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Ms Melanie Brockelhurst
Committee Secretary
House of Representatives Standing Committee on Indigenous Affairs
PO Box 6021
Parliament House
Canberra ACT 2600

Dear Ms Brockelhurst,

Re: Inquiry into the growing presence of inauthentic Aboriginal and Torres Strait Islander 'style' art and craft products and merchandise for sale across Australia

Please find attached the submission of ANKA – Arnhem, Northern and Kimberley Artists Aboriginal Corporation to the *Inquiry into the growing presence of inauthentic Aboriginal and Torres Strait Islander 'style' art and craft products and merchandise for sale across Australia*.

ANKA makes its submission in two parts.

- a) A video with recorded statements by eight members of the ANKA Board of Directors;
- b) A written submission compiled by the ANKA CEO, summarising feedback from consultations and responding to the inquiries Terms of Reference.

As the Indigenous governed peak body representing 47 Aboriginal Art Centres and 5,000 Aboriginal artists from diverse language and cultural groups, ANKA works with communities across over one million square kilometres of Northern Australia. ANKA therefore has intimate experience with the challenges and importance of representative consultation in this demographic. With this in mind, the Inquiry is urged to extend its resources to allow direct face to face discussion with artists working in 'remote' communities, who often do not have English as a first or even second language, and who can easily be left out of deliberations due to lack of access. The proliferation of 'fake' Aboriginal 'style' products is impacting these people, arguably the most directly, and it is vital that their voices and perspectives are heard.

ANKA will be very pleased to help support further consultation with its membership and supported Art Centres.

Yours Sincerely,

Djambawa Marawili AM
Chair

Christina Davidson
CEO

**ANKA Submission,
to the House of Representatives Standing Committee on Indigenous Affairs:**

**Inquiry into the Growing Presence of Inauthentic Aboriginal and Torres Strait Islander 'style' Art and
Craft Products and Merchandise for Sale Across Australia**

ANKA (Arnhem, Northern and Kimberley Artists Aboriginal Corporation) welcomes the parliamentary inquiry and thanks Senator Scullion for referring the matter to the Committee.

The ANKA board and membership of artists and designers are asking for the support of government to make the necessary changes to Australian Law to protect their rights and responsibilities as cultural custodians of the oldest living culture on earth and as citizens whose livelihoods are tied to making and selling authentic art and craft products.

In addition to this written report please refer to the ANKA Board of Directors video statements at:
<https://vimeo.com/242697202> (further details below).

INTRODUCING ANKA



ANKA (Arnhem, Northern and Kimberley Artists Aboriginal Corporation) is the not-for-profit Aboriginal governed peak body and support agency for over 5,000 Aboriginal artists and 47 Aboriginal owned and operated Art Centers in the Top End of the Northern Territory and Western Australia.

Now in its 30th year, ANKA is the 'face and voice' of Aboriginal artists and Art Centres in its four regions: Arnhem Land, the Kimberley, Tiwi Islands and Katherine-Darwin.

The ANKA regions in northern Australia span over one million square kilometers of some of Australia's most 'remote' country: ranging across from Broome on the west coast of the Kimberley in Western Australia, to Blue Mud Bay, East Arnhem Land, at the far edge of the Northern Territory; and down from the Tiwi Islands at the top of the continent, to the upper tip of the Tanami Desert in the south. Great

distances, regional geography and an intense tropical climate pose considerable travel and communication challenges, heightened by eight Art Centers being located on islands, with a further 17 experiencing seasonal flooding which blocks road access for up to five months a year. ANKA achieves effective communication in this challenging geography through a strong governance and consultation structure. For example, the organisation has an unbroken 17 year record of holding four Regional General Meetings each year (held at Art Centres in the regions) followed by a combined AGM, and its elected board meets regularly through the year. This strong governance structure has led to considerable continuity of perspective and sustained strong Aboriginal input into the organisation.

Artists represented by ANKA are based in urban, rural and remote locations, with the large majority working through community-owned and operated Art Centres in Aboriginal communities. ANKA's membership encompasses 50 different Aboriginal language and cultural groups, with the majority of the artists represented having English as a second, or even fourth language.

Background

LONG TERM INDUSTRY ACTIVITY

As detailed in several other submissions to this Inquiry, notably those by Arts Law¹ and Terri Janke and Company Pty Ltd², there has been a long history of inquiries, reports and attempts to find solutions to the prevalence of inauthentic Aboriginal 'style' art in Australia, however as Robyn Ayres of Arts Law observes: 'no legislative protection of enforceable rights has resulted from any of the previous inquiries'³.

