

Submission for

INQUIRY INTO AUSTRALIA'S INDIGENOUS VISUAL ART AND CRAFT SECTOR



Submitted by
Creative Economy Pty Ltd
27 October 2006

Inquiry into Australia's Indigenous visual arts and craft sector

a. The current size and scale of Australia's Indigenous visual arts and craft sector;

It is important to look beyond the current assumption that Australia's Indigenous visual arts and craft sector is predominantly contemporary fine artists who are of Indigenous descent.

In determining the current size and scale of Australia's Indigenous visual arts and craft sector it is important that the Committee understand the breadth of activity of artists as well as the breadth of market demand in the sector.

Markets for Australia's Indigenous visual arts and craft also include public art, education, publishing and publications, museum and galleries, tourism and festival and events. Our experience in art and tourism markets is that the expenditure for indigenous visual arts and craft is far greater in tourism. This is significant because indigenous artists are generally not supported in this area

b. The economic, social and cultural benefits of the sector;

In July 2005 the Steering Committee for the Review of Government Service Provision (SCRGSP) released its second instalment report *Overcoming Indigenous Disadvantage* to address the key causes of disadvantage so that, in the Prime Minister's words, "*we can have an Australia where Aboriginal and Torres Strait Islander Peoples ... whether born in a remote community or in one of our cities or regional centres – can grow up and reach their full potential in life.*"

Consultation undertaken as part of the above report revealed that income and employment are important to the individual in terms of living standards and self esteem and overall well being. Indigenous people in Australia seek to share the same living standards and wellbeing as other Australians.

Economic well being, income and wealth are also linked to overall wellbeing. Higher income can enable the purchase of better food, housing, health care, etc. Economic wellbeing can also result in psychological benefits of self control and self esteem important for personal development.

The extent to which people participate in the economy is closely related to their living standards and broader wellbeing. It also influences how they interact at the family and community levels.

Indigenous Australians are clearly disadvantaged and this is particularly so for remote Indigenous communities. There is a high rate of unemployment and dependency on welfare which then impacts on these communities resulting in poverty, poor health, substance abuse and violence. There is a great need to take a holistic approach to address the social, cultural and economic issues which affect all Aboriginal and Torres Strait Islander communities.

The interest and demand for Indigenous arts and craft has reached an all time high and for many Aboriginal and Torres Strait Islanders it offers the opportunity to both practise their culture and gain financial independence.

The thousands of Indigenous artists that we have worked with throughout Australia over the past decade attest to this. It is the activity of their art expressing culture, coupled with the ability to earn an income that brings social, economic and cultural benefits.

Government's current approach through DCITA and the Australia Council is predominantly through an artistic and cultural framework and while this provides strong cultural benefits, important social benefits the greatest economic benefits tend to flow to other operators, such as dealers who facilitate transactions.

Our experience demonstrates that the greatest social, economic and cultural benefits are achieved by Indigenous people from a holistic economic framework that respects culture and sees Indigenous people receive greater proportion of income from their art that enables the to make life choices about wellbeing.

Creative Economy would be happy to provide case studies in support of this submission.

c. The overall financial, cultural and artistic sustainability of the sector;

Australia's Indigenous art and craft is widely recognised as unique and of world class, yet at this point in time the sector is not seen to be sustainable culturally, artistically or financially.

If it were to be sustainable the sector would have:

- Infrastructure such as workshop facilities, equipment, studios, archival storage and keeping places updated and maintained on an ongoing basis to facilitate cultural and artistic endeavours.
- Indigenous people across all generations participating culturally and artistically to ensure the passing on of culture, knowledge and art techniques.
- Knowledge transfer and skills development continually supported to increase the capacity of Indigenous people to participate in the sector on an equal basis.
- The sector, including Indigenous people, accessing expertise with relevant knowledge to develop their skills and capacity to improve professional standards and integrity.
- Indigenous people skilled and actively participating in all elements of the sector from creation of artworks, production, managing, marketing, distribution, retailing, conservation, curating, advocacy and critical writing.
- Market confidence in the sector through the integrity of Indigenous art and Indigenous art products. That is integrity in bone fide work by an Indigenous person, processes of the sector and the fair and equitable terms on which Indigenous artists participate in the sector.
- Only authentic Australian Indigenous art and craft offered for sale or exhibition.
- Educated public and consumers (in Australia and internationally) aware that there are many different Indigenous cultures and can recognise authentic Australian Indigenous art and craft.
- Abolition of the term Aboriginal "style" to minimise the deception of Aboriginal art and products.

