funding. When you have to apply and go through the whole process annually, then a lot of effort is taken up in that. I guess that the short answer is that the triennial approach for those organisations that have proven themselves is definitely a good one that we support.

The other issue is the vexed one of how not to punish success by removing funding from those who are successful but at the same time encouraging and allowing emerging art centres. Particularly in the Territory there are a number of emerging art centres, and visual arts and crafts is an area which communities have identified as wanting to move into and to establish activity in. Last year, for example, there was an audit of employment opportunities in remote communities in the Northern Territory conducted through the Local Government Association of the Northern Territory in consultation with, or funded by, DEWR. That found that there were a very large number of centres or communities that have identified wanting to move into arts and crafts industries but did not have the funding. We made reference to that in the submission, so I will not draw you to the actual audit.

So there is a vexed issue of how to provide for the emerging whilst not penalising the successful, because even the most successful still rely on, and ought to have, some form of underpinning in the essential areas where perhaps they are not able to meet the return, and to prevent the return that they make for their communities from being drawn away. I do not know whether that has answered you sufficiently.

**Senator SIEWERT**—It has certainly highlighted those issues, thank you.

**Senator CROSSIN**—I wanted to go to a couple of areas of your submission and the recommendations, where you suggest that an accurate picture of the size and scope of the sector be developed to ascertain the economic benefit for Aboriginal artists. You make comments in your submission that suggest that it has proven to be a viable long-term economic enterprise. I take it, though, that you are putting it to us that no-one has a handle on just how big the size or the scope or the potential for this industry is.

**Ms Scrymgour**—It is true. There have been many publications and some audits and other things that have been done, but we still do not have an accurate figure of what the arts and crafts industry generates per capita in relation to spending. We always say that mining, for example, provides X millions of dollars. If you were to go and open a mine on this land, it would be, ‘Come on, people, sign up to this mine. This is a great thing. It will create jobs; it will provide these millions of dollars in benefits.’ We have seen bad legacies from a lot of our mines around the Northern Territory despite the short-term gains and benefits of those mines, and the environmental clean up bill in a lot of those communities has cost the taxpayer millions and millions of dollars. And Mount Todd is a clear example of that.

I have certainly put to, and discussed with, our cabinet—and it has been raised with the federal government—that we need a consistent and comprehensive study of the economic benefits to those communities. I am talking not just about the sale of that art but about the economic benefits in terms of the wellbeing, health and what it means to the small outstations that thrive in those communities. That level of work has not been done. That is not going to be a big cost, but it certainly needs to be looked at to give us a bigger handle, because, whilst we might look at the sale of that industry nationally, the international market is certainly opening up. You could certainly say that the arts and crafts industry is overtaking the pastoral and other industries here in the Northern Territory. Whilst we say that—and we can gather some of those figures together—there is not a clear dollar figure.

**Dr Leeder**—One of the other areas on which there is not clear information is export earnings, where things like Indigenous art are not identified specifically. You have categories like ‘export of wooden craft articles’ that do not identify what is Indigenous and what is non-Indigenous.

Whilst the ABS collect a lot of statistics, there is not consistent methodology or terminology across the different sectors. One of the things we are suggesting is that there should be consistent methodologies for the collection and breakdown of the information so that, when a number of ABS surveys are done, the same type of information is collected.

A couple of years ago through the Cultural Ministers Council Statistical Working Group we attempted to gain a picture of the economic impacts, using the Northern Territory in a pilot exercise to try and gather data from commercial galleries as well as from individual artists. We

found then that the data and the mechanisms for collecting it were simply not robust enough, so the exercise could not be expanded across Australia. The conclusion from that was that more work needed to be done on determining appropriate methodologies. So, whilst we do not have the answer, we are saying there are some inconsistencies with stuff that is currently collected, in terms of the export areas, and then there are some practical difficulties for the ABS in terms of how they determine their methodology so that it actually extracts meaningful data from small centre areas like those in the Northern Territory and some of the other remote areas.

**Senator CROSSIN**—But are you putting to us that nobody can clearly say to us, ‘The Indigenous arts industry is worth X amount to Australia per year’?

**Dr Leeder**—That is right, and I think a number of the other submissions have said the same thing—that we can all make fairly general guesstimates, based on the specific information we might have. So, for example, ANKAAA and Desart can say that arts centres affiliated with them each have a turnover of somewhere around \$12 million in sales. But they are not the only avenues for gathering that information on sales of artworks. So each area can say, ‘Yes, in our particular state or jurisdiction or area of interest we can make a guesstimate,’ but how those are drawn together is not consistent.

**Senator CROSSIN**—I want to ask one other question. I think we have not had a discussion this morning about the importance and the resourcing of arts centres. For me, they are crucial focal points of most communities that I get into—where those centres exist, that is. The LGANT study, with DEWR, shows that, of the remote communities looked at, only 23 had an arts centre. So I just want some comments from you about the role of arts centres and the resourcing of them. I noticed that one of the recommendations in your submission goes to a consistent long-term policy on resourcing the visual arts and crafts sector. Does that go to supporting and enhancing arts centres in communities?

**Ms Scrymgour**—Some of it does. But I will get Ms Hawkins to comment.

**Ms Hawkins**—As you would be aware, the Northern Territory government has the Building Strong Arts Business strategy, which was reviewed in 2006 and is now entering its second stage, which will be another three-year commitment; we have already had a three-year commitment. Arts centres are obviously crucial to the industry for remote communities. With the LGANT study it also needs to be noted that not all arts centres are connected to a local government council. A lot of arts centres are separately incorporated, under the NT and the Commonwealth acts. Obviously, not all of those are reflected in the LGANT documentation.

As far as resourcing the centres, there are obviously a number of funding avenues, both Commonwealth and state and territory. So the Commonwealth, through DCITA, is the key source of operational funding for arts centres. The funding through the NACIS program supports wages and operational costs. The funding programs available through the Northern Territory government are more project based. They are not there to support the operational side—they are not for operational costs; they are for projects. But, in saying that, that also includes mentoring and training of Indigenous arts workers. There are lots of different avenues that you can go down, and we would be happy to table the guidelines so you can have a further look at the different areas.

As you would have seen from a lot of the submissions, infrastructure costs are a big problem for arts centres. Again, infrastructure is not an area that the Northern Territory government—not through the arts and museums department, anyway—is able to cover, and there are limited opportunities to source infrastructure funding. That is where the Northern Territory government is working with the Commonwealth government through the overarching agreement where art centre infrastructure is a priority. Diana, did you want to comment?

**Dr Leeder**—One of the things that we would suggest, and that there has been some discussion about through the bilateral schedule on arts centres, is that there is probably a need for an independent survey or audit of the actual infrastructure requirements, what exists and what is needed across arts centres and communities in the Northern Territory, to determine how to best use the ABA funding that was to be released for arts centres—but that has not yet been released—in a way that is equitable and that will actually have returns for its investment. So we are still working with our Commonwealth counterparts to try to work out how the Australian government might deal with that issue of having made an announcement that funds would be released but not yet having released them.

**Senator CROSSIN**—How much was that from the ABA?

**Dr Leeder**—Several million dollars.

**Ms Scrymgeour**—Funds were supposed to have been released, but they still have not been.

**Senator CROSSIN**—I do not know if this committee has a copy of the overarching bilateral agreement that you have signed with the Commonwealth.

**ACTING CHAIR**—Is the committee happy to receive the document that Ms Hawkins wished to table and also the other document you are referring to, Senator Crossin?

**Senator CROSSIN**—Yes.

**Ms Scrymgeour**—I do not think we have a copy, though, of the overarching agreement on Indigenous affairs, but you should be able to source that.

**Senator CROSSIN**—We will be able to find it on the OIPC's website.

**ACTING CHAIR**—Okay.

**Senator SIEWERT**—I was also wondering if we could get a copy of your submission on the permit system.

**Ms Scrymgeour**—I do not have a copy of that as yet, but certainly that should be able to be sourced because it has gone to the federal government for their consideration.

**Senator CROSSIN**—I just want to follow up on that. Currently, through the NACIS program, about \$5.6 million has been released by the federal government in this financial year. But if an arts centre desperately needs to replace some of its infrastructure or even extend its current

infrastructure—just to build an additional room or put on a veranda—is that the money they have to draw upon, the \$5.6 million? Where do they source funding at the moment to do that?

**Ms Hawkins**—The DCITA program has a special initiative grant that comes out for which NACIS funded organisations are invited to apply, and the closing date for that is usually in December. So that was part of the election promise where \$1 million was dedicated purely to infrastructure, marketing and the training of Indigenous arts workers. So those funds—

**Senator CROSSIN**—That is \$1 million right across the country—

**Ms Hawkins**—Yes.

**Senator CROSSIN**—for all of those different components?

**Ms Hawkins**—Yes. The NACIS funding is not necessarily there for infrastructure, but occasionally there are opportunities where they are able to use that. As I said, through the Northern Territory government's arts programs there is no opportunity for infrastructure funding. There is the Community Benefit Fund, but that is a small \$5,000 grant that is obviously for community organisations, and that is not going to put an extension on your arts centre.

**Senator CROSSIN**—So there is \$1 million to cover upgrades and marketing initiatives right across the country, for all arts centres?

**Ms Hawkins**—Initially, yes.

**Senator CROSSIN**—I can't imagine a lot gets done.

**Ms Hawkins**—Yes. The DCITA submission provides all the figures over the last two years for the funding of arts centres, showing which arts centres, where they are located and the amount they were actually funded.

**Senator CROSSIN**—Thanks.

**ACTING CHAIR**—Senator Ian Macdonald is now here and will resume the chair.

**CHAIR**—Do you see a role for state and territory governments in contributing to the art centres?

**Ms Scrymgeour**—I suppose that is something I should answer, rather than Stephanie or Diana. Through our Indigenous Arts Strategy: Building Stronger Arts Business, our contribution is about \$1.097 million. In terms of the infrastructure costs, that is something we are considering and looking at but which we have not funded to date. We certainly pick up a lot of the project costs of those art centres. Working with the federal government on this is crucial to make that happen.

**CHAIR**—So you do see a role for joint Commonwealth-state funding and perhaps oversight of art centres.

**Ms Scrymgour**—In some parts but I think the Commonwealth should be picking up and funding a greater slice of the infrastructure need in those communities.

**CHAIR**—Of course, and currently they are doing 100 per cent.

**Ms Scrymgour**—But more needs to be done.

**CHAIR**—There is some implied criticism of that and I am wondering how we can get more people and more sources of money going into these sorts of centres, which everyone agrees have done a marvellous job. I am delighted to hear your response to that. Minister, have you or your officials had a chance to look at a submission we have received from Arnold Bloch Leibler yesterday? They propose what one of my colleagues has raised, the certificate of authenticity supported by Commonwealth legislation. First of all, have your officials had a chance to look at that submission?