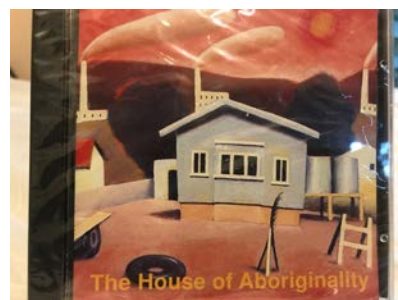
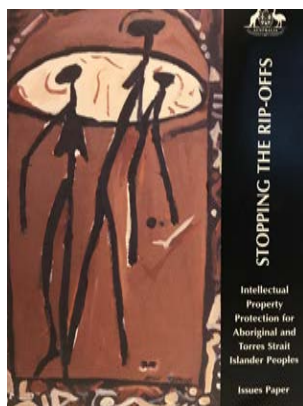
To arrive at effective solutions to this persistent and growing problem, it is important that the present inquiry considers past approaches, to avoid repeating 'solutions' which have not worked, and takes decisive action to protect national heritage and Indigenous rights and livelihoods.

Since its inception in 1987 (as ANCAAA Association of Northern, Central and Arnhem Artists, Aboriginal Association), ANKA has been involved in efforts to address the prevalence both of - outright copies of Aboriginal art works - and of inauthentic Aboriginal 'style' art, not produced by Aboriginal people, and which deliberately exploits a non-existent association with Aboriginal cultural heritage.

¹ Arts Law, *Submission to the House of Representatives Standing Committee on Indigenous Affairs Inquiry into the*

² Terri Janke and Company Pty Ltd, *Submission to the House of Representatives Standing Committee, ibid*, November 2017, p.1

³ Arts Law, *op cit*, p.2



Reference above - to only a few of the past actions to combat inauthentic Aboriginal and Torres Strait Islander Art

Above left: Stopping the Rip-Offs: Issues paper. Intellectual Property Protection for Aboriginal and Torres Strait Islander Peoples, prepared by the International Trade Law and Intellectual Property Branch, Business Law Division, Attorney General's Legal Practice, Canberra, October 1994

Above centre: The House of Aboriginality DVD Multimedia project about the merchandising of Indigenous Imageries, CD Rom. Vivien Johnson, Macquarie University, 1998

Above right: National Indigenous Arts Advocacy Association, Label of Authenticity, 1997-2002

RECENT ANKA CONSULTATION ON 'FAKE ART'

The following are some examples of the consultation ANKA has undertaken with its membership base over the last two years addressing the prevalence of inauthentic Aboriginal 'style' art, craft and merchandise:

- The ANKA Board of 12 elected directors (three from each of the four ANKA regions - Arnhem Land, the Kimberley, Tiwi Islands and Katherine/ Darwin) discussed the **Inquiry** in depth at their meeting on 16 August 2017, and produced the ANKA director's video submission.
- In 2017 the Inquiry was introduced to members and Art Centres at the ANKA Regional General Meetings:
 - o Kimberley Regional Meeting (18 September, Broome, WA)
 - o Tiwi Regional Meeting (28th September, Jilamara Arts, Melville Island, NT)
 - o Katherine/Darwin Regional Meeting (25th October, Mimi Arts, Katherine, NT).
- Prior to the Inquiry, ANKA has been an active participant in the **FAKE ART HARMS CULTURE** campaign, in partnership with the campaign leaders - the Indigenous Art Code, Arts Law and Copyright Ltd - together with the other Australian Indigenous art peak bodies.
- In 2016 the concerns addressed by the FAKE ART HARMS CULTURE campaign were discussed by members and Art Centres at the four ANKA Regional General Meetings.
- At the 2016 ANKA Annual Conference (Charles Darwin University Rural Campus, Katherine, 2-4 November) **Indigenous Art Code** CEO Gabrielle Sullivan, consulted with ANKA membership about issues surrounding fake art. The extent of artists' strong concern and passion on this topic was evident at these consultations. These discussions and those at board meetings informed subsequent petitions to the government by the ANKA board.



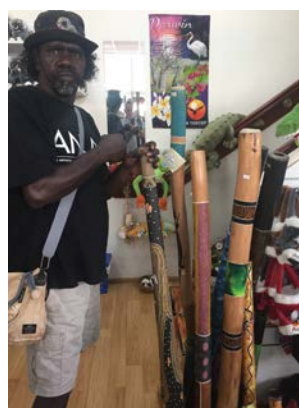
Discussion of prevalence of 'Fake Art' at 2016 ANKA Annual Conference, Katherine. Pictured arts leaders from four northern communities in Arnhem Land and Katherine/ Darwin regions and Gabrielle Sullivan CEO of the Indigenous Art Commercial Code of Conduct.

