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**Senate Inquiry into Australia's Indigenous Visual Arts and Craft Sector
(Submission from The University of Queensland)**

The University of Queensland acknowledges the diversity, creativity and strength of Indigenous cultures in Australia and recognises the significance of these diverse understandings in our national identity. We recognise that Indigenous visual arts, crafts and performance constitute viable and highly productive industries. These cultural industries provide independent income for many Indigenous individuals and communities and contribute significantly to the cultural and tourism industries in Queensland and Australia as a whole. The Indigenous arts industry also contributes significantly to Australia's international profile as a unique, diverse and culturally rich nation.

In reference to the Indigenous Arts Industry the University of Queensland acknowledges and supports the findings of the Myer Report of the Contemporary Visual Arts and Crafts Inquiry¹. The Report gives a strong overview of the sector and details its economic, social and cultural benefits. Recommendations 4, 5, 8 and 10 of this report relate directly to the support, protection and sustainable development of the Indigenous Arts Industry. The University of Queensland strongly supports the implementation of these recommendations as a basis for ensuring the continued development of Indigenous cultural industries.

The Myer Report recommendations have strong relevance to terms of reference 'e' and 'f' of this inquiry.

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 arts industry faces challenges in areas of copyright and intellectual property due to gaps between the Australian and Indigenous legal systems. Recommendation 4 of the Myer Report aims to

¹ Report of the Contemporary Visual Arts and Craft Inquiry (2002). Dept. of Communications, Information Technology & the Arts, Canberra ACT.

address these challenges and to protect the copyright and intellectual property rights of Indigenous people. Particularly, it addresses misappropriation of Indigenous cultural imagery and iconography and the importation of materials purporting to be of indigenous origin. A 1996 study showed that over 95% of products for sale in souvenir shops as Aboriginal art were imports and this situation has not changed very much².

Recommendation 5 of the Myer report aims to introduce a resale royalty arrangement for artwork. This arrangement would be similar to that in place in France, where dealers are required to pay commissions on resale. These kinds of resale arrangement are especially relevant in remote Australia where works are sometimes brought for less than 1% of their resale price, representing a significant loss of income to Indigenous communities.

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”

Indigenous arts and crafts centres across the country play a major role in promoting and developing the Indigenous arts industry. Recommendations 7 and 8 relate directly to higher education through education programs for business and leadership development in arts and crafts organisations.

Recommendation 10 provides a basis for artists services for Indigenous artists, including management, support and legal aid in negotiating sales and copyright issues through increased funding and support for national artists service membership organisations.

We thank you for providing the opportunity to make comment on the Inquiry.

Professor Michael Keniger
Deputy Vice-Chancellor (Academic)

27 November 2006

² Report of the Aboriginal Arts Industry Development Project (1995-97), Department of Employment, Education and Training, Aboriginal and Torres Strait Islander Commission and The Arts Industry Training Advisory Board, Canberra ACT.