- No imported Aboriginal “style” art and products so that integrity of authentic Australian Indigenous art and product is maintained.
- Increased market opportunities for Indigenous people through improved market confidence due to integrity of supply.
- Increased employment and income generation for Indigenous people, and the sector as a whole, due to appropriate skills development, greater Indigenous participation, increased integrity, greater understanding of culture and the market as well as increased sales.
- Improved economic independence of the sector, community, enterprises and individuals through sustainability.

In conducting extensive work across the Indigenous art and craft sector we have been alarmed by certain practices that threaten the financial, artistic and cultural sustainability of the sector. In brief these have included:

Indigenous people

- Low level of Indigenous people employed in the sector
- Indigenous people, particularly in remote areas, sometimes have poor literacy and numeracy skills
- Indigenous artists receiving low percentage of returns for their artwork
- Indigenous artists have limited ability to access specialised expertise for specific issues such as legal, intellectual property advice, tax advice, marketing, career development, business development, etc.
- Extremely limited business and market knowledge of artists
- Indigenous artists accepting small amounts of cash upfront for works that are later sold and resold for 1000's times the initial price
- Lack of training and mentoring opportunities in operations other than art techniques
- No mentoring or ongoing advice to meet governance responsibilities

Art Centres

- Art coordinators adopting a paternalistic approach to representation of Indigenous artists that creates dependency
- Art centre model per se is not sustainable i.e. essential funding an art coordinator and sometimes an assistant and contributing to vehicle costs.
- Impossible for art centre coordinators to be adept and knowledgeable across all functions of the art centre
- Many social needs and activities of Indigenous people tend to be borne by art centres.
- Some art centres find themselves dealing with impacts of social demands more than the operations of an art centre
- High percentage of centre do not have fully transparent accounting systems
- High occurrence of inaccurate financial reports
- Little evidence that financial reports are used to improve operations
- Prominent art centre allowing profile commercial galleries to maintain substantial outstanding debts whilst Indigenous artists wait for payment
- An overwhelming number of art centre managers have little to no business qualifications or commercial acumen
- Lack of awareness of all market opportunities for sector and how to engage
- Poor working environments for arts workers due to inadequate infrastructure and support

- Industry associations also tend to lack market and business expertise (see peak body recruitment criteria)
- Industry associations sometimes advocate for special provisions that are not necessary, and complicate operations, as they do not fully understand business e.g. tax, resale royalty, etc.
- One size fits all not for profit art centre model is not appropriate for everyone

Government agencies

- Short term perspective of funding programs does not allow for sustainability or strategic planning.
- Lack of leadership in policy to address industry issues.
- Inadequate and inflexible funding support
- Funding criteria skewed to support financial need rather than growth to increase sustainability i.e. funds directed at survival of organisations rather than growth
- High turnover of staff and loss of corporate knowledge in government agencies
- Inaction of agencies such as the ACCC to proactively address industry issues.
- Long processing times of funding applications disrupting service delivery
- Government programs not meeting areas of need.
- Government agency commissioning design by Indigenous artists at significantly below market value.
- Production of numerous reports such as ATSIIS report, strategies that are not funded for implementation
- Failure of government to act to address industry issues and to support growth