- In 2016, participants in the ANKA Arts Worker Extension Program from diverse northern communities, elected to work with the Indigenous Arts Code and Arts Law on their 'FAKE ART HARMS CULTURE' stall at the Darwin Aboriginal Art Fair, explaining to the public concerns about the prevalence of 'fake' Aboriginal 'style' art held by their communities.



ANKA Deputy Chair, Gabriel Nodea with Robyn Ayres, CEO of Arts Law and ANKA Art Worker Extension Program participants on the Fake Art Harms Culture Stall at Darwin Aboriginal Art Fair 2016.

- In 2017 participants in an ANKA literacy skills workshop 'Technology Strengthening Understanding' undertook a tour of Darwin retail outlets selling Aboriginal style merchandise, which may be inauthentic, and made a video for the Inquiry outlining their concerns. This video has been submitted to the committee by Gapuwiyak Culture and Art Centre.



ANKA workshop participants from the Tiwi Islands, Arnhem Land and the Kimberley visiting retail outlets in Darwin to consider issues of labeling and authenticity.

STRUCTURE OF THE ANKA'S SUBMISSION

The ANKA submission is in two parts.

1. A video with recorded statements in Aboriginal English by eight members of the ANKA Board of Directors available at: <https://vimeo.com/242697202>

A transcript and plain English translation of the interviews follows as **Appendix A**

Directors speaking in order of appearance:

Mr Djambawa Marawili AM, ANKA Chair	Chair Buku Larrnggay Mulka Centre, Yirrkala Arnhem Land Region
Mr Gabriel Nodea, ANKA Deputy Chair	Chair Warmun Art Centre, Warmun Kimberley Region
Ms Michelle Woody, ANKA Director	Chair Jilamara Arts, Melville Island Tiwi Region
Ms Jangu Nundhirribala, ANKA Secretary	Numburindi Arts Numbulwar Darwin/ Katherine Region
Ms Jedda Puruntatameri, ANKA Director	Munupi Arts, Director Melville Island Tiwi Region
Ms Maxine Charlie, ANKA Director	Nagalu Jarndu Design, Director Broome Kimberley Region
Ms Donna Nadjamerrek, ANKA Director	Chair Injalak Arts Gunbalanya Arnhem Region
Mr Tom E Lewis, ANKA Director	Chair Djilpin Arts, Beswick Darwin/ Katherine Region

2. This written submission compiled by the ANKA CEO Christina Davidson, draws on consultations (as listed above) and addresses the Inquiries Terms of Reference.

SUMMARY OF KEY POINTS OF THE ANKA SUBMISSION

- The ANKA Board and members ask government to make effective changes to Australian law to stop the sale of inauthentic Aboriginal 'style' art, and recognise the severe, harmful impact this 'fake' art has on Aboriginal culture, heritage, livelihoods and sense of being respected as a people.
- ANKA holds that the most efficient and cost effective principal strategy to curb the prevalence of inauthentic 'Aboriginal style' art, craft and merchandise (particularly in the tourist market) is to modify existing Australian Consumer Law. ANKA fully supports the proposal for this outlined in the **Indigenous Art Code Submission - Appendix A**.
- To properly understand the situation for ANKA's Aboriginal membership, in respect to 'fake art', it needs to be recognised that traditional Aboriginal law exists, and is in operation, concurrently with mainstream Australian law.
- ANKA recommends that traditional Aboriginal laws governing appropriate use of patterns and designs, which have been in effective operation for millennia, and are still current throughout northern Australia, be recognised and considered when developing strategies to combat the distribution of Aboriginal 'style' art.
- As a matter of principle, the onus for solving this problem should be firmly placed on the producers of the 'fake', Aboriginal 'style' art, not on Indigenous artists, designers and crafts people who are doing the right thing and producing authentic products.
- ANKA contends that introduction of a new 'label of authenticity' or similar, is not an appropriate solution to addressing the prevalence of 'fake' art. Such a scheme would be costly and complicated to administer at a national level, especially with large numbers of artists working in remote and very remote communities and homelands. A label of authenticity has also proved ineffective in the past; and places the responsibility to solve the problem with those least equipped to do so - artists typically on minimal incomes, often with low English language literacy, and who did not cause the problem.
- Effective solutions to address the prevalence of Aboriginal 'style' art are vital to protect the livelihoods of Aboriginal people living on country, and the wider economic viability of the internationally renowned Aboriginal Australian art movement. Confusion about authenticity at the tourist level of the market filters through and impacts the credibility of the wider Australian Indigenous art market.
- There is a lot of scope to take meaningful action to support a new phase of appreciation and of sustained and sustainable growth of the (authentic) Indigenous art industry. This requires greater targeted investment in Art Centres, and the peak bodies which help support their sustainability and business acumen; realisation of significant opportunities for growth in appropriate cultural tourism, including visits to existing Art Centre based museums and keeping places; and support for diversification of products, including for tourist markets.
- The internationally recognised Renaissance of Australian Indigenous art is an outstanding Australian asset. This art movement, which came into being in the later part of the 20th century, and continues strongly across generations, is the contemporary outpouring of the oldest living culture on earth, extending back at least 60,000 years. As such it needs to be treasured, celebrated and fiercely protected: recognised as an educational as much as an aesthetic asset. Contemporary Indigenous art can open up windows to better understanding of the rich and diverse cultural heritages of this continent, of the land itself, and the long-term relationships of the people who have inhabited it to the country. This requires respect, and 'fake' or inauthentic Aboriginal 'style' art is the antithesis of this. Fake art harms culture and its distribution needs to be stopped.