**Ms Hawkins**—Is that the one with Jarrawun art?

**CHAIR**—Yes.

**Ms Hawkins**—He is the legal adviser to that?

**CHAIR**—Yes.

**Ms Hawkins**—Yes and no; we have read a lot of submissions in the last couple of months.

**CHAIR**—I hate to ask anyone to read transcript of any Senate hearing but I wonder whether you could have a look at the transcript when it is published of the person who gave evidence on behalf of Jarrawun yesterday. Have a look at his arguments. They quite impressed me, but there are other art centre people who did not agree that it was the way to go. I am concerned about the minister's account earlier of manufacture by backpackers, so to speak and summarising your words, of fake Indigenous art. I wonder whether any sort of authenticity arrangement could address the problem of didgeridoos that are clearly not made by Indigenous people. Would you need a certificate of authenticity for every boomerang and didgeridoo? Obviously the mass-produced factories would not get the certificates, and that was the argument why this might not be a bad idea.

**Ms Scrymgour**—We touched on authenticity before and the scheme and the need for wider consultation. Both Desart and ANKAAA need the support of government and the commitment of both the Northern Territory government and the Commonwealth government to work towards this. Stephanie touched on probably the most important thing in that: because the code of conduct is a voluntary one there is the need for wider education and advocacy to that sector to get that message through. With the Commonwealth government, the Northern Territory government and the sector there may be a few that will get caught up in that bureaucracy we certainly need to work towards a consistent scheme in relation to that. The representatives from both ANKAAA and Desart are appearing before you tomorrow and they could go into that in more detail.

**CHAIR**—I will not take it further now, Ms Scrymgour, but I wonder if your officials could have a look at the argument and drop the committee a note on whether you see some merit in it. There is also, if I could alert you to this, a comment, which did not receive universal support, that the tax office should be more proactively involved in a culturally sensitive way in advising painters of their tax responsibilities in the hope that that might be another paper trail that would stop a lot of fraudulent activity in the Aboriginal art industry. Perhaps you would not mind having a look at that and dropping the committee a note as to whether you disagree or agree.

**Ms Scrymgour**—We could certainly send that through. I will have a look at the issue of the permits and also at the paper in terms of cultural monopolies, which I think need to be looked at.

**CHAIR**—Thank you.

**Senator PARRY**—We have only about three minutes left but I have a number of questions about exploitation. Minister, would you be able to give an overview as to your thoughts about the exploitation of Indigenous people by, in particular, carpetbaggers? That is the terminology that has been used in submissions. Do you receive complaints on an official basis in your capacity as minister? If you do receive complaints, can you give any indication of the volume of the complaints and also what action may have been taken about exploitation issues in relation to Indigenous artists?

**Ms Scrymgour**—I will not give individual examples—

**Senator PARRY**—Yes, we do not expect any examples.

**Ms Scrymgour**—but this has been an ongoing issue for a long time in the Northern Territory. I suppose that prior to coming into politics I did not see much of it in the Top End, but it is certainly prevalent in Central Australia; you see it in Alice Springs and other places. Having become aware of it and then receiving those complaints and seeing that in Central Australia, you can see the evidence here in Darwin: you only have to pull back the blinkers and look more broadly to see what is happening. There are stories and complaints about people going into Aboriginal communities and buying. Some of our people with addictions to alcohol, drugs or whatever want to get quick money. They will paint a couple of not so good paintings for quick and easy money and those paintings will then be removed from those communities. You would hear many such stories, I am sure, where that is done in camera and an opportunity is given to those people. I think that, unless that is done in camera—because of the real threats and pressure on people who give evidence of those sorts of activities—

**Senator PARRY**—We have certainly taken evidence in camera during the hearings so far, and we have had evidence produced to us on the public record, one piece including the provision of drugs for the sale of artwork, so I was interested in your comments. As a committee, we are very keen to understand your involvement from a ministerial perspective. Do you have any final comments on that from the perspective of your office?

**Ms Scrymgour**—Not so much on a ministerial level, and you have certainly received our submission. As a local member who holds a bush seat which has some fantastic art centres with committed staff and fantastic artists—and I often get into debates with my other bush colleagues about who has the best artists and art centres—I know they do need to be protected. That is

certainly a commitment that I have given, not just as the minister but also as the local member. That whole industry needs to have the support of both the Northern Territory and the Commonwealth governments.

It is not a matter of getting a dot painting, seeing that it is beautiful and great and saying, 'Let's hang it on our wall to look at.' It is also about what the meaning of that painting is and about the work that has been undertaken at the hands of the artist to create that great thing that we sometimes hang on our walls while not really fully understanding or appreciating where that art came from and the artist behind that painting.

I could tell you many a horror story and give evidence, but we do not have time. I have received those complaints. We have put some of those complaints through the proper avenues that need to be looked at. Unfortunately, there are some barriers to that in terms of how you prosecute when consent has been given by that artist. It raises all sorts of dilemmas. As I said, if you are going to have such a scheme there needs to be more consultation, but at some point we will all need to bite the bullet and something will need to be put in place because it is an industry—and we have said this right throughout our submission—that needs to be protected.

**CHAIR**—Thank you, Minister, Ms Hawkins and Dr Leeder.

[9.08 am]

**BURAK, Ms Donna, Executive Committee Member, Association of Northern, Kimberley and Arnhem Aboriginal Artists**

**CHARLIE, Ms Miriam, Chairperson, Executive Committee Member, Association of Northern, Kimberley and Arnhem Aboriginal Artists**

**CONGREVE, Ms Susan, Interim Manager, Association of Northern, Kimberley and Arnhem Aboriginal Artists**

**MARAWILLI, Mr Djambawa, Chairperson, Executive Committee Member, Association of Northern, Kimberley and Arnhem Aboriginal Artists**

**PANGIRAMINNI, Mr Regis, Chairperson, Executive Committee Member, Association of Northern, Kimberley and Arnhem Aboriginal Artists**

**CHAIR**—Welcome. Thank you for coming along to help educate the committee on this very complex issue. This is a hearing of the Senate and so it has parliamentary privilege. If there are things you want to say to the committee in secret or that you do not want broadcast, we are able to make a decision to clear the room so that you can give us that information in camera. These committee hearings are open hearings—the public are invited—but, as a committee, we forward witnesses the courtesy of asking them whether they have any objection to TV cameras filming them while they give evidence. We ask the media not to photograph people if they do not want to be photographed. Do you have any objection to being filmed?

**Ms Charlie**—We have no problem.

**CHAIR**—Thank you for your submission. Ms Charlie, would you or any of your colleagues like to make an opening statement before we go to questions?

**Mr Marawilli**—It is really new for us to be here at this table. Most of our people have not been talking with government. Anyway, we are here now. Thank you for giving us this opportunity. I think it is time for us to say good morning. As you know, I have been here for about seven years, and I have been in ANKAAA for seven years. I would like to tell you some history about our art and our country. In 1960, our people were trading turtle shells and shells from the land. In those days, people used to go across to the missions. We did not have any art in those days; no-one knew. People used to go into missions like Groote Eylandt, because that is where the first mission started, and Milingimbi and Yirrkala. After 20 years, an art centre was established at Yirrkala—Buku Larrnggay. There were also centres established at Maningrida and the Tiwi Islands. Mimi at Katherine had just started. Bula'bula at Ramingining got started. Injalak at Oenpelli got started. There are other art centres still in the bush or on the missions.

Today there are many more art centres. If you would like to look at the ANKAAA map, you can see 41 ANKAAA members from the Tiwi Islands to Borroloola to Kununurra to Katherine. They are all involved. There are many more art centres in the Central Desert. Many of our sister

bodies are in Desert. There are many other places out in the bush and out in the desert towns. Why are art centres growing? Why are they important to us? Let me explain. Art centres are the places where people who never went to school, college or university can work and find real jobs. People can learn new skills, they can share their skills and knowledge and learn old ways and new ways together. They can develop different skills and become stronger. They can work in their own country in the community in which they live and where they know the stories and the patterns and the significant sites. They can earn money to support their families. Today some of the settlements are living off CDEP. They can support their families. They can get different experiences. They can keep their culture strong; their life. Today, there is Australian culture in two worlds, the white world and the black or Aboriginal world. We have relationships; we have a culture. The Aboriginal world has a culture.

I want to share more about it. They are important resources for us in the community. Art is really old. It was on the land. The patterns and designs all come from the land and its stories. It was passed on from our ancestors to our grandfathers to our fathers. That is how we learnt how to work on our art. We are making something new now, bringing together the old way and the new way. We have a new way of learning and teaching it to young people but also a new way of teaching all Australians to understand and know what Australia means. It is really meaningful to us; to me.

It is telling about the land and the sea, about our culture, about our connection, our kinship and our relationship, songs, dance, names, place, country and sacred sites. All these things are important to us. Art is a new way of taking this message out to our people so new eyes can see the important part of this richest culture. We are talking about the next generation coming up and beyond. I am talking about two worlds: balanda world and Yolngu world. They need to see if this industry gets stronger or gets alive. People would like to see it—the young people who are coming behind us.

Art, in this way, takes matters out to see the people. In this way our culture can be recognised. Our culture can be valued by Australia and by the world as strong, and they can see the significance of culture. If the government is serious about recognising the strength and value of our culture then they should support the industry by giving more funding to the art centres so they can develop and become stronger. This includes money for new buildings for arts and culture centres where artists and the staff are working; good housing for art centre staff and artists in communities; money for preparing pay and goods; training for local people who are working in the arts centres; training for artists to learn art skills to go to exhibitions, to meet buyers and to understand their rights and the arts business; and money to buy important equipment such as vehicles or boats to go collecting materials and taking art work to the art centres and to transport to town. With this money the Indigenous artist industry can grow stronger. It is making a pathway for our children to learn its importance and to have real jobs.

I would like to say a little bit more. I invite you to come and visit us all here in our art centres to see for yourselves examples of our art centres but also how hard it can be for us in remote areas, and why we need the government to support us to grow. I invite you to work with us with our art centres and with ANKAAA to help make arts, culture and the country strong for a long time to come. Thank you.

**CHAIR**—Thank you very much, Mr Marawilli. There were some very useful comments there that the committee will certainly take on board, and thank you for the invitation. I will call on Senator Siewert to start the questioning and we will run down the table.

**Senator SIEWERT**—In your submission you make a wide range of comprehensive recommendations. There are a couple that I want to follow up, and I think some of my colleagues will follow up other issues. The issue that has come up all around Australia in all the submissions is carpetbagging and unscrupulous behaviour. You make a comment in your submission about the permit system, which I would like to ask you about. I do not know how much you heard when we asked the minister about this, but there are also issues around certificates of authenticity. It has been suggested to us that, basically, making a paper trail that people can follow could stop carpetbagging. Could you explain to us why you think the permit system is important for stopping carpetbagging? What do you think about the other proposal for certificates of authenticity or provenance certificates—I know that there is a concern about the name as well?