Marketplace

- Dealers who are regarded as reputable but engage in “carpet bagging” and business practices to the detriment of artists
- Unscrupulous dealers join and hide behind industry Associations such as Australian Commercial Gallery Association and the Indigenous Art Traders Association
- Industry Associations do not monitor the conduct of members
- Limited editions prints re-published without market disclosure
- Lack of business skills and commercial acumen of Indigenous and non-indigenous people in the sector
- No written agreements and contracts for commercial transactions
- Very low Indigenous employment levels across visual art and craft sector
- Indigenous people disrespecting cultural heritage of other Indigenous people
- Imported fake product and Aboriginal “style” product has flooded the market

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;

The Indigenous art and craft sector operates in a market economy. In this economy, commercially focused operators, sometimes with little regard for cultural concerns and ethical behaviour, are achieving the greatest financial rewards and often the greatest profile.

Unethical trade, exploitation and poor returns to artists tend to occur when artists enter into unfavourable terms of sale directly with a buyer or a dealer. Even art centre coordinators, who are often the artist’s agent, express difficulty in achieving more favourable prices and terms for artists due

to their limited access to market knowledge, limited resources and isolation. This significantly impacts on the capacity and sustainability of the sector.

The most recent report of the Prime Minister's Science, Engineering and Innovation Council "*The Role of Creativity in the Innovation Economy*" highlights that "*lack of business skills and commercial acumen*" are key barriers to sustainability in the Creative Industries. This is clearly evident in the Indigenous arts and craft sector. For the sector to be sustainable it must recognise that it is in a market economy and needs to utilise appropriate knowledge and strategies to transact in this environment.

In a recent submission to the *Inquiry into Indigenous Employment*, Indigenous Business Australia (IBA) stated, "*Essentially regional circumstances dictate business opportunities. Also, some industries are better suited to Indigenous employment because of Indigenous skill sets and current interests.*"

Cultural and creative industries are a case in point. Cultural knowledge and the creative skills of Indigenous people provide an advantageous base for income opportunities. In some communities sales from art are the only externally generated source of income. Creative Economy has worked over the last decade to assist to make this a reality and in 2004 launched a dedicated program, *Indigenous Creative Business Development (ICBD)* to meet the demand for improved business management.

This highly effective program increases management capabilities, business skills and participation of Aboriginal and Torres Strait Islander people in sustainable enterprises. ICBD is the only program of its kind in Australia focused on the creative sector and provides practical business to business mentoring and skills development. The ICBD program is a key strategy to improve practice, increase capacity and minimise unethical trade to contribute to the sustainability of the sector.

Creative Economy functions as a specialist business hub whose team members have expertise and real world experience in marketing, design, visual art, business management, accounting, media and intellectual property law. For the past three years IBA has supported Indigenous clients to access ICBD to receive tailored, practical and culturally sensitive business assistance to support their capacity building and economic self-sufficiency aspirations.

While the ICBD program was supported by IBA over three financial years to June 2006 delivery occurred for 18 months, taking into account processing funding submissions.

ICBD key facts:

- 220 formal applications for assistance
- Funding was provided to support 72 applications
- 3018 Indigenous people benefited from business assistance as direct participants and/or members of enterprises
- 67% of demand unmet
- 72 enterprises mentored in regional and remote areas of NT, QLD, WA, SA, NSW and VIC
- 420 Indigenous people participated in arts business development workshops
- 20 new Indigenous enterprises established during mentoring relationships

All participants in the ICBD program increased their business capacity and some individual achievements include:

- Income increased by 500% during mentor relationship
- Distribution of outlets increased by 300%
- Facilitated access to markets in fine art, tourism, conventions, publications, retail, education, museums and galleries
- Acquisitions by major collections by linkage to curator
- Establishment of commissions and licensing
- Improved contractual relationships by developing agreements
- Increased revenue streams through product and market development

ICBD achieves this by:

- Addressing the need for business skills relevant to participants' own primary income activity
- Providing practical business assistance tailored to the specific needs of the applicants
- Providing business mentoring at the participants' location
- Sharing knowledge in a culturally appropriate way
- Supporting individuals to develop the capacity to conduct successful commercial enterprises

Creative Economy works within the Aboriginal Terms of Reference and undertakes continuous consultation with clients, other agencies and industry to ensure the relevance and performance of service.