ANKA RESPONSE TO THE TERMS OF REFERENCE

1. The definition of authentic art and craft products and merchandise

ANKA concurs with Arts Law's definition that authentic Aboriginal and Torres Strait Islander art and craft is any art or craft produced by an Aboriginal or Torres Strait Islander artist (s) or craftsperson (s). The definition would also include art and craft products (and merchandise) made pursuant to a license with an Aboriginal or Torres Strait Islander artist (s) with their full authority.

An Aboriginal or Torres Strait Islander artist or craftsperson is an artist or craftsperson who:

- a) Identifies as Aboriginal and/or Torres Strait Islander; and
- b) is recognised as Aboriginal and/or Torres Strait Islander by the community or group with which the artist identifies.

2. Current laws and licensing arrangements for the production, distribution, selling and reselling of authentic Aboriginal and Torres Strait Islander art and craft products and merchandise

The proliferation of inauthentic products for sale in retail outlets across Australia testifies to the inadequacy of current laws and licensing. Shops targeting the tourist market are the main concern – including, but not limited to, airport stores, souvenir shops and even, in some instances, retail outlets of state and national galleries.

For more detailed legal examinations of current laws and licensing arrangements ANKA refers to the submissions by: The Indigenous Art Code, and Terrie Janke and Company Pty Ltd.; and in respect to licensing to the submission by Copyright Agency and Viscopy.

3. An examination of the prevalence of inauthentic Aboriginal and Torres Strait Islander 'style' art and craft products and merchandise in the market

Casual visits and surveys of retail outlets across Australia, especially those in tourist precincts, quickly reveal the depth and extent of market saturation by 'fake' Aboriginal and Torres Strait Islander 'style' art and craft products and merchandise.

One of the most insidious aspects of this current situation is that inauthentic and authentic objects often exist for sale side by side in the same retail outlets, creating confusion for consumers and devaluing and disrespecting the genuine articles and Aboriginal and Torres Strait Islander art and cultural expression more broadly. As the ANKA video submission by remote Aboriginal art leaders explains Aboriginal artists feel deeply 'hurt' and affronted by these products. Authentic Aboriginal and Torres Strait Islander products, however humble, have the capacity to educate people about Australia's many and varied Aboriginal cultures. Inauthentic objects, by contrast, have no real meaning. Typically mixing pastiches of styles from different regions, these objects only confuse consumers and detract from appreciation of the talent and skills of Aboriginal artists and the genuine cultural expression of the longest living culture on earth.

4. Options to promote the authentic products for the benefit of artists and consumers

The extraordinary Renaissance of Aboriginal art over the last half century has won outstanding national and international recognition. At the same time authentic Aboriginal art remains profoundly under-marketed to the broader public, especially in regard to current opportunities for Australian and international visitors to visit Art Centres 'on country'.

Many steps are possible to increase market exposure for authentic products and to promote them more effectively for the benefit of artists and consumers.

To develop the significant existing potential a concerted effort is needed on the part of governments, industry support bodies and Indigenous lead arts organisations, to ensure promotion is knowledgeable and well planned.