**Mr Marawilli**—You are talking about permits?

**Senator SIEWERT**—Yes.

**Mr Marawilli**—The permit system is really important for us. I think we should keep permits because when people come then there is guidance for those people. They should come with a permit. The permit system stops people coming in from all over the place.

**Senator SIEWERT**—We heard yesterday that, for example, in Balgo, which is a very isolated community, people just turn up and start pressuring artists and the arts centre to do paintings outside the arts centre. They were saying they also really want to keep the permit system so they can control who can come in. Have you heard of other experiences where people just turn up at your gateway to come in and pressure artists?

**Mr Pangiraminni**—Yes. They do that where I am from, the Tiwi Islands. When people come they go to our Tiwi Art Network manager, who is based here in Darwin. We have a little office here in an arcade. People who enter our country need a permit. My mob, we have special rules in our art centres. We ban the carpetbaggers for certain months or a certain year. We will not deal with them. We go through the arts centre to sell all our stuff to galleries. They are still doing it now and we have just banned them for that.

**Senator SIEWERT**—So, if the permit system is changed, anybody will just be able to turn up and you will not have control. Is that the concern?

**Mr Pangiraminni**—Yes.

**Ms Burak**—We have to have control of it. We have to because we can't have anyone turning up saying, 'I want to buy this.' That's black market. You have to buy through the arts centre.

**Senator SIEWERT**—Yes.

**Ms Burak**—Before a person turns up in the community, they have to have a permit, because the land is somebody's land and you can't just turn up on that person's land and say, 'I want to buy this and that.' You have to have a permit to come to the community.

**Senator SIEWERT**—I have another question, about CDEP. How important is CDEP to the functioning of the arts centres at the moment?

**Mr Pangiraminni**—CDEP is really important for the time being, while people are waiting for real jobs. CDEP is really supporting our young people. It is supporting them in that regard. There is no budget coming in for real jobs, so we are still using CDEP. And some of our people still use UB too. To give us the right to live, I think CDEP is really the only thing for us now, for the time being, as well as the arts centres.

**Senator SIEWERT**—Does CDEP play an important role in helping to support and train young artists and for people to learn how to work in art? Because we have also heard there is a lack of people with the expertise and skills to work in arts centres. Does CDEP play an important role there, in helping people learn?

**Ms Burak**—Yes. When we had a workshop up there, CDEP paid for the wages top-up.

**Senator SIEWERT**—Okay.

**Ms Charlie**—Sometimes somebody will want to come and work with us. I come from the Waralungku Arts Centre in Borroloola. Some people want to come and work there but we haven't got enough money to share around, only for the arts centre manager and the assistant manager.

**Senator SIEWERT**—And CDEP helps with that?

**Mr Marawilli**—Yes, like me. I am an artist and I am also getting CDEP. In my homeland, I do have CDEP, as well as being an artist. Most of the money that means I can live is from CDEP. Plus for my community—there are 160 people living in my homeland and we are all on CDEP, the artists too.

**Senator SIEWERT**—Thanks.

**Senator PARRY**—We have heard evidence about Aboriginal artists being paid with drugs or alcohol for their art works. Do you have evidence of this; have you seen this?

**Mr Marawilli**—In the Top End they sell their art into arts centres and then from there they spend their money at—you're talking about drugs and alcohol?

**Senator PARRY**—I am not talking about spending money that you and other Aboriginal artists make. But are you aware of people who have come into a community and have offered drugs or other things, not money, for Indigenous art works?

**Mr Marawilli**—Of course.

**Senator PARRY**—And does that happen a lot or is it very rare?

**Mr Marawilli**—Not really, not in the Top End.

**Ms Charlie**—Not in my community.

**Mr Marawilli**—As I said, our people sell their art here to Darwin and then they can spend the money on whatever they want. They don't sell their art for drugs.

**Senator PARRY**—Changing the subject—when Indigenous artists get their money for art works from the arts centre or in other ways, we have heard evidence that the money is spread throughout the entire family. Can you explain that cultural difference, where the money is distributed amongst the entire family group?

**Mr Marawilli**—As I was saying, there are relationships, there is a connection, there is family. For me as an artist, if I sell art I have to give to my family too. We are all living in this earth and have relations and families. We do give our money to our family, to our relations, to our neighbour families because for Yolngu people we are a circle, we are living in a unity. When we do art, because the art belongs to tribes, individual persons do their art and sometimes we have to give to our relations. We do share the money. That is the custom and that is the rules for blackfellas like us.

**Senator PARRY**—Is that done freely? We have heard evidence that sometimes there has been inducement or threats to ensure that the money is handed out. Do you feel as though that happens freely and there is no violence or inducements?

**Mr Marawilli**—For the real close families there is no violence. That is just a given, because we are all living as a family. My brother's sons, my brother's nephew—we are still family. There is me and there is my brother and we have families, and they all call each other sisters and brothers. It is one blood. That is why we share the money.

**Senator CROSSIN**—Mr Marawilli, did you travel in today from Laynhapuy outstation to come to this hearing?

**Mr Marawilli**—I travelled from Blue Mud Bay. Maybe some of you know about it. Blue Mud Bay is where I stood up for the rights and I have been claiming that. I want to come here in person so I can talk about this. It is really important now in this year 2007.

**Senator CROSSIN**—I want to give my colleagues a concept of the distance. Laynhapuy outstation is a fair distance from Yirrkala. Even though on the map of ANKAAA we have Buku Larrnggay Arts Centre at Yirrkala, Laynhapuy outstation is still quite a big distance away from there. I also know Ms Charlie has come from Borroloola, which is quite a distance.

I want to talk to you about how important the arts centre is. We need to be convinced that the arts centres need to get more funding. We heard this morning from Marion Scrymgour and we know from figures we have got from the Commonwealth agency that there is only about \$1 million a year to help arts centres right across Australia to exist. If they want to build a new room or to fix up their air conditioning or to put on a veranda, there is \$1 million for all of the arts

centres—not just in the Territory but everywhere—to share. In your submission, when Stephanie Hawkins was there, you have put together many pages about the capital funding. She has put together for some of the major arts centres, like at Yirrkala, Oenpelli and Ramingining, some of things that they would need just to survive, such as some of the infrastructure costs. How do you manage? You are at an outstation. You do a lot of work with Buku Larrnggay. You rely on that arts centre. Can you tell us a bit about how you rely on the arts centre to support you?

**Mr Marawilli**—There is only one arts centre there: Buku Larrnggay, which is four hours from Banyala. Of course, most of the artists are all living in Blue Mud Bay, which is around Banyala, Dhuruputjpi, Gangan and all those areas. We do our art and we take it to Buku Larrnggay during the wet or when we have some vehicles we can borrow from our families. That is why it is important for us to get some money because without transport we cannot buy or sell art. It is really hard for us as we live in a remote area. We would like to do something about being in a remote area because we are a good distance from Yirrkala or Nhulunbuy. We want an arts centre nearby so we can do something. I have a little shelter where I do my art. Sometimes I have to live with my family to do my art. I have a little place to go and work. It is really important because without transport we cannot sell art. We transport it by vehicle and plane. Is this what you were asking me?

**Senator CROSSIN**—That is all right. Some of the other people may like to make a comment about it. Ms Burak, you talked about a workshop that the arts centres also ran for artists. So the arts centre plays a key role in supporting you in the art that you do?

**Ms Burak**—Yes.

**Senator CROSSIN**—Tell us how that happens. What do you go to the arts centre for; how do they help you and support you?

**Mr Pangiraminni**—I work at Munupi Arts and Crafts and I am also the chairman of the arts centre. What I need to make my arts centre strong is a salary for my manager, a salary for a coordinator or a mentor, and fees for the auditor and building development. We need fees for a consultant to measure and redesign the arts centre building. We need a shipping container to put all our art in to bring it down to Darwin to sell it in a couple of museums and galleries. We need plan drawers and air conditioning. We also need a Troopie and a licence to pick up tourists and visitors from the airport to visit our arts centres.

**Ms Burak**—We need support because we take kids out camping. The rangers help us for a couple of weeks. We need help to support that.

**Senator CROSSIN**—Do you rely on the arts centres to help with your supplies of material? Do you buy supplies from arts centres?

**Ms Burak**—Whatever we sell, a percentage goes back to the arts centre. We pay for the materials and all that stuff.

**Senator CROSSIN**—I also want to ask about the way you are paid for your work. You say, Mr Marawilli, you are all on CDEP?

**Mr Marawilli**—Yes.

**Senator CROSSIN**—So you are on CDEP; you do your painting and you head into the arts centre, and the arts centre then buys those paintings from you. So your painting supplements the work you do. Is there any other way that you can get a top-up on your CDEP? Or do you rely on selling your paintings to top up your salary?

**Mr Marawilli**—As I said, if government are really interested in supporting us, there should be a budget for supporting artists—the real artists, who are famous or whatever; you know, not famous, but the guy who really—I have forgotten the English word. I am sorry about that, but English is my second language. I wish I was talking in my own language.

**CHAIR**—You are doing very well.

**Mr Marawilli**—The artists who are recognised by the people in government or whoever, they should have wages. In that way they could do continual work and make the arts centre really strong. If you do not understand my language I am sorry. One of my first teachers, one of the early ones who came to Arnhem Land, did not really teach me in a proper way!

**CHAIR**—He did very well!

**Mr Marawilli**—In that way, the artists could be really confident and they could do work and teach other young people. They could teach other people so they could both become stronger, and the art, the work, should look really neat and strong.

**Senator CROSSIN**—So you are saying to us that there is a business there; there is an economic opportunity to provide people with a proper income and support and we need to do more about recognising that and supporting it?

**Mr Marawilli**—Yes.

**Senator CROSSIN**—Ms Charlie, did you want to say something about that? Do you have some ideas about that?

**Ms Charlie**—We need money for economic benefits in Borroloola. For instance, we cater for some people living at Robinson River and around Borroloola. There are young people there who want to work with us but there is not enough money. As I said before, when we want to train them, some go out to Batchelor or Charles Darwin University to do their training. But we could do it there, now, in our home town, if we had money for people to come and help out and teach our young people.

**Ms Burak**—May I ask how much you give to the whole arts centres?

**Senator CROSSIN**—The Commonwealth tell us that the department that looks after arts centres has about a million dollars a year that is allocated to help upgrade facilities or to help with marketing initiatives. So at the moment there is \$1 million for all of the arts centres right across Australia, not just in the Northern Territory.

