

# NATIONAL INDIGENOUS COUNCIL

Dr Sue Gordon AM  
Chairperson

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Senator the Hon Helen Coonan  
Minister for Communications, Information Technology and the Arts  
Parliament House  
CANBERRA ACT 2600

Dear Senator Coonan

You wrote to me on 20 July 2006 regarding some of the current challenges facing the Indigenous visual arts industry, including appropriate remuneration for artists, developing the next generation of Indigenous artists and improving the education for artists and art workers. You sought our views on some or all of these challenges.

At the last NIC meeting held in Canberra on 11-13 September 2006, Indigenous visual arts and crafts was discussed in depth with a particular focus on the issues you raised in your letter. Ms Lyn Bean from your Department attended our meeting and provided the NIC with further information that facilitated a very interesting discussion on the issues.

Ms Bean also advised the NIC of the Parliamentary Inquiry into Australia's Indigenous Visual Arts and Craft Sector which was announced on 15 August 2006. During the discussion with Ms Bean members of the NIC expressed their views on various issues relating to Indigenous arts.

This feedback has been aligned to the relevant Terms of Reference of the Inquiry and is at [Attachment A](#). It would be appreciated if this could be considered as the NIC's submission to the Inquiry.

The NIC would be pleased to provide any further advice or to consider any other matters relating to this or aspects of your portfolio.

I look forward to reading the findings of the Inquiry.

Yours sincerely

Dr Sue Gordon AM  
Chairperson  
8 November 2006

cc NIC Members  
Senator the Hon Rod Kemp, Minister for the Arts and Sport  
Ms Helen Williams, Secretary, DCITA  
Ms Lyn Bean, Deputy Secretary, DCITA

**National Indigenous Council (NIC) submission to the Parliamentary Inquiry into Australia's Indigenous Visual Arts and Craft Sector**

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## **Background**

The National Indigenous Council (NIC) notes that the Minister for the Arts and Sport, Senator the Hon Rod Kemp, announced on 15 August 2006, an Australian Parliamentary inquiry into the Indigenous visual arts and craft sector to examine and make recommendations on strategies and mechanisms to strengthen the sector, and that the inquiry will be run by the Senate Environment, Communications, Information Technology and the Arts Legislation Committee.

The NIC notes the Terms of Reference to the inquiry as follows:

- The Committee should inquire into and report on:
  - (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

## **NIC - Submission to the Inquiry**

Indigenous visual arts and crafts are of major interest and importance to the whole Indigenous community. This industry has grown rapidly and been very successful and the National Indigenous Council wishes to ensure that it maintains the high reputation and acknowledgement that Indigenous artists have earned.

The NIC, at its eighth (8<sup>th</sup>) meeting held in Canberra on 11-13 September 2006, considered the issue of Indigenous visual arts and crafts and noted the holding of the above inquiry.

The outcomes of the consideration of this matter flowing from the above meeting have been aligned to the relevant Terms of Reference of the inquiry and are as follows:

### **Statement addressing Terms of Reference (a), (c) and (e) of the Indigenous Arts Inquiry**

#### **(a) current size and scale of Australia's Indigenous visual arts and craft sector**

Developing the next generation of Indigenous artists is of major concern to the Indigenous community. Members of the NIC consider that young Indigenous people need to be encouraged to continue their culture and traditions as well as taking them in new directions. One of the ways of doing this is to utilise the school system to facilitate learning in both mainstream and traditional education.

The NIC considers that cultural festivals are a way of giving young artists the opportunity to have their art displayed and to build a reputation. Often dealers and art lovers will follow the progress of young artists, buying paintings of promising artists when they are just starting out. These collectors continue to collect the mature works of these young artists which can help establish the artists' reputations on the international art scene.

Members of the NIC recommend that an audit be conducted of Australian Indigenous art to find out where specific art originates, e.g. which clan/group/community is the traditional owner

of particular designs, stories and dreamings. Art teachers also need training to understand Indigenous visual arts, the culture and traditions of the different clans.

**(c) financial, cultural and artistic sustainability**

The NIC considers that Indigenous artists need to be educated on issues relevant to their industry if they are ever going to take their place alongside their contemporaries from the non-Indigenous art scene. They need to have a working knowledge of legal rights, moral rights and copyright to mention just a few of the areas where information is currently lacking.

The NIC has suggested to Government that this service/advice could be provided by Aboriginal Legal Services (ALSs), noting that ALSs may have financial constraints in delivering this service, and may need funding in this regard.

Members of the NIC advise that while Indigenous artists paint beautifully, some are unable to read and write and the NIC suggests that Government needs to develop alternative delivery mechanisms to educate artists.

The NIC would endorse a method whereby the proceeds from sales of art would assist and benefit the community where the art came from. At present when a work of art is resold (sometimes for a substantial amount of money) these high sales prices do not flow back to the artist or the community. The question of who sets the price for art, and gets the proceeds, needs to be scrutinised.

Members also noted that in some areas aspects of cultural heritage transfer may have been lost and this affects the artistic sustainability of a region or community.

Consideration needs to be given to maximise economic development opportunities for Indigenous Australians. There need to be mechanisms and strategies developed to ensure that Indigenous people can participate in, and benefit from, their art product/industry.

**(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**

Certificates of authenticity from art centres and gallery and retail labelling can assist buyers to establish the identity and origins of works. This is especially important for resale value. Although there is currently authenticity certification available in some regions, the NIC recommends that the Government investigate the feasibility of a national scheme for authentication of works of art and craft.

Consumers of Indigenous art need to be educated so that they are aware that not all 'Indigenous' art and craft is made by Indigenous artists here in Australia. Buying artwork from locally run art and craft centres can assist buyers to purchase authentic Indigenous work and obtain reliable information about the artist and artwork. Buying directly from art centres also means that the majority of income from sales will go directly to the artists. An added benefit might also be that this may push the boundaries for Indigenous art and allow artists to break into the national and international art scene.