Art Centres and Independent Artists

ANKA's members are all Aboriginal Australians and produce authentic products working both through Aboriginal owned and managed Art Centres and independently.

Aboriginal Art Centres

Art Centres, are a uniquely Australian invention and the model is at the heart of the successful Indigenous art movement. There is no equivalent institution to the Aboriginal owned and governed Art Centre in the mainstream art world – combining as it does, functions of commercial art galleries, art and design studios, art schools and community resource centres.

In many Aboriginal communities Art Centres are the only Aboriginal owned enterprise, and are often the most successful (or only) business of any kind. Art Centres are therefore vital places for employment of local people and of livelihoods for families. They are usually also, in effect, community 'well-being' centres.

As community based Aboriginal enterprises, Art Centres convincingly guarantee the authenticity of products they market and promote.

Independent Aboriginal artists in ANKA's northern regions

Independent Aboriginal artists essentially operate small businesses, employing a range of marketing and engagement strategies to share and distribute their products. They deal with art galleries, as principal business outlets, in much the same way that independent non-Indigenous artists do.

When dealing with art products of independent Aboriginal artists consumers often have to rely on the integrity of the art gallery or other outlet for assurance that the product is authentic.

Options to promote the authentic product for the benefit of artists and consumers include:

- **Increased financial support for Aboriginal Art Centres and Aboriginal Art peak bodies**
- **Expansion of appropriate Art Centres based cultural tourism**
- **Care for Art Centre based Community Collections** (as cultural tourism attractions)
- **Product diversification for Art Centres**
- **The Australian Indigenous Art Commercial Code of Conduct is supported to maintain an effective industry code of conduct**
- **Expert legal and commercial advice is available for Indigenous artists and designers – and existing experienced agencies receive adequate support - Arts Law 'Artists in the Black' program and Copy Right Agency Ltd. / Viscopy.**

- **Increase support for Aboriginal Art Centres**

A number (but not all) Art Centres receive relatively small, but vital, Australian Government funding through the IVAIS (Indigenous Visual Arts Industry Support) program. This funding has not been increased for many years, and is spread between increasing numbers of Art Centres.

Despite the extraordinary overall success, productivity and enterprise demonstrated by the Art Centre model, and the many benefits arising, operating as they do in Indigenous communities with extreme economic and social challenges, a number of Art Centres are currently in danger of becoming financially unviable. Dynamic community enterprises with huge workloads, Art Centres are typically chronically understaffed and under resourced and are therefore vulnerable to not being able to weather set backs. Art Centres continue to do the work they do through enormous ingenuity and dedication on the part of staff, members and boards.

Increasing IVAIS funding (or other) to Art Centres is one of the best ways to promote production and marketing of authentic products and also to provide rich cultural experiences for consumers.

- **Increase support for Aboriginal art peak bodies**

ANKA (based in Darwin) was the first Australian Indigenous art peak body, started in 1987 as ANCAAA – Association of Northern, Central and Arnhem Aboriginal Artists. The central regions subsequently seceded to form Desart (based in Alice Springs).

The other Indigenous governed Indigenous art peaks are: Ananguku Arts (based in Adelaide), UMI Arts (Cairns), IACA (Cairns) and Art Centre Hub WA (Perth).

Aboriginal governed Indigenous art peak bodies and support agencies are vital to supporting Art Centres, which are typically isolated in remote communities. Peak bodies provide support in areas such as: training, resourcing, business and HR, art worker development, protecting artists rights, marketing and providing information to the public on ethical buying of Indigenous art.

Increasing IVAIS funding to the peak service and support agencies is vital for them to effectively assist Art Centre sustainability in a challenging transition period where there are many important growth opportunities to be nurtured; and to support production and marketing of authentic products to consumers.



ANKA Purchasing Australian Aboriginal Art – A Consumer Guide. An ethical buying guide, produced by ANKA in four languages as a joint initiative of ANKA and the Northern Territory Government.

Priority Areas for Increasing Promotion of Authentic Product:

Since the flow through of the Global Financial Crisis impacted the higher end of the Indigenous art market under a decade ago, ANKA has prioritised two key forms of business support for Art Centres, additional to its general business sustainability support.

These are development of:

- a. Art Centre based cultural tourism
- b. Encouraging Art Centres diversifying products additional to painting, sculpture and printmaking.
e.g. fabric printing and fashion, jewelry, development of commercial product lines.

- **Expand appropriate cultural tourism at remote and regional Art Centres to further promote access to authentic product**

Art Centres are, in many ways, perfect gateways for the public / consumers to gain first hand insight into Australia's Indigenous culture and heritage.