The ICBD program is highly effective not only in its delivery and results but also in its administration. ICBD has demonstrated that as a program it is more cost effective and responsive to the needs Indigenous people than government administered programs.

The Indigenous Creative Business Program is currently not able to meet demand as IBA has withdrawn Economic Development Initiative funding. IBA only supports Indigenous people to access the ICBD program who meet its Business Support guidelines. This means the majority of clients are not able to access ICBD. Both IBA and DEWR cite that it is the role of DCITA to support business management in the arts. Yet the NAICISS program is significantly over subscribed and to apply under this program would deny Indigenous organisations basic operational support.

Included at Appendix 1 are feedback comments from Indigenous participants that perhaps best illustrates the impact of the ICBD program.

Additionally, the Memento Australia is a highly effective mechanism that promotes authentic Indigenous product in the tourism and retail sectors. The Awards have secured over \$3.5million worth of media publicity about authentic Australian mementos.

Additionally, Memento Australia provides product development workshops to artists to increase their success in the marketplace as well as provides a distribution service so that retailers can source authentic product from one source.

Creative Economy has also proposed to the ACCC to use its expertise to assist the sector by conducting an *Authentic Indigenous Trade – Educational Campaign*.

The ACCC advised that no action would be taken until the outcome of this inquiry and the Australia Council's inquiry. The proposal is available up on request.

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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;

To improve the sector's capacity and future sustainability it is a matter of more effectively targeting a full range of government programs to alleviate barriers to make a real difference for the sector.

Acknowledging that the Indigenous arts and craft sector is in the market economy and that it wishes to achieve economic, social and cultural benefits means that there is an opportunity for the sector to more effectively connect to a broad range of government programs. For instance the Indigenous Economic Development Strategy that is focussed on employment and economic independence, asset and wealth management.

In many remote and regional areas of Australia, culture and creative arts provide the only opportunity for Indigenous people to generate income and economic independence from welfare. The copyright of artworks are often the only owned assets of Indigenous people and these only have value if they are appropriately exploited.

Theoretically achieving independence from welfare requires an individual to earn a greater amount than the welfare threshold. In remote Indigenous communities there are significantly higher costs of living, such as food, transport, freight and medical services. In these locations, most artists are the sole income providers in a household where multi-generations live together. In reality an Indigenous artist in remote Australia needs to achieve income levels at least four times above the welfare threshold to achieve economic independence without suffering economic hardship through loss of access to services.

At present the Government's framework of welfare to work is essentially targeted at the two extremes of dependency and independence. In reality the greatest need for assistance is in the development and growth stage. This is when people move from dependence on welfare and subsidy to economic independence. Sustainability lies in the pathway between dependence and independence and this where government programs would be effectively directed.

The pathway to independence is to strengthen the capacity of the sector to trade. This essentially means supporting practical business skills development, improving the integrity of business practices and initiatives that provide linkages to the full range of markets, not just the museums and gallery market.

Other agencies such as the ACCC and Customs could use their powers to contribute to the integrity of the sector. The ACCC and other trade practice agencies should be engaged to proactively monitor trade and activities in the sector. These agencies should partner with knowledgeable operatives to accelerate results. Furthermore the ACCC should act to abolish the term of "Aboriginal Style" as a term to describe fake Indigenous product. Similarly, we ask Government to ban the import of Aboriginal "style" products such as fake didgeridoos.

Creative Economy has held numerous workshops and forums to discuss issues faced by the sector and this has resulted in the development of two petitions that demonstrate to government widespread support to:

1. Achieve integrity in the sector
2. Abolish fake products and fake imports

Over 1150 people have signed these petitions. To view these online petitions visit links below

The ACCC has accepted the term "Aboriginal Style" to describe non-authentic aboriginal product. It is estimated that about 90% of product sold in retail as Aboriginal product or "Aboriginal Style" is non-authentic product. Quite often this product is imported into Australia.