**Ms Burak**—Is it \$1 million each, or do they have to split it up?

**Senator CROSSIN**—No—that is for all of them.

**Ms Burak**—So the \$1 million: they have to split it up?

**Senator CROSSIN**—Yes.

**Ms Burak**—So why can't we have more than \$1 million—because we have more arts centres growing bigger now?

**Senator CROSSIN**—That is right.

**Ms Burak**—Why can't we have bigger money than that?

**Senator CROSSIN**—That is what our inquiry is actually looking at. We are listening to your story and looking at the money that is there, and we will talk about that and put that in our report. But I think you make a good point, because when I look at ANKAAA's business plan, I am surprised at the figures there. I think you had 250 people look at your website in 2002—

**Ms Burak**—Yes.

**Senator CROSSIN**—and last year you had thousands look at your website, which I was quite surprised about. And I noticed even simple things like brochures. You produced no brochures in 2002 but last year there were 10,000 brochures. But ANKAAA only gets \$20,000 a year more to do that sort of promotional work for you. The figures in your strategic plan show us you had 28 arts centres in 2002 and now there are 34. Then there is the number of hits on your website: 250 people looked at your website in 2002 but in 2004—this is 2007, mind you—4,500 people looked at your website. So clearly it is an industry that is growing, but ANKAAA is only getting \$20,000 a year more to help support that.

**CHAIR**—Do you have a question, Senator Crossin?

**Senator CROSSIN**—No, I am just trying to support Ms Burak when she says that \$1 million does not seem to be enough right across Australia.

**CHAIR**—We should ask the witnesses questions while we have got them, so we will leave the political statements till later.

**Senator CROSSIN**—So I think you are right, Ms Burak. If we have a look at what your submission is telling us, it supports your comment that \$1 million is not enough. Do you want to say anything else about that?

**Ms Burak**—No.

**Senator CROSSIN**—Thanks.

**CHAIR**—Thanks. You made that clear, Senator Crossin. But we are really here to hear the witnesses' evidence, not to make political speeches.

**Senator CROSSIN**—I do not think I was doing that, Senator Macdonald. I was just highlighting some of the figures that ANKAAA had actually produced in their submission to us.

**CHAIR**—They are things we will talk about in the committee later.

**Mr Marawilli**—I just want to say something. As we know, \$5,000 or \$5 million is not enough for all of Australia. Today we can see we have 41 arts centres in just half of Australia. I think that if we are really serious governments should focus on what is needed in this part of Australia.

**CHAIR**—It is a good point. What does the Northern Territory government give to your arts centres?

**Mr Marawilli**—I would not know. I will ask my staff. They give us some money for training.

**CHAIR**—Right. That is good.

**Mr Marawilli**—Yes.

**Senator MOORE**—I am interested in the role of ANKAAA in advocating for arts centres. I wanted to know how you actually get your message across to governments. You are talking to us today, but as an umbrella organisation representing so many arts centres how do you get the message to people who provide the funding? You have told us today you would like more money—and that is fine; we accept that—but how do you communicate that? Do you talk to politicians, do you have politicians visiting you, do you talk to ministers?

**Ms Burak**—We probably need one of you guys, a politician, to go over to the community and have a look at the arts centre and see what it is like with your own two eyes. I think talking about this you cannot get anywhere. You are better off having the government or the politician go over to the community and have a look at the arts centres to see what they are like.

**Senator MOORE**—Yes. Do you have a formal way of working within the system? Do you have formal meetings with the ministers?

**Mr Marawilli**—We had a formal meeting with one of the agencies of the Commonwealth government. Through that, we now know how to reach the people who can get through.

**Senator MOORE**—So that your voice is heard?

**Mr Marawilli**—Yes.

**Senator MOORE**—I have a question about young people. There may be something you want to add later, so please let us know. We had evidence yesterday from people in the Kimberley about concerns about young people getting involved in art and learning. There was real worry in some communities that that engagement was not happening as much as they would like. I would like to hear from ANKAAA about whether that is an issue in your part of the world, whether it is

something that should be looked at and how that can be done, because that is the future. How do you get the young people in your areas involved and to think it is important?

**Mr Marawilli**—Do you mean in art?

**Senator MOORE**—Yes, in the art.

**Mr Marawilli**—My role is in the Top End, east Arnhem Land. We always want to invite young people. There is also another way of picking up all of those people: we have a young men's ceremony. In that way, we can collect those people who really want to be involved. And there is a structure there with the families. Families need to share the knowledge or to direct them. The father, mother or brother gives direction. We want to share the knowledge that has been given from our ancestors to us. We want to give it to the people who are coming up.

The young artists do want to learn about art but today the young artist does not really stand on the rites. They want to just do rough arts and they want to do something about it and spend some money somehow. But the real way of doing it is through training. There is an area where we always teach our young people. Maybe the people can come to stay so that they can do real art. In Yirrkala way, which is in east Arnhem Land, I was one of the people who wanted to run those ceremonies and bring all the young people in. After three or four months the artists had a name, Young Guns. They wanted to go through the training.

**Senator MOORE**—They wanted to do it?

**Mr Marawilli**—Yes, because they wanted to know about art and they wanted to know more about the stories and beyond. We are doing that. There are two ways to teach: to teach the young people and to teach the old people.

**Senator MOORE**—Sure.

**Mr Marawilli**—It is of significance. This art didn't just fall from a tree. It was given by the ancestors.

**Senator MOORE**—Right.

**Mr Marawilli**—Yes. Because when I was young, when I grew up in the 1960s and seventies, the first pattern I saw was here, on my chest. And I thought, what is this? That is the pattern that was only for me, for my initiation. There was not much art in those days that people knew about. Then some of my cousins came in and they were trading; people were trading with each other, taking shells to Groote Eylandt to trade for the things that they wanted so they could own some good things too—food, tobacco or whatever. When my time came to become a man I got a pattern on my chest, and that is why I learnt.

**Senator MOORE**—Is that the same experience in the other communities on the Tiwi Islands?

**Mr Pangiraminni**—As an artist myself—I am a potter; I've got my own pottery workshop—I get kids from the school to work with me every two hours. At the moment, we are doing tiles. I'm going to teach the kids to make a mural—something for the kids. I've got my own electric

kiln. As a potter I fire my own work myself. I've been doing pottery since the seventies and eighties and I teach kids every two hours. As a kid I learnt from my parents. My parents were my first teachers. Now that I am in a white society, you have to work in both ways. I teach the kids. And we take them out camping and we get the locals to support us, especially the parents. We take the kids out camping to show them what we hunt from both land and sea to give them guidance and understanding. We do a bit of a conservation thing with the kids so they learn how to survive in the bush.

**Senator MOORE**—And link the culture with the art.

**Mr Pangiraminni**—Yes.

**Senator MOORE**—And the kids want to be there?

**Mr Pangiraminni**—Yes.

**Senator MOORE**—Good. Ms Charlie?

**Ms Charlie**—We've got a lot of schoolkids and they did a mural on some panels. The older ladies told them the story about what the painting was about, and then we wrote it in English and in our own language. So it will be in front of the arts centre still, and the kids will be happy that they did something and they know about that story.

**Senator MOORE**—And that is linked in with the school?

**Ms Charlie**—Yes.

**Senator MOORE**—Ms Burak?

**Ms Burak**—They do the graffiti. We get the kids to paint over the graffiti and they did a mural on there. And they do the signage so people can see where the arts centre is, where the shop is, where the police station is. We get the kids to do the signs for us—not only the kids from the community; we have the kids from high school as well when they come for the holidays. We get them to help.

**Senator MOORE**—Thank you.

**CHAIR**—Thanks, Senator Moore. I have a couple of questions about common arrangements across the centres in your association. Do you have a common buying policy? Do the centres actually pay the artists the money, or do you sell them on consignment—that is, do they only pay the artists the money once they have actually on-sold the painting?

**Ms Burak**—Yes, they sell them on consignment. They have an exhibition down in Melbourne or Sydney or somewhere.

**CHAIR**—Right. Is that common across all of the centres in your group?

**Ms Burak**—Yes.

**CHAIR**—Is there a common level of commission that artists pay the arts centre? We heard some evidence yesterday, which seemed pretty common, that 60 per cent of the retail price went to the artist and 40 per cent went to the arts centre to pack it up and do the administration and that sort of thing. Is that the common standard in all the arts centres in your association?

**Ms Charlie**—Yes.

**Ms Burak**—Yes.

**CHAIR**—And those figures, the 60-40?

**Mr Marawilli**—We do sell the art to our arts centre, Buku—this is for Yirrkala. I sell my arts to Buku, Buku pay me, and that is it. Then Buku wanted to sell it to the gallery, and that is between the arts centre, Buku, and the gallery. I never get—

**CHAIR**—So you are not paid on consignment.

**Mr Marawilli**—No.

**CHAIR**—So it is not common across the centres. Your centre, Ms Charlie, does pay on consignment. Yours does not. Do you know what they sell your work for in Melbourne or Sydney?

**Mr Marawilli**—This is what I want to know, Senator. As I was saying, I would like it if you could work with us and review all those arts centres across Australia on how the money is being spent. We should review all arts centres and in that way we would all know about it—the artists, the auditors, the people who are sending money and supporting arts centres. That is one of the things that I wanted to say. That is why I mentioned that if you want to work with us, we ANKAAA people, to review the art or to work with those arts centres then you would know how the money was spent in those arts centres. If you do not understand the language, what I am saying—

**CHAIR**—I understand that point. Your association is an association of very many arts centres, and I am trying to get an understanding about your individual arts centres, because every one is different.

**Mr Marawilli**—Every one is really different, yes.

**CHAIR**—If you sell on a commission on consignment you know what the retail price is and if you know you get 60 per cent of it that means the arts centre gets 40 per cent to do a lot of things with. In your case, if they just pay you for the painting, they can sell it for anything and you do not really know about that. That is the point you were making as well, I think.

**Mr Marawilli**—Yes.

**Senator CROSSIN**—Do you or the ANKAAA staff know, when the arts centres sell it on to a museum or a gallery in town, if they add 20 per cent on to what they have paid you or 40 per cent?

**Mr Marawilli**—Forty.

**Senator CROSSIN**—They add 40 per cent. So they might buy a painting off you for \$100 and then they would sell it for \$140 to somebody. Is that how it works?

**Mr Pangiraminni**—When we sell our painting to the art galleries or museums they get half commission for what they sell because we sell it here for half. When they go to the other galleries they sell it for more than we sell here because they get half commission, we get half commission too.

**CHAIR**—That is the gallery?

**Mr Pangiraminni**—Yes.

**CHAIR**—So if you do a sculpture in your arts centre you only get paid when your arts centre sells it on to another gallery. Is that right?

**Mr Pangiraminni**—Yes.

**CHAIR**—Then you get 60 per cent and your arts centre gets 40. Then once the gallery has got it, of course, they sell it to the world for whatever they like, I guess.

**Mr Pangiraminni**—Yes.

**Senator MOORE**—But you only get paid if it sells.

**Ms Charlie**—Yes, if it sells.

**Senator CROSSIN**—But not at Yirrkala.

**CHAIR**—Yes, but not with Mr Marawilli. So within your association you have different arrangements.

**Ms Charlie**—Yes.

**CHAIR**—Generally speaking, are all of the arts centres in your association profitable? Is the 40 per cent they get enough to pay the wages?