In the ANKA regions of northern Australia over the last five years, significant work has been undertaken by Art Centres to enhance and develop cultural tourism enterprises. Attracting visitors to Art Centres for cultural tourism activities, also affords the consumers opportunity to buy authentic art products directly from the Aboriginal communities where they are made.

ANKA has played a role in helping expand Aboriginal arts workers' experience and understanding of cultural tourism and in facilitating Art Centres to share their knowledge and experience of delivering cultural tourism with one another.

In addition to opportunity to view art and artists producing work, Art Centres sometimes conduct: trips to visit rock art or other culturally significant sites or special areas of country, technical demonstrations, cultural tours of the Art Centre and community, and tours of Art Centre based museums and keeping places.

In 2017 ANKA produced a study with the University of Melbourne entitled *Safe Keeping – A Report on the Care and Management of Art Centre-based Community Collections*. The first study of its kind of keeping places and museums in remote communities, it demonstrated that of 29 Art Centres surveyed 24 had community collections – some of which are substantial museums. All of these are potentially important enhancers for cultural tourism – given increased support for their care and maintenance.

At the moment it is very difficult for the general public to access information about how to visit Art Centres and take advantage of their significant and exciting Cultural Tourism offerings. ANKA contends that the Indigenous Art peak bodies can have a significant role in bridging this information gap – working together with government and Art Centres to: a) better promote availability of cultural tourism opportunities and b) to help Art Centres prepare and build capacity. Peak bodies are natural agencies to assist in this area – having regular first hand knowledge and communication with Art Centres.

- **Diversify products produced at Art Centres**

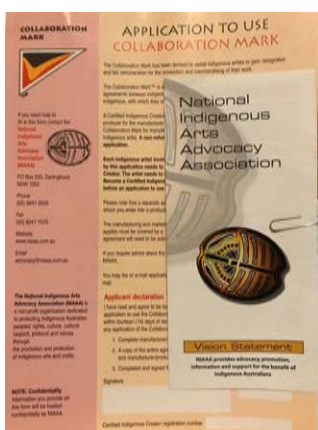
Support interested Art Centres to diversify their product ranges and to extend skills in production, marketing and business management to ensure reliability of product and distribution. This will help extend the market share of authentic products produced by Aboriginal people with economic returns going directly to Aboriginal communities.

ANKA notes that there is a long history of product diversification in Art Centres in its regions and is delighted to have seen the very significant investments of time and energy in recent years, to further develop and extend fabric printing and collaboration for production of fashion in particular.

5. Options to restrict the prevalence of inauthentic Aboriginal 'style' art.

ANKA believes the most effective way to instrument necessary changes will be through amendments to the existing Australian Consumer Act to ban the distribution and sale of inauthentic Aboriginal-style objects in Australia at all levels of the supply chain. The inquiry is referred to the Indigenous Art Code's submission – Appendix A which is fully supported by ANKA.

ANKA also cautions against the government adopting a regulation and authentication system such as the 'Label of Authenticity' and 'Collaboration Mark' previously administered through the National Indigenous Arts Advocacy Association (NIAAA, c. 1997 – 2002) and promoted in the 'Buy the REAL THING' campaign. The reasons for ANKA's caution are two-fold. Firstly, this approach has already been tried and failed. While the exact reasons for the NIAAA's failure have not been fully analyzed, it's very likely that some requirements, such as cumbersome administration, especially connected with sign up, would be hard to sufficiently re-design. The sheer administrative realities of reaching out to Art Centres and artists across Australia's huge geographic reach to ensure wide enough sign up would be monumental. Increased administrative burdens for already overworked Art Centres would be unavoidable and the risk that some Aboriginal artists with authentic product did not succeed in signing up and were disadvantaged, is considerable. Secondly, on principle responsibility to solve the problem of 'fake art', should be placed on those perpetrating this injustice, not on genuine Aboriginal artists, who are already by and large among the most financially and socially disadvantaged Australians.



Administrative papers, 'Label of authenticity and Collaboration Mark', 1997-2002

Strengthening existing systems for protection already in place, which the government has invested in, in particular the Indigenous Art Commercial Code of Conduct, together with introducing the recommended amendments to the Australian Consumer Law are preferred solutions.

‘We will write a letter to our government. Our government will help us to put a stop to these things. One for all. All for one. Its no good. ‘

Gabriel Nodea, Deputy Chair ANKA. Chair Warmun Art Centre, WA

‘We need to protect our important heritage.’