This confusion in the marketplace undermines the integrity of authentic Aboriginal and Torres Strait Islander products, threatens the viability of genuine retailers and greatly impinges on the incomes of Aboriginal and Torres Strait Islander people.

The ban of imports of Aboriginal product and the abolition of the term "Aboriginal Style" will decrease the amount of non-authentic Aboriginal product and greatly increase the opportunities for authentic Aboriginal product to enter the marketplace. In turn, economic returns from Aboriginal products should flow to Aboriginal and Torres Strait people. It will increase consumer confidence and restore integrity in authentic Aboriginal product.

Petition:

We, the undersigned, support an import ban into Australia of products purporting to be Australian Indigenous or Indigenous style, artefacts, artworks and souvenirs.

<http://www.gopetition.com/online/9752.html>

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Petition:

We the undersigned believe the use of the term "Aboriginal Style" as a means to describe non-authentic or imported Indigenous artefacts, artworks or souvenirs is misleading and deceptive.

We the undersigned support the abolition of the term "Aboriginal Style".

<http://www.gopetition.com/online/9753.html>

Hardcopy collated responses from workshops are also attached at Appendix 2.

Appendix 1

ICBD Participant Feedback

"I have learnt to invest money into the purchasing of bulk materials so that I can supply the demand for my product.... I can now inventory my stock and buyers and now learnt to raise my profile locally and nationally. ...I found the support fantastic especially my mentor's strong knowledge and understanding of the Australian Arts Industry". Qld

Great suggestions on how to improve my products and presentation also working out my market and potential clients... Being given professional advice instead of having to stumble my way through. I found this workshop enlightening and encouraging – to have positive comments on my work – gives me more confidence in my ability. Qld

Role play, quality control exercise and planning have been very useful. We can now display, sell and have the job skills to do it ourselves. NT

Most useful to learn how retail works. How simply executed it can be. It was a fresh viewpoint that responded to our actual situation and offered smart advice and solutions. NT

It was great to come in and provide hands on training. This has resulted in improvements to stock purchasing, display and signage and motivation to make more products. NT

Different types of packaging, labelling and authenticating. Very useful new ideas on how to market and sell our artwork. NT

Extremely valuable. Motivated, engaged and encouraged artists to be more involved in decision making process and develop business strategies for their art. WA

This is exactly the kind of motivation and assistance these guys need to realise the goal of supporting themselves from their art. Qld

Very helpful advice finding the right path to successful business. SA

Appendix 2 Petitions

Petition – Ban “Aboriginal Style”

***“We the undersigned believe the use of the term
Aboriginal Style as a means to describe non-
authentic or imported Indigenous artefacts, artworks
or souvenirs is misleading and deceptive.
We the undersigned support the abolition of the term
Aboriginal Style.”***

Name	Organisation	Contact Address/Email	Signature
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J. Sautelle	Reconciliation SA	elana.sautelle@unisa.edu.au	

"We the undersigned believe the use of the term Aboriginal Style as a means to describe non-authentic or imported Indigenous artefacts, artworks or souvenirs is misleading and deceptive. We the undersigned support the abolition of the term Aboriginal Style."

Name	Organisation	Contact Address/Email	Signature
I. DEIRSON		PO BOX 15 MONTAGUE, PA 17857	J. Pearson
H. C. REES		PO Box 1188 CALCUTTA 700011	H. C. Rees
M. A. REES		24 ASSET WAY CITIZEN WAY 30157 WILMINGTON, DE	M. A. Rees
E. ROBERTS			
K. MULHERRAN			K. Mulherry
H. NOLLEY		69 Acadia St #551	H. Nolley
J. CORNACKS		230 OCEAN ST. CA. 94551	J. Cornacks
C. CRILL HARRIS		178 W. 4th St. #575	C. Crill Harris
D. M. REED		1600 E. 1st St. #551	D. M. Reed
M. J. FERGUSON		7300 Main St. #551	M. J. Ferguson
M. J. FERGUSON		2511 1st St. #551	M. J. Ferguson

"We the undersigned believe the use of the term Aboriginal Style as a means to describe non-authentic or imported Indigenous artefacts, artworks or souvenirs is misleading and deceptive. We the undersigned support the abolition of the term Aboriginal Style."