**Ms Burak**—For my arts centre it is not enough. Whatever the artists sell, they do not get more. If they sell for \$150, \$75 goes to the arts centre and \$75 goes to the artist. I think it is not enough.

**CHAIR**—Not enough for the artist or not enough for the centre?

**Ms Burak**—Not enough for the artist or the centre.

**CHAIR**—Your association, ANKAAA, is funded by the Commonwealth government through the Australia Council to the extent of about \$530,000 and I think the Northern Territory government puts in about \$180,000. You say that there was other income last year of about \$32,000. Where does that other income come from—can anyone tell me that?

**Ms Congreve**—I am the interim manager for ANKAAA at the moment. The other income comes from DEWR. There is a business development fund that employs a business development officer in ANKAAA.

**CHAIR**—That is the \$32,000.

**Ms Congreve**—No, that is actually a much larger amount—\$430,000 over two years.

**CHAIR**—There is \$345,000 from DCITA; \$195,000 from the Australia Council, which is really the federal government; \$187,000 from the Northern Territory government; and then it has ‘other income’ of \$32,000. I was just wondering what the other income was.

**Ms Congreve**—ANKAAA looks after the building at Frog Hollow and receives a tenancy fee for that. We have had some consultancy money come in as well.

**CHAIR**—Thank you. I was curious about it. Do the individual arts centres contribute to the running of ANKAAA in cash?

**Ms Congreve**—No, not at the moment but there has been some discussion about that happening.

**CHAIR**—As an association, do you try to get some uniformity across all of the various arts centres in the way you pay artists or administer the centres? Does your association get involved in the coordination of individual arts centres?

**Mr Marawilli**—This organisation is called ANKAAA. We have responsibility for individual arts centres in the region. They run their arts centre how they want and look after their own budgets. ANKAAA forms committees from each area.

**Ms Congreve**—ANKAAA encourages benchmark practices, so that is the strength of the organisation—not policing arts centres, not being in charge of them but bringing in models that will be of best benefit to artists and their community.

**CHAIR**—We heard of one arts centre yesterday in Western Australia that used to pay its artists 55 per cent and keep 45 per cent to try and make the arts centre better. Does the committee discuss the commissions they should be paying? Is that something the individual committees all look at and talk about?

**Ms Burak**—Sometimes we have meetings. I am from the Tiwi Islands, and sometimes we have two-day meetings for the artist members. We discuss what we need and, whatever money we make, we pay that.

**CHAIR**—Thank you. It is getting very late, but I want to briefly return to an area that troubles me. The government has changed the rules for the CDEP. As I understand it, people will now only be able to be on the CDEP for one year. We have heard that that means that training in those centres will be curtailed because the evidence given in other places was that it takes about two years to train someone. Is that your experience here, and have you any thoughts about how you are going to cope with this change in the CDEP at all?

**Mr Marawilli**—As I said earlier, I think the CDEP is really important for running arts centres. For people who want to work, the only way they can really get training is through the CDEP. And the CDEP also helps them to develop.

**CHAIR**—I understand that the government has changed the arrangements for the CDEP, which is not something that this committee can argue about or debate. I am concerned about the training that used to happen under the CDEP. We have to look at whether there are other sources of government money that could specifically pay for training now that the CDEP is gone. I just wondered if any of you have had a look at that or whether you are even aware of that at the moment.

**Mr Marawilli**—If the government want to have arts centres, they should budget for them that they can properly run the arts centres and pay wages.

**CHAIR**—Unless there are any other very burning questions from the committee, we will call it quits there. Thank you again very much for coming. I know that you have all come a long way and we very much appreciate you coming along and sharing your ideas with us and answering our questions. The best we can do for you is to invite you to have morning tea with us.

**Proceedings suspended from 10.18 am to 10.42 am**

**JOHNSTONE, Mr Paul Barry, Director, Cross Cultural Art Exchange**

**CHAIR**—I welcome you to the committee. Thanks very much for coming along. This is a hearing of a Senate committee and Senate rules apply, so there is parliamentary privilege attached to things that are said to the committee. As well, if there are matters that you want to speak to us in confidence about, if there is something you desperately want to get across to us that perhaps is not appropriate for public consumption, we can go in camera to hear that. Apart from that, this is a public hearing of a Senate committee and there are, of course, members of the public in attendance. Thanks for your submission. Do you want to make any opening comments about your submission? If so, go ahead. Otherwise, the committee members will put some questions to you.

**Mr Johnstone**—Thank you for the opportunity. There are a couple of key issues that I would like to bring up to start with. I travel a lot to a lot of the different communities—pretty much from Cape York to Broome and down to Central Australia. I have noticed that each area, and communities within those areas, differs in agendas and also issues—as this hearing has discussed already—due to isolation, previous contact from settlement et cetera. My submission probably concentrated more on the Kimberley region and the issues that I saw within that location. My interest is in young people, particularly young men, who I find are not involved in the practices of art as much as they were in the past. The ongoing problem that therefore stems from that is distancing from culture. That was the agenda in my submission.

One of the key initiatives that have been very successful over the past few years is the return to country program. Elders take young people out to the bush and show them country, show them stories within country and encourage them to actively participate in culture. That is one area that I think has been incredibly successful. The other area that I would like to explore more is links between schools and art centres, because when I speak to young people I find that one of the things they say is that they do not really want to sit down and paint so much. They want to explore new mediums; they want to look at animation, film and digital photography.

The risk with that is that they are removing themselves from old culture, and some of the elderly people have a fear about that. But if there is a link between schools and art centres then they can piggyback each other. The kids can go back to the art centres and sit down and speak with the elders; and vice versa—the elders can go to schools and see what is happening so that they do not feel removed from that area.

Again, return to country programs would help in assisting that bonding between the youth and the older generation. In order to do that there also needs to be an acknowledgment of funding, including CDEP, which has been mentioned before. CDEP allows for some of those return to country programs to be implemented, but it needs to go further. There needs to be schemes set up where young people can be trained in business acumen so that they are aware of markets, because a lot of them have no access to markets. They are removed from them because they are in remote communities.

There have been some trials set up. You could have young people going down to the Art Gallery of New South Wales, ArtLab or any of these places so that they could have hands-on

skills and then take them back to the community and art centres. So that would be a reciprocal thing with cross-pollination, I suppose. As the ANKAAA committee mentioned, CDEP is incredibly important as a stepping stone for young people to be actively involved in art centres and be trained up. As far as I can see, it really comes down to an understanding of business. Carpetbaggers tend to target successful artists. Those artists, unfortunately, are exploited because they do not have business skills. Training young people, through these sorts of initiatives, and making sure that they maintain that connection to country through elders helps to alleviate this problem we are seeing. It is a long-term thing but it would have to go to some means.

The other side of it is the nature of art centres themselves. The art centres—certainly, Papunya Tula—take on a whole myriad of responsibilities outside the marketing and production of art. And that needs to be acknowledged. I think one of the key things is return to country, because that is where the stories, the ancestors and everything lie. Indigenous people are the country; they are not removed from the country, they are the country. That needs to be instilled. That is where my submission is coming from.

**CHAIR**—Before we start the questioning could you tell us about this? Your submission has a paragraph about your organisation. Could you tell us a bit more about your organisation, how you interact, what you do and the financial arrangements you have with people and how successful your operation is? Without giving away anything commercial-in-confidence, of course, could you just give us a bit of background to your modus operandi, so to speak?

**Mr Johnstone**—I went on a trip to China about two years ago to have a look at the potential of exporting Indigenous art. I was horrified to see that three of the exhibitions I found in Hong Kong and one in Shanghai were basically carpetbag shows with no provenance. I requested to see the coding on the back of the paintings and I was denied. When I relayed that information to the community arts centres where these artists usually painted, they had no knowledge of the work going overseas at all. I realised that one of the problems that is going to exist in the future is that, as Indigenous art becomes more and more popular worldwide, the same issues that we are talking about today will be replicated on an international scale. So I wanted to then set up a company that would maintain quality, integrity and ethics through the arts centres to set up high-quality shows overseas, particularly in America.

The other side of the company is allowing community arts centres to set up projects that, due to their being underresourced, might not normally be possible. For example, I helped Papunya Tula set up their first independent show last year. I took a management fee and the rest of the profits went straight back to Papunya Tula. That was a sold out show. It was very successful. I fly out to New York tomorrow night to launch the Warmun community's first New York show. That is always an acknowledgement of the arts centre.

**CHAIR**—Do you buy and sell art yourself or do you just manage and arrange things and charge a management fee?

**Mr Johnstone**—I do buy and sell some art works to a very select clientele where I am putting their collection together for them—

**CHAIR**—From the community arts centres?

**Mr Johnstone**—Yes.

**CHAIR**—Do you buy from individual artists as well?

**Mr Johnstone**—Through the arts centres.

**CHAIR**—Is your background in the arts somewhere?

**Mr Johnstone**—Yes. I have a Bachelor of Applied Arts and I am currently doing a certificate in cultural heritage.

**CHAIR**—Were you involved in the Indigenous art area before you started this operation?

**Mr Johnstone**—Yes. I was involved as the Indigenous art manager at a local gallery for four years. Prior to that, I spent time at the Jam Factory in Adelaide, and prior to that I spent some time at the Riddoch Art Gallery in Mount Gambier.

**CHAIR**—Is it part of your operation that you regularly get to some of the ANKAAA arts centres?

**Mr Johnstone**—I travel a lot to the arts centres, as I mentioned—particularly the Kimberley region at the moment.

**CHAIR**—Do you have a gallery as such here in Darwin?

**Mr Johnstone**—No. Because of the way that my company works, we do not have the resources to maintain a full-time gallery. The reason we can set up projects like we did with Papunya Tula is that we do not have a commercial outlet. The commission that we got from Papunya Tula was very minimal, whereas in a normal circumstance it would be 40 or 60 per cent for a commercial gallery.

**CHAIR**—As a businessman and someone who is obviously well-experienced in this area, can I ask you what I was asking some of the ANKAAA staff at morning tea: is there any merit in having a gallery or a display facility in Darwin where there are lots of tourists, businesspeople and investors and bring in art from various art galleries in very remote places that the tourist and the investor would rarely go to? Has it ever been tried? Is it good business sense or bad business sense?

**Mr Johnstone**—One of the major issues with Darwin is the dramatic change from wet season to dry season, and historically there has been a massive decrease in tourism during the wet season. The idea of having an Indigenous art fair during the time of the Darwin festival has been explored. You could have it in the Chan building, although there are issues with that. Just like the Melbourne art fair, you would have segmented areas. Communities could then pay a nominal amount and utilise that time during the art awards. At the moment, there is such limited space here in Darwin—there are only however many commercial outlets—that there is the potential for six to 10 communities to be able to exhibit during that prime time. If there was an Indigenous art fair at one location during that time then everybody could capitalise on the mass influx of people.