Donna Nadjamerek, Dierector ANKA, Chair Injalak Arts, Gunbalanya, NT

**ANKA Submission,
to the House of Representatives Standing Committee on Indigenous Affairs:**

**Inquiry into the Growing Presence of Inauthentic Aboriginal and Torres Strait Islander 'style' Art and Craft
Products and Merchandise for Sale Across Australia**

APPENDIX A

**TRANSCRIPT - ANKA BOARD OF DIRECTORS RESPONSE TO
HOUSE OF REPRESENTATIVES INQUIRY**

This is a transcript of statements by the ANKA Board of Directors in their video submission:
<https://vimeo.com/242697202>

*(ANKA acknowledges the work of Lorna Martin and John Saunders
in filming and post-production of the video submission)*

**DJAMBAWA MARAWILI AM, ANKA CHAIRPERSON (ARNHEM LAND REGION).
Chair, Buku-Larrnggay Mulka Art Centre & Head, Yilpara Homeland Studio.**

Transcript – Aboriginal English:

Just a little message to people who are representing blackfella; and those government people who are representing blackfella. We are giving you a little bit of a clue; just to let you know, how can you support us. Or to tell, those people who are doing art, about Aborigines people, they are doing *gammon* [deceitful nonsense, fake, pretence] or making *copy-cat*, doing some art and pretending they are from blackfella. It is our industry, like we always want to keep those ones in our hands. Like everybody in Australia and everybody in the world, we are wanting some money, and wanting to survive with money, but you know; can they leave those equipment for us to survive with those patterns and designs and stories, instead of taking them away. And give us some opportunity we can survive, with those patterns designs and objects. Please; if you are representing for us Indigenous government people, if you are really representing for us; can you do something for us, to stop these sorts of things.

English translation:

Just a little message to those people, especially government officials, who are representing blackfellas in this matter. We want to give you a little bit of a clue [*from our perspective as traditional Aboriginal people*]; to let you know, how you can support us. How you can tell those people who are doing art about Aborigines people, which is *Gammon* (deceitful nonsense, fake, pretence), or making *Copy-Cat*, making art and pretending its made by blackfellas, that it is our industry. We want to keep it in our own hands.

Like everybody in Australia, and everybody in the world, we are wanting some money, and wanting to survive with money [*as is necessary in the contemporary world*]. But they should leave that equipment [*those tools patterns and designs and stories*], for us to survive with, instead of taking them away. And give us some opportunity we can survive with - those patterns designs and objects. Please, if you government people are representing us, if you are really representing for us; can you do something for us, to stop these sort of things.

GABRIEL NODEA, ANKA DEPUTY CHAIR (KIMBERLEY REGION).
Chair, Warmun Art Centre.

Transcript – Aboriginal English:

All them arts and crafts what we do we didn't make all that up. You know? That's been handed down from generation to generation going back to our ancestors' spirit people create all that before blow in. And not only all that, if you break the rules there are consequences. Your not allowed to go to another man's country, and take away another man's thing. In this case fake art copy cat other man's thing. That thing blow in. We go back long, long time ago. We never make it up today. Like our, like our belonging. We really own that thing and people steal 'em from us and copy all our things and make a lot of money out of it. No good. Bad practice. Makes me feel hurt inside. We write letter to our government. Our government help us put a stop to these things One for all. All for one. No good.

English Translation:

Aboriginal people don't just make up the arts and crafts [stories, designs, patterns, dance]. It has been handed down from generation to generation. There are also rules associated with our art and if you break those rules there are consequences. We are not allowed to go to another man's country and take another man's thing. This is our belonging. In this case fake art is taking another man's thing. The art (stories and designs) belong to us and people steal them from us and then make a lot of money out of it. This makes me feel hurt and our Government needs to put a stop to this practice.

MICHELLE WOODY, ANKA DIRECTOR (TIWI REGION).
Chair, Jilamara Arts.

Transcript – Aboriginal English:

When I am looking at fake art it's really sad that it's not really like Aboriginal people like Indigenous people. At Tiwi, at Tiwi art, it's really important we want to keep it strong and keep it alive.

English Translation:

When I look at Fake Art it makes me sad. Tiwi Art (and culture) is really important, and we want to keep it strong and alive.

JANGU NUNDHIRIBALA, ANKA SECRETARY (DARWIN KATHERINE REGION).
Numburindi Arts.

