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Stephen Palethorpe
Committee Secretary
Senate Standing Committee on
Environment and Communications
Parliament of Australia

14 August 2019

Via email: ec.sen@aph.gov.au.

Dear Standing Committee on Environment and Communications,

Re: Committee Inquiry – Competition and Consumer Amendment (Prevention of Exploitation of Indigenous Cultural Expressions) Bill 2019

Thank you for the opportunity to comment on the Competition and Consumer Amendment (Prevention of Exploitation of Indigenous Cultural Expressions) Bill 2019 (the 2019 Bill). This submission is made by Arnhem Northern and Kimberley Artists (ANKA) Aboriginal Corporation. ANKA is the long-standing peak support body for over 5,000 Aboriginal artists and 47 Aboriginal Art Centres and artist groups in the Northern Australian regions of Arnhem Land, the Kimberley, the Tiwi Islands, and Katherine-Darwin.

The ANKA Board and management, representing the ANKA membership of Aboriginal artists and arts workers, has previously voiced strong concern about the corrosive impacts of inauthentic Aboriginal Style products on the sale of authentic Aboriginal products and Australian Indigenous culture more broadly. We refer you to ANKA's written and video submissions to the 2017-2018 House of Representative Inquiry into: 'The growing presence of inauthentic Aboriginal and Torres Strait Islander 'style' art and craft products and merchandise for sale across Australia'. ANKA's written submission to the House of Representatives Inquiry (No. 132) and video submission (No. 132.1) clearly outline the urgent reasons why the Australian Government needs to act quickly and decisively to prevent the sale of 'fake' Aboriginal and Torres Strait Islander art.

Please refer to the spoken explanations by the ANKA Chairperson, Deputy Chairperson and six other Indigenous directors, regarding the highly destructive impact of 'fake art' at https://www.aph.gov.au/Parliamentary_Business/Committees/House/Indigenous_Affairs/Inquiry_intoThe_growing_presence_of_inauthentic_Aboriginal_and_Torres_Strait_Islander_style_art_and_craft/Video_s.

ANKA strongly supports the Standing Committee of Indigenous Affairs' recommendation of stand-alone legislation as a long-term solution. However, in the light of the immediate negative impacts of inauthentic Aboriginal and Torres Strait Islander art on the market for genuine Indigenous product and the ongoing harm caused to Australian culture, ANKA maintains it is imperative to also urgently instigate a more time effective solution by amending existing law to prohibit the sale of inauthentic Aboriginal and Torres Strait Islander art.

ANKA therefore fully backs the proposal outlined in detail in the Fake Art Harms Culture submission to the 2019 Bill Inquiry, August 2019, by Arts Law, Copyright Agency and the Indigenous Art Code.

ANKA welcomes the Bill put forward by Senator Hanson-Young and supports the Revised Bill as outlined in the Fake Art Harms Culture submission.

Yours Sincerely,

Christina Davidson
ANKA CEO