**CHAIR**—Kununurra is a different locality, but they were quite fortunate in that there is a constant display area for the local art centres so that any tourist coming through at any time can walk through and have a quick look. I understand that there are a number of commercial galleries in Darwin, which is good. Unlike Kununurra, obviously tourists would not go out to all of these far flung individual art centres. I am surprised that ANKAAA do not try and get some sort of common central facility to display art and to hopefully get some of their artists—

**Mr Johnstone**—There is merit in that, because apart from the fact of attracting tourists to one location, it could be used as an opportunity to educate people on the market as well. Yes, there is some merit in that. It all comes down to funding, of course.

**CHAIR**—Yes, but it is a commercial world. Some of the galleries we saw yesterday appear—we did not go into their financials—to be doing quite well. They are legitimate and honest. There is, one would have thought, sufficient money within the industry to be able to operate privately without involving government, which I always think is the worst solution, but that is perhaps a private thing.

**Senator PARRY**—You mentioned earlier business training for young male Indigenous artists in particular, but I am sure that that could be stretched to both genders. Do you think that the capacity is there for Indigenous artists to learn? Is there a wish and a desire to learn about basic business principles? I have a few follow-up questions, depending on your answer.

**Mr Johnstone**—Without doubt. As with any community, there are always individuals who are looking to pursue areas of opportunity. It is not just the opportunity but for them to see what can come from the pooling of ideas. A lot of the young people that I have talked to in Fitzroy Crossing have been very enthusiastic individuals who want to pursue some sort of thing like that, but at the moment they cannot do that. There is nothing set up for them. But without doubt, they could.

**Senator PARRY**—Who do you think should deliver that training?

**Mr Johnstone**—Perhaps organisations like ANKAAA could have a governing role in that.

**Senator PARRY**—Do you see the art centres playing any pivotal role? I will give you a hypothetical that was suggested at yesterday's hearing. It has been established that there is a need for training in business matters but also taxation matters as a part of that. Maybe there could be some facility provided—some form of training—within the art centres. Do you see that as a feasible and as the best mode of delivery?

**Mr Johnstone**—I do, because I see the arts centres as still being the core. If you concentrate on that being the core and then you have sections that run off it—that is, the training facilities or areas that train in other areas of the arts—that would work.

**Senator PARRY**—So your experience has definitely been that Indigenous artists in particular are seriously lacking in business skills? Do you think that training could extend to each individual artist knowing the net worth of their particular product? Do you feel as though that is a part of it as well?

**Mr Johnstone**—I do. It comes down to choice: the more that the artist or whoever it is understands the situation, the more choices they have available to them. They can then make the decisions themselves rather than being led.

**Senator PARRY**—Do you think that would be a useful tool in the reduction or elimination of exploitation of artists, if they understood completely that this product was valued at approximately this value and not to sell it more cheaply? Or do you think the reasons for selling cheaply on some occasions are still made with the knowledge of the higher worth of that particular product?

**Mr Johnstone**—If they are aware of the situation, they have more of an ability to make a decision based on what the repercussions would be. However, that would not eliminate immediate issues that may be to do with family obligations.

**Senator MOORE**—Your issues about youth is something I have been working through with some of the other witnesses both yesterday and today. We heard evidence from a couple of the artists who felt that the young people were not following as strongly as they would. Picking up a point that Senator Macdonald made about having a centre—I am not from the Northern Territory, so I may be getting this wrong—the Northern Territory government's submission talked about the Araluen Centre in Alice Springs. My reading of the submission that they gave us indicates that that would be the type of centre that he was talking about. The submission says:

The Araluen Centre also presents the Desert Mob selling exhibition, an annual Indigenous arts event showcasing works from Aboriginal art centres in Central Australia ...

So they gather work from more than 30 Aboriginal art centres and promote them and have a festival around it. Is that the kind of the thing you were discussing in relation to the possibility of something in the Darwin area?

**Mr Johnstone**—Yes.

**Senator MOORE**—So there is already a model happening which, according to this, is working, but a similar thing is not happening in Darwin. Is that right?

**Mr Johnstone**—That is right.

**Senator MOORE**—I know we have talked about elements of promotion before, but is there any training anywhere that looks specifically at the issues of promotion and marketing in Indigenous art centres?

**Mr Johnstone**—Not that I am aware of; maybe on a level of individual one-off occasions, but not a set scheme.

**Senator MOORE**—I know you are interested and I know you are flying off tomorrow, but if you do get a chance to see the *Hansard* of yesterday's hearing you will see we had a suggestion from one of the witnesses that an accredited training program, even in a tertiary institution, be developed with this particular focus.

**Mr Johnstone**—With a link to perhaps one of the state galleries.

**Senator MOORE**—Yes.

**Senator PARRY**—If we fly a copy of *Hansard* over, I think that would be quite appropriate.

**Senator MOORE**—I think the miracles of the internet will help there. Every time someone puts up an idea like that, what lolls out of it is the funding implication. It is all very well to set up a program that is centred in somewhere like Melbourne, but how do you get young people from up here to be a part of it?

**Mr Johnstone**—That is where it would be good to look at more initiatives that are based between schools and art centres. Mangkaja in Fitzroy have a very loose agreement set up with one of the schools there. But outside of that, I am not aware of anything that has really been happening. But at the school level, because of the nature of the funding—schools have the computers, schools have digital cameras, schools have all of the equipment needed—to have some sort of link to the art centres would help alleviate the resourcing and so forth, at least for the short term.

**Senator MOORE**—Have you had a chance to speak with the education department about that?

**Mr Johnstone**—No.

**Senator MOORE**—We talk consistently at the moment about whole-of-government approaches to just about everything. It seems that that is one stream that could be developed. A few of us were fortunate enough to be involved in a recent inquiry on petrol sniffing, which looked at so many of the same processes in communities. Consistently, the issue came out that young people had nothing to do, they felt isolated and they had no hope for the future. We kept hearing that. That important link with art and community was one that I do not think came out as strongly as this inquiry seems to say it should. Have you got any thoughts about that?

**Mr Johnstone**—This is where it comes back to programs like ‘return to country’ to reinvigorate things. It is very interesting around the Kununurra region that with the recent native title claims being successful old songs and stories are being reinvigorated. In fact I was privy to one just before Christmas that had not been performed in two decades, and that was a direct result of the native title claim. It has to be stressed that return to country and access to country for young people, in particular in mentorship with the elders, will give them a sense of pride and of belonging in modern society where access to computers et cetera is also important. They have to live in exactly the same world as we do; in fact, it is worse because of the socioeconomic situation. There needs to be a direct parallel with schools being linked to the centres and the kids on return to country programs.

**Senator SIEWERT**—Going back to the education issue—Senator Parry touched on it too—there is education for the artists in terms of valuing their work, but there needs to be more training for arts centres. The need for training people to build skills in administration for arts centres has come up a lot—you touched on it briefly too. It seems that that is a major issue that we, as a community, should be investing in.

**Mr Johnstone**—Definitely. In Warringarri, over in Kununurra, there is a young lady, Louise, who has come up through the CDEP program. She is a very valuable asset to the arts staff at that centre. She is a young person with initiative and she has had encouragement and support from the centre to the point where the coordinator can go down to Melbourne and feel very secure that the centre is being run efficiently. That is without much support at all as far as specific training in Melbourne or wherever it might be. If that side of it was also encouraged and supported, that would be an amazing transformation.

**Senator SIEWERT**—The training support available at the moment is through CDEP.

**Mr Johnstone**—CDEP allows people the opportunity to work and get hands-on training at arts centres, but it is not specific training in the arts, business, marketing or internet technology. A lot of the art centres rely heavily on internet technology, but it is difficult to get some of the young people trained in that area. That would be great for young men.

**Senator SIEWERT**—The NT has the Building Stronger Arts Business program. Have you had any experience with that program?

**Mr Johnstone**—Not much.

**Senator SIEWERT**—I understand that it provides some training funding.

**Mr Johnstone**—That is about as much as I understand.

**Senator SIEWERT**—Are you aware of what is happening in any of the other states—you do not deal with Queensland much, do you? WA?

**Mr Johnstone**—As far as I know in WA there isn't the same sort of scheme as here in the Territory.

**Senator SIEWERT**—Can I go on to the issue of certificates of authenticity or provenance certificates or whatever—I know there are different names for them? It has been suggested in submissions, and also in evidence, that that could be part of a way of dealing with carpetbagging. It was suggested to us yesterday that there should be a formal system of registration—that the Commonwealth should run a formal system—and that that would help, particularly, in the resale. Somebody could say, 'You would need this certificate to be able to sell it,' but also an auction house, gallery or anything would not be able to sell anything until they had a certificate. Have you thought about that system and do you think it would work?

**Mr Johnstone**—I do not see a problem with that system. I think it would help alleviate some of these issues. What has to be carefully considered is the issue of individual artists who want to engage with the market by themselves rather than through an art centre—in particular urban Indigenous people—and there needs to be a system that can accommodate them as well.

**Senator SIEWERT**—What they were suggesting is that they could get a form—you could download it, for example—and fill it in. The artist provides the provenance, so it would not discriminate an individual artist or centre but it would prove provenance and would be traceable. The idea is that there is then a paper trail for a particular piece of art.

**Mr Johnstone**—I think that could be a first step, and maybe that would need to be changed as time went on to accommodate new and different things, because, as we have seen in the last 30 years, the industry has changed dramatically and will do so again in the next 30 years. But certainly as a starting point that would be good.

**Senator SIEWERT**—Because you are working internationally I thought I would ask you whether you are aware of any other country that has a similar system that provides a certificate of authenticity, or the same, for Indigenous arts?

**Mr Johnstone**—I am not the right person to ask, but I am organising a trip to Canada, hopefully early next year, to speak with the Inuit, because there has been a lot of cross-cultural mediating between the Inuit and the KLC—the Kimberley Land Council—and a lot of great things have come out of that. I think their state of independence would be pertinent to this issue. So I think it would be good, as a stepping stone, to see if something similar is happening there. But as it stands I have not had that opportunity yet.

**Senator SIEWERT**—My final question—I will sneak another one in—is on resale. The issue of resale royalties has come up in a number of submissions and from a number of our witnesses. What do you think of resale royalties?

**Mr Johnstone**—I think resale royalties could work but the way I see it is the money that is gained through that could be used in areas that perhaps address socioeconomic situations. That is where it becomes a bit awkward because if it goes back to an individual artist then that artist has more pressure from family to disburse that money. It is a tricky matter, because whose right is it to say, ‘You’ve just sold that painting’? If it is a painting by a living artist or a relative or an artist who has passed on, nobody really has the right to say what you can or cannot do with that money. At the same time, it can have repercussions that may not be in favour of the community in general.