Transcript – Aboriginal English:

I have heard about that Fake Art. They are breaking our laws. And this is not really good breaking our laws and then steal away from us. In Australia when they come in; some fake people, they don't really realise that they [the design] are belonging to Aborigine people. It means to us they are taking it away from us . We can recognise it and say that it is ours, that one and we feel sad about it because something is not really right. They are taking it and we feel hurt.

English Translation:

I have heard about that Fake Art. The people who produce Fake Art are breaking our laws. They should not break our cultural law as it demeans the importance of the cultural laws. In Australia people come and steal the designs from us. They belong to us (Aboriginal people). We can recognise what is ours and they are taking it away from us. We feel hurt and sad. It really affects us deeply.

JEDDA PURUNTATAMERI, ANKA DIRECTOR (TIWI REGION).
Munupi Arts and Craft.

Transcript – Aboriginal English:

It's my story my painting and it represents me. And only my grandchildren, my children can paint that story. It tells about people travelling to a ceremony, funerals. When you look at the cross, at the rivers, we are connected one way or another. Because it is not your story not your clan and it comes from the heart. My father taught me how to paint and to tell stories that we are connected with, the land, the sea. We are also custodians of the land, caretakers, so we look after the land so when we go travelling we look at landmarks, songs that we are connected to.

English Translation:

This painting represents me [my family]. Only my grandchildren and children can paint it [the design that represents the story]. It tells about people travelling to ceremony and funerals. When you look at it you can see it connects us. It is not your story or clan and it comes from the heart. My father taught me how to paint and tell stories that show that we are connected with the land and the sea. We are the custodians of the land and we look after the land so when we go travelling we look at the land, the landmarks and know the songs that connect us to that land.

MAXINE CHARLIE, ANKA DIRECTOR (KIMBERLEY REGION).
Director, Nagula Jarndu Design.

Transcript – Aboriginal English:

Could you please stop from them importing Aboriginal art in [into] Australia. We need to support our own Aboriginal artists in Australia. Thank you.

DONNA NADJAMERREK, ANKA DIRECTOR (ARNHEM LAND).
Chair, Injalak Arts.

Transcript – Aboriginal English:

I [am] very sorry about what fake art doing to my people of Australia. We need to protect what's our important heritage means to my people, mainly the artists. And that it is very important for them to continue doing that by teaching their own families or selling things in their own Art Centre. Which [the Art Centre] makes our artwork to be protected. It's very important that we need to stop this happening. It's our heritage, that we like to keep it in our hands, because its connected to our land, to our sea, and plants. Because a lot of the artwork they do, it has connection with their painting [culture]. So we want your support please. Help us protect this.

English Translation:

I am very sorry about the way that Fake Art affects my people. We need to protect our heritage and what belongs to our people. It is very important that people can continue to practise their culture and they can do this by teaching their families and selling genuine Aboriginal Art in their own Art Centres.

The Art Centres enable our art to be protected. We have to keep representations [art] of our cultural knowledge in our own hands as our art is connected to the land, the sea and plants. Please support us and help protect what we have.

TOM E LEWIS, ANKA DIRECTOR, (DARWIN KATHERINE REGION)
Chair, Djilpin Arts and Ghunmarin Culture Centre

Transcript – Aboriginal English:

Fake Art has been around a long time. But here in this country we are responsible for cultural camp fires. And the art comes from my family and people, and I can't fake art from another community. It will cause us trouble. And if I do that, I will get punished by those family and people from the places we call countries. You are actually discriminating on us, and you are making us look as though we can't do and manage our own stuff. Who do we turn to ?

I will give you an example. I got off the plane in Sippo, in Amsterdam, and I had my instruments, my didgeridoos; and on the same flight a guy got on from Bali, and he had about 12 bags of fake art on didgeridoos. A huge bag with about 20 of them, all sold at 175 pounds each, which he took to England. And you know what? That's the first time that I have felt helpless. Because I no law to give me strength to protect what's ours.

English Translation:

Fake Art has been around a long time in this country creating cultural camp fires. Art comes from my family and people and I can't fake art from another community. If I do that I will be punished by family and people from the places, we call our country. You are actually discriminating against us (by not helping us protect our culture) and it makes us look as though we cannot manage our own culture. [As it is not protected]. Who do we turn to?

An example: I got off the plane in Sippo, in Amsterdam, and I had my instruments, my didgeridoos. On the same flight a man got on in Bali with 12 bags of Fake Aboriginal Art on didgeridoos. A huge bag with about 20 of them all sold for 175 pounds each, which he took to England. And you know what ? That is the first time that I have felt helpless. Because I had no law to give me strength to protect what's ours.