Name	Organisation	Contact Address/Email	Signature
JOHN LOVELL	UNITING	14 Bogota Ave 2085	John Lovell
BETTY ALLEN CHURCH		27/15 SPIT RD MASON	Betty Allen
Mary Smith		74/15 Spit Rd MASON	Mary Smith
Billy Symonds	CHURCH	84/15 Spit Rd MASON	Billy Symonds
Michael David CHURCH		44/15 Elmwood, MASON	Michael David
CECILIA PITT	MASON	80/1155 Kivik St	Cecilia Pitt
Debbie Tucker	"	22 ESTHOLD, MASON	Debbie Tucker
Ann Carach	"	14/04/14 RIVERVIEW RD MASON	Ann Carach
John Leavelle	"	1/14/02 Fernside	John Leavelle
Ann Vickery	-	1/14/02 Fernside	Ann Vickery
Debbie Shaw	"	23 Foul Air Way, MASON	Debbie Shaw
Ann Mearns	"	10/12/14/02 Fernside	Ann Mearns
Beverly Bate	"	11 Fernside Way, MASON	Beverly Bate
NAME SOMEONE	"	12/14/02 Fernside	NAME SOMEONE

"We the undersigned believe the use of the term Aboriginal Style as a means to describe non-authentic or imported Indigenous artefacts, artworks or souvenirs is misleading and deceptive. We the undersigned support the abolition of the term Aboriginal Style."

Name	Organisation	Contact Address/Email	Signature
AKHYON SARIN 490 RIVER SWAN	MORMON UNITING CHURCH	23 Fawcett Av Willingbrough	<i>[Signature]</i>
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S. ETHERINGTON	"	41118 HOLT AVE CAENEGUET 2088	<i>[Signature]</i>
K. HARRICK	"	2411 W. 1st Street Hemmen 2088	<i>[Signature]</i>
E. TURNAM	"	65 Avenue Rd, Norman	<i>[Signature]</i>
DAVID H. HODGSON	MRS. J. H.	ONE Gilmour Court	<i>[Signature]</i>
W. HODGSON	Uniting Church	51 Lawrence Court Norman	<i>[Signature]</i>
KATH MCNEIL	Uniting Church	15 Anderson St Barrabool	<i>[Signature]</i>

"We the undersigned support an import ban into Australia of products purporting to be Australian Indigenous or Indigenous style, artefacts, artworks and souvenirs."

Petition: IMPORT BAN OF ABORIGINAL PRODUCTS

October 2003

Prepared by Creative Economy Pty Ltd

"We the undersigned support an import ban into Australia of products purporting to be Australian Indigenous or Indigenous style, artefacts, artworks and souvenirs."

Petition IMPORT BAN OF ABOORIGINAL PRODUCTS

October 2006

prepared by Creative Economy Pty Ltd

Petition – Import Ban

"We the undersigned support a ban on the import into Australia of products purporting to be Australian Indigenous or Indigenous styled artefacts, artworks or souvenirs".


















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"We the undersigned support a ban on the import into Australia of products purporting to be Australian Indigenous or Indigenous styled artefacts, artworks or souvenirs".



















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Petition – Ban “Aboriginal Style”

“We the undersigned believe the use of term Aboriginal Style as a means to describe non-authentic or imported Indigenous artefacts, artworks or souvenirs is misleading and deceptive, and support the abolition of the term as away to describe non-authentic or imported Indigenous artefacts, artworks or souvenirs”.

Name	Organisation	Contact Address/Email	Signature
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“We the undersigned believe the use of term Aboriginal Style as a means to describe non-authentic or imported Indigenous artefacts, artworks or souvenirs is misleading and deceptive, and support the abolition of the term as away to describe non-authentic or imported Indigenous artefacts, artworks or souvenirs”.

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