Maybe more pressing is the massive price fluctuations in both auction houses and commercial galleries. Certain auction houses will have auctions half way through the year and then in 12 months time they will double the price. So there is no regulation. Because it is such a new industry, people are still trying to work out where that plateau is—what it is worth on a greater market. To have prices that fluctuate so dramatically only confuses the market and, to an extent, the artist—certainly younger artists.

The jury is still out on resale royalties at the moment. I am not quite sure where I sit on that, to be totally honest, because I see it from two different levels. But I think the issue of maintaining some sort of market standard, through auction houses in particular, needs to be addressed as well. I do not know how you would do that. So many people, including artists, say to me, ‘How come this one sold for this much in this year and only 12 months later it’s achieved double the amount?’ Then if it gets passed in they will drop it down to a third of the price. It is a bit confusing for a lot of people.

Internationally, a lot of the people I see who buy through auction houses are starting to move away because of that. They really do not know what the correct value of the work is. I know that auctions are supposed to be like that, but as a general rule you do not have this business. So I really do not know where I stand with resale royalties.

**Senator CROSSIN**—Before I begin, I think we should recognise Mr Ted Warren has joined us. He is a local member in the Northern Territory assembly and the member for Goyder. Mr Johnstone, I want to ask you about an issue that Minister Marion Scrymgour raised this morning and that is that we do not really have a handle on the value of this industry as an export commodity. She raised a very valid point, I think, that when we talk about the mining industry we can say that that is worth X millions of dollars a year to the Australian economy but that we do not seem to be able to do that with a growing Indigenous arts industry. Do you think there is a need to do that, and how do you think that might occur?

**Mr Johnstone**—Are you asking whether we need to get some accurate statistics on exports?

**Senator CROSSIN**—Yes.

**Mr Johnstone**—And how we would do it?

**Senator CROSSIN**—Not just in exports—that would be one aspect of it, I suppose; but actually just work out what sort of money is being generated around this country and internationally through our Indigenous arts industry.

**Mr Johnstone**—I agree, I think there needs to be an investigation into how much is being exported. Not only that, we need accurate statistics on, first, how much of their work goes overseas from individual art centres and, secondly, whether those works go into a retail scenario or into a display scenario—so non-profit or profit. A lot of exhibitions in the past have not been retail exhibitions. You could also extend that survey into all galleries to ascertain how much of the work goes overseas outside of the community arts centres. Then you would have a comparison between the commercial enterprise and the community art centres, which of course are also commercial art enterprises but different.

I do not know how you would do this, but it would also be fantastic to see how much work goes overseas in general. Then you would have a final result and be able to subtract what goes out from commercial galleries that deal with arts centres, arts centres themselves and then others, and then you would know how much work goes overseas, roughly, that has perhaps come through areas outside of arts centres.

**Senator CROSSIN**—Would it assist the sort of work you are doing if that statistical collection were made?

**Mr Johnstone**—Possibly, and this is where the survey could continue. There have been results done on this, but this would show which countries are more actively acquiring Indigenous art. The other thing I should bring up is that, with this show they were doing in New York, the question that was raised by the arts centre—and it is a very valid point—is: why would we need to do that when the demand for the work is already excessive here in Australia? It only puts more demand on both the artists and the arts centres to find the quality work to go overseas. Apart from the obvious reason, which is exposure et cetera, if the arts centres already cannot keep up with demand for the art then why do they need to go overseas?

As you have heard, I am particularly interested in a lot of the younger artists that do not get those opportunities. But with a lot of the exhibitions that go overseas it is about who is

established here in Australia already. So perhaps that could be incorporated somehow or other. But it is a really valid point. All the arts centres that want CCAE to exhibit with them have said, 'Really, we have no need for the established artists.' Here we have all these younger artists producing work that is just as good. So that is why, again, we are very interested in doing that. But, historically, that has not been the case; it has been senior artists who are already established here in Australia.

So, going back to the other point, it would also be interesting to know which countries have the greatest demand for Indigenous art—and maybe even for which artists.

**Senator CROSSIN**—Do you have a feel for that at the moment? Are they more likely to be places like Canada, where the population already has an indigenous component, or would it be the European market, where they are just looking at different art styles?

**Mr Johnstone**—We find it depends on the country in general, very generally. Certain countries are drawn to certain styles of Indigenous art, rather than Indigenous art as a whole. That is one of the big things. For example, for this show in New York they were not interested in colourful works; they wanted bold, minimal, powerful compositions—whereas you will find that France, Belgium and Germany are interested in, say, work from Papunya Tula. It changes from country to country—again, very generally speaking.

**Senator CROSSIN**—Okay. That is all I have.

**CHAIR**—Thank you very much, Mr Johnstone. We very much appreciate your time and your contribution. Thanks for coming along.

**Mr Johnstone**—Thanks again.

**CHAIR**—We will call our final witness, Maningrida Arts and Culture, but while Ms Kohen is coming to the table can I acknowledge Mr Ted Warren, who is the chair of the Territory parliament Environment and Sustainable Development Committee. Thanks very much for joining us.

[11.25 am]

**KOHEN, Ms Apolline, Arts Director, Maningrida Arts and Culture**

**CHAIR**—Welcome. Thank you for coming along and giving us your time. This is a hearing of a Senate committee and so Senate rules apply and there is parliamentary privilege. If during the evidence or any of the questions you feel that there is a need for in-confidence disclosures or comments we can go in camera at your request. You have provided us with a submission, which we have numbered 51, for which we thank you and your organisation. Is there anything you would like to add to that or any opening statement you would like to make?

**Ms Kohen**—I will just make a short statement. I would like to thank the committee for the opportunity to provide evidence in my capacity as Arts Director of Maningrida Arts and Culture, one of the oldest Aboriginal arts centres in Australia. We have been operating continuously since 1973. I will focus my comments on the current achievements and challenges faced by our arts centre, which is located in a remote area, like many other arts centres in Australia, while highlighting some recommendations I have put forward for the committee's consideration. I wish to demonstrate the need for continuing government support to successful and emerging arts centres, enabling a stronger and sustainable Indigenous arts industry. And I wish to demonstrate the justification for a significant increase in funding to arts centres.

Our arts centre is currently servicing 790 practising artists from the Maningrida region. We have a total acquisition policy. Our arts centre pays its artists up-front for each and every artwork bought in the arts centre. To name only a few activities undertaken by the arts centre, we currently organise more than 20 commercial exhibitions a year, access professional agents for artists, focus on developing career paths for artists and concentrate on finding new markets, especially overseas. We also provide training opportunities to artists, maintain the website and engage in cultural maintenance activities. In addition, we opened a gallery in Darwin in 2004.

Our turnover for the last financial year was \$1.7 million. The production of art in remote communities like Maningrida is often the only non-government money coming into the community, and art therefore has a significant economic impact. In the last financial year we returned more than \$1.1 million directly to Maningrida artists. Arts centres located in remote areas are often also significant employers of Aboriginal people who work as art workers. No other activity in Maningrida is currently generating this sort of economic independence. Reducing support to high-performing arts centres is a disincentive and suggests that there is a penalty for success.

An arts centre is open to all artists, young and old, male and female, emerging and established, unknown to the public or international stars. The arts centre, being community owned and controlled, offers a safe, honest and professional environment for artists. Unlike a private operator who may only work with certain artists and who may actually work for a maximum profit for his business but not necessarily for maximum return to artists, an efficient and functional arts centre is continually fostering talent and encouraging young artists to engage in art production. For example, in the last financial year our arts centre registered 38 new artists who are all under 30 years old. I do not know any private operator who has the ability or the

desire to embark on such a hard and long campaign to recognise and promote new artists. This level of commitment resides exclusively with arts centres.

The government urgently needs to look at funding capital works for art centres. Most art centres operate in suboptimal buildings—often just a shed. It is simply not possible to provide artists with the professional support that they deserve in the absence of adequate infrastructure. For example, our art centre currently operates from a converted soup kitchen, a relic from the DAA days. Despite our relative success, we are not in a position to fund a new building. Government support is essential, especially in remote areas.

Most art centre staff are poorly paid and overworked. How can we attract qualified staff to an art centre if we keep paying them so poorly? I am not talking about myself. I love my job; I love what I do. But at the moment I cannot find anyone suitable for the position of Assistant Arts Director in Maningrida, which is one of the most successful art centres. The money we offer is just too little. So how can we guarantee the best services if we do not attract highly qualified and motivated people? We also need to look at training opportunities for art centre staff. Most art centre managers I know have had no training or no professional development during their time in the art centre industry.

Another area where the government can make a significant difference is to help us genuine representatives of Indigenous artists to promote Aboriginal art overseas. We need to enter new markets before we reach saturation at the domestic level. To help us access new markets, I urge the government to embark on a promotional and educational effort to make Aboriginal art better known overseas. Exposure to good quality works through educational shows will provide a springboard for the establishment of new markets for organisations like our art centre. Additionally, we would welcome support for international market research. There is considerable scope for art centres to exploit the export market. Finally, I invite and encourage all of you to come and visit us as Maningrida to get a clearer picture of how an art centre operates in a remote community.

**CHAIR**—Thank you, Ms Kohen.

**Senator CROSSIN**—I want to ask you about the link you make in your submission between diminishing the role of carpetbaggers by strengthening the art centres. You argue that at the moment, as I understand it from your submission, your art centre is funded on a yearly basis as opposed to three years.

**Ms Kohen**—That is right.

**Senator CROSSIN**—You argue that increasing the support and resources to the art centres will actually lead to diminished unscrupulous efforts in the industry. Do you just want to talk about that?

**Ms Kohen**—I do believe that. Take an art centre like us. We pay artists up-front full payment; we are in a position to do that where we are at the moment and through the support we get for our operational funding. If we can provide a safe environment for artists to come and sell their work, we will reduce the number of carpetbaggers just coming for instant cash. In some communities, unfortunately, art centres cannot pay artists up-front. Those people need money

whether the artwork is sold is not. If you have a carpetbagger coming and offering minimum payment or sometimes—and I not afraid to say this—even drugs or alcohol, the person will take it just because they cannot wait another week or another two weeks before they get paid when their work is sold.

**Senator CROSSIN**—Do you have experience with that happening in the Maningrida region?

**Ms Kohen**—So far we have been pretty lucky. There are two reasons. Firstly, our artists have been getting enough money compared to some of the Central Desert artists. Secondly, we work on bark, so it is difficult to transport. So, if you come to one of the outstations, you might find one or two works but not many to buy direct. Also, in terms of geography, we are cut off for six months of the year because of the wet season. However, we had a couple of what I would call incidents of people having a relationship with a private operator. What we did to get that person back on board was to show all our support and the difference compared to a carpetbagger. We provide a career path for artists. We manage their career by putting them in exhibitions, by entering them for prizes and awards and taking them to exhibitions. I do not know any of those people doing that. Only art centres do it properly.

**Senator CROSSIN**—So you would say the arts centre also looks after the professional development of the artists.

**Ms Kohen**—Absolutely.

**Senator CROSSIN**—Do you think the permit system assists in ensuring these sorts of buyers do not come onto people's land unnecessarily?

**Ms Kohen**—The permit system is very important on Aboriginal land and in remote communities like Maningrida for a lot of reasons. I am only going to talk about the arts centre's point of view, but I think for a lot of reasons it is very important that we keep the permit system. From the arts centre's point of view, let us look at what happens if we open the land and people can take a lease to open another shop. I have to welcome every artist from the Maningrida region. It is part of our charter because we are a community based arts centre. I have to accept everybody. If someone opens a little retail outlet in the same place, it can pick and choose. It will go and get the 10 best artists, say, that I have. It maybe cannot look after them better than we do—and that is my hope; that is why I think those people will stay with the arts centre—but, if we have no money in the bank, how can we keep paying these people properly? It will not have to foster new talents to support the rest of the community. I am talking about even women making really little things. When I say I look after 780 artists, that is from someone making a necklace to an international star like John Mawurndjul.

I do not think a private operator coming into Maningrida, because he can, will accept everybody. He will just work with the best ones and the ones that will bring the most money. So where is the future and the ability to have a next generation of artists to foster the business? And where is the ability to control quality? You have to remember most of the people have no experience in the arts. They have just jumped on the boat because that is what is making money at the moment. They might have been in the fishing industry. I do not what they will do in five years when it will not be interesting to work in the Aboriginal market. But we have experience.

Most of us are qualified people with an art background. We are here also to promote quality and to encourage artists to do quality works.

**Senator CROSSIN**—At the Musee du Quai Branly in Paris last year there was the exhibition of Aboriginal artists, including artists from the Territory, and there has been an upsurge, I suggest, in people in your community wanting to take on art. Can you tell us quickly about how you manage the quality. And I would like a brief comment about the role of Austrade in assisting you with your work internationally.

**Ms Kohen**—To encourage people to produce quality works, you have to start with the technical aspect of it. If you respect what you do and how you do it, it is going to get a lot better. The newer people are interested to see the works of other artists in the arts centre, so that prompts discussion about why it is responding to the market, why it is doing well, what is not so good about this other work and so on. I think most of the people are interested and want to become professional artists when they see our 20 top artists being in a lot of exhibitions, travelling everywhere and winning prizes. You have to feel good about it. It is not just the income; it is the whole thing about your culture, your wellbeing, your self-esteem, doing something you are good at and that you love. People regard that as a job.

Moving to Austrade, they have been really good to us. They have assisted us with travel, mainly through moral rather than financial support, but that is better than nothing. But Austrade only recently looked at Indigenous art in terms of exports and, at the beginning—and I think they are improving—they treated it like seafood or wine but we are very different; ours is not like any other business.

**Senator SIEWERT**—I want to continue with the development of artists in training. You say in your submission that despite the fact that you are successful, you still cannot manage without support. It seems it is because the arts centres do so much in the community. The support and professional development of artists and encouraging young artists is a whole other role that you play.

**Ms Kohen**—Absolutely. At the moment we are a business, a cultural centre, we do mentoring activities, we look after young people, we look after old people. We cannot do all of that without some sort of support. If I want to run a successful business, I know how to do it but I am not going to service the community anymore. That is what you all have to remember. It does not mean that we should not do good business in arts centres. It is very important, and we should make sure they are sustainable and profitable on the business side but are still supported in all the other things that they do in the community.

**Senator SIEWERT**—That means acknowledging through appropriate funding sources the training aspect of the work that you do. I understand the point you are making in your submission is that you need funding support for all the other things you do.

**Ms Kohen**—Absolutely. We really need triennial funding. Again, we want to be a business. We have got a business plan. How do I make a business plan when I do not know what is going to happen next year in terms of funding?

**Senator SIEWERT**—How does CDEP figure in how you do your numbers at the centre?

**Ms Kohen**—We do not have any artists on CDEP in the arts centre. They might be on CDEP because they are doing another job or whatever, but we do not pay artists through CDEP; however, we have got arts workers on CDEP but we also give them top-up for extra hours.

**Senator SIEWERT**—That is for people working to support the centre.

**Ms Kohen**—They are crucial to our operation. To be honest with you, we could not do without them. At the same time, if CDEP is removed we are going to be facing a crisis again.

**Senator SIEWERT**—So two decisions that are being made in the very near future on permits and CDEP could also affect the operation of the centre.

**Ms Kohen**—Totally. It would turn it from being a success story for Maningrida, which it needs very much, into another failure in the making. It is very hard times at the moment.

**CHAIR**—You mentioned you had a gallery in Darwin in 2004. Do you still have it?

**Ms Kohen**—It is still operating. You are welcome to have a look. It is about five minutes away.

**CHAIR**—Successful?

**Ms Kohen**—Yes. Of course, we have the wet season and the dry season factor but, all in all, it has been a great success. As you know, it is only in its third year of operation as a business, so at the end of this period we will have a clearer picture. I can tell you: it is a success and it also brings competition and quality to Darwin, which is important.

**CHAIR**—Very approximately, how much of your art throughput would you sell at Maningrida, how much through Darwin, how much through galleries in the south and how much through export?

**Ms Kohen**—We sell about 10 per cent of our stocks through our gallery in Darwin. The focus of this gallery is not really fine art because we do not have a problem with that—we have too great a demand; it is for the smaller things—the fibres, the baskets—that are a lot harder to place. That is the aim of our gallery.

**CHAIR**—How much in the other areas?

**Ms Kohen**—We sell about 26 per cent of our stock through exhibitions. At the moment, we sell 14 per cent to overseas markets. That is on the rise, so we are very happy about that. The internet sales are still very slow at seven per cent, but I think we need to revise our website.

**CHAIR**—You say that you actually pay the artists for their work; you do not sell them on consignment. How do you determine who gets what? Is it an appreciation by you—I assume it is you—

**Ms Kohen**—The art market tells me how much I can pay an artist.

**CHAIR**—Is that difficult, particularly as you answer to a committee comprising, I suspect, a number of the artists?

**Ms Kohen**—Of course it is difficult but, at the same time, if you are consistent about your payments and what it is worth and you explain why one person gets such a high payment and why another work is not good enough—

**CHAIR**—And that works?

**Ms Kohen**—Yes, it does work. I am not saying that it has been an easy thing to establish but, yes, you can do it.

**CHAIR**—Do you have some people saying, ‘She’s not paying me enough; I’ll go elsewhere and try and flog it to a carpetbagger,’ or something?

**Ms Kohen**—They would still come back because we pay better than anyone else anyway.

**CHAIR**—And your mark-up is about 40 per cent?

**Ms Kohen**—That is right, overall.

**CHAIR**—And you put \$1.1 million back into the community, which is very commendable.

**Ms Kohen**—Yes.

**CHAIR**—That would give you about \$400,000 for the centre operations in addition to government money?

**Ms Kohen**—Yes, about that.

**CHAIR**—I hear what you say about being more than an arts centre; you are really a community development centre as well. But there are private galleries around—we saw some in Kununurra yesterday—that are doing what you are doing, they are looking after their artists, and yet seem to be doing reasonably well financially without any government assistance.

**Ms Kohen**—But do they work with the whole community?

**CHAIR**—Not to the same extent that you do, but they do look after their artists and they help their artists in various ways.

**Ms Kohen**—I am sure.

**CHAIR**—They employ people to do their packing. I hear the call for more government money, but there is obviously money in the Indigenous art area that one would think, in time, could almost be self-sufficient without government money. You do not foresee a time when the profits from the centre would be able to do a lot of the things that government money currently does?

**Ms Kohen**—I can see it, but not now. It is still a long way off and there are a lot of uncertainties. You have to know that the art market is not like wine or seafood. It goes through ups and downs. At the moment it is booming. We do not know what is going to happen in a few years. That is why I recommend looking at the overseas market. At a domestic level I think we know everybody. There are all those small signs that are telling us that there is going to be a downturn. How are we going to deal with that? We have to look elsewhere. Also, if there are still community based art centres then they will need to have some sort of support to grow through this downturn and to plan for the future.

**CHAIR**—A witness yesterday was quite open about saying what she received in pay, which was \$50,000. What sort of money are you offering for this position that you cannot fill?

**Ms Kohen**—It is \$50,000.

**CHAIR**—That is the assistant director's job?

**Ms Kohen**—Yes.

**CHAIR**—And there have been no takers at all?

**Ms Kohen**—So far, no.

**CHAIR**—We have two or three minutes left, Senator Parry, Senator Moore and Senator Siewert, if you have any burning questions.

**Senator PARRY**—Ms Kohen, can I follow up from the chair's question on the percentage break-up of your sales. You said you had 10 per cent from Darwin, 26 per cent from exhibitions, 14 per cent from overseas, seven per cent from the internet—

**Ms Kohen**—And the rest is direct to private collectors or at the counter in Maningrida. Sorry, I should have mentioned that.

**Senator PARRY**—That is okay. I was just wondering because it did not add up to 100.

**Ms Kohen**—Also, that is not only private collectors but also galleries that buy a bit of stock on the side.

**Senator PARRY**—Is it very small to the other galleries, mostly to private collectors?

**Ms Kohen**—Yes, more and more, and we have more and more people coming to visit us to buy at Maningrida.

**Senator SIEWERT**—A lot of the other centres sell to galleries. When we were talking to Mr Johnstone earlier, a question that arose was why the centres, instead of selling to galleries, don't hold a festival or have more control over what they sell by selling on a collective basis. Have you thought about that? What are the blockages to doing that?

**Ms Kohen**—It would be interesting to have a form of art fair with the arts centres. However, we need galleries, we need those relationships, so we do not want to interfere with that. We are partners at some level. We have to choose the good ones—there are bad ones around. Also, other arts centres can, like us, open their own little shop. But as for a general thing where it is going to be a melting pot, with people doing so many different things, I do not believe in it.

**Senator SIEWERT**—It would be all too hard.

**Ms Kohen**—All too hard. However, an art fair would be a good thing to implement. There could be something like annual events, the festive season—

**Senator SIEWERT**—And it would be something people could mark in their art calendar.

**Ms Kohen**—That is right.

**CHAIR**—Have any of the arts centres ever asked your Darwin facility to sell their works as well? Is that bad business for you?

**Ms Kohen**—No-one has asked us, but I do not think we want that. It is our initiative, it is our artists that control this.

**CHAIR**—And that is a legitimate business approach. Thank you very much, Ms Kohen. We are indebted to you for giving us some further insights into the question in the Top End. It is not easy for you to get here, I assume, so thank you for coming all this way.

**Committee adjourned at 11.52 am**