

20/2/06

Dr Ian Holland,  
Secretary,  
Environmental, Communication, Information ,Technology and the Arts  
PO BOX 6100,  
Parliament House,  
Canberra ACT 2600

Dear Dr Holland,  
My name is Diane Mossenson.  
I have been involved with the Aboriginal arts industry since 1992.

Indigenart, the Mossenson Galleries is a partnership between myself, a medical practitioner and my husband Dan, Chairman of partners of Lavan Legal, Perth's largest independant law firm. I remain registered, but practise little medicine, my husband still keeps his day job. Since 1992,we have established four galleries, two in Perth and two in Melbourne. We also have an agent in France, and have participated in many overseas exhibitions of Aboriginal art.

It is my belief that the following main factors have contributed to today's current situation (in no particular order of time or significance):

- 1) the Government changes to the art centre funding in the mid 1990's, with a direction and focus for artcentres to become more commercially viable and self sustainable. Inadequate funding has prevented some art centres from functioning well or at all on other levels other than simply income generating to be profitable
- 2) the introduction of dedicated Aboriginal art auctions and their growing success have produced a new level of greed and distorted publicity as sale prices achieved rose dramatically
- 3) the inability of law enforcement agencies to make answerable or punish appropriately those who commit obvious breaches of the law such as production of fraudulent work and breaches of trade practices
- 4) the changes to the CDEP scheme
- 5) the inadequate health care facilities in some communities, necessitating artists to seek medical attention elsewhere-eg from Kintore to Alice Springs
- 6) the inadequate facilities for the youth in communities
- 7) the growing sentiment amongst some of the Aboriginal population of handout dependence
- 8) the lack of respect amongst some players in the industry which, when coupled with greed, produces in some a drive to obtain Aboriginal artwork no matter the consequence
- 9) the lack of regulation within the Aboriginal arts industry and the lack of conscience of some players to conduct themselves in an ethical manner
- 10) the lack of loyalty of some artists to their own community arts centres with pressures to produce cash at the expense of their own reputations and credibility.

These principal factors have combined to create the current scenario, which sees for example:

- 1) an industry where community based artcentres which provide whole of community support to their artists and families in some cases have their activities undermined by operators within the industry who do not have the same holistic agenda . This has been well described in other submissions
- 2) a proliferation of fraudulent art practices on the part of some artists and some dealers, with an inability of the law to prosecute
- 3) many artists painting solely for only money and cars, but their lifestyle, health, etc in many cases not improved as a result of their earnings
- 4) a ‘product ‘ is being produced, sold locally and internationally, that in some cases lacks both quality and cultural integrity, but sustains what seems to be an insatiable appetite for Aboriginal artwork. This confuses the somewhat poorly informed market about what is “good “ and “bad” Aboriginal art
- 5) a lack of informed critical writing on Aboriginal art in the media which perpetuates a poorly informed market. Part of the current market does not wish to be educated, as some people resist facing the reality of having falsely “invested” their money in poor quality, poorly provenanced works. Ethical galleries, such the member galleries of the ACGA, have been trying to educate the market for years, speaking of the benefits of good provenance etc.. They seem to only influence relatively small sections of the market. There is a lack of writers who have the knowledge and courage to address a range of important issues related to the industry and the lack of avenues and resources for those with the knowledge to widely disseminate it.
- 6) Government agencies supporting the export of low quality, poorly provenanced works, and undertaking activities that are poorly thought out in the effort in trying reach their key performance indicators. Many of the officers are not informed about the market sector and as a result not as helpful as required in addressing the issues facing Australian companies in the various markets. Involvement of organizations such as the ACGA and financial support directly to the ACGA to enable galleries ethically engaged within the Aboriginal arts industry to assist community based art centres in their marketing initiatives may assist in overcoming some of these shortcomings
- 7) a shortage of high quality authentic product being produced to sustain all of this market activity. The need to generate product to sustain all the potential markets possibly is one reason for the creation of fraudulent product
- 8) the Aboriginal arts industry, for a myriad of reasons being distinctly different from the non-indigenous arts industry and not controlled by any real and clearly defined boundaries of appropriate behaviour- at all levels- artists, suppliers, galleries, purchasers
- 9) poorly provenanced works donated to public institutions under the Cultural Gifts scheme
- 10) the majority of non indigenous Australians ignorant of the intellectual property and cultural national assets that are disappearing. These resources transcend many fields besides the visual arts including medicine, song and literature. For example, it is ironic that the practice of Traditional Chinese Medicine is embraced on an international basis, whilst that of Traditional Aboriginal Bush Medicine, potentially equally as powerful, will probably not survive as elderly

people pass away without an opportunity to pass on to others their knowledge. One might anticipate that within a time frame of say twenty years much of this unique knowledge will be lost.

It is my humble opinion that until such time as a thorough and committed assessment of the full situation is made and really positive steps taken to address the issues, the situation remains desperate. What is being done currently in some communities, whilst all the while well intentioned, can be likened to putting a bandaid on a huge boil- it may look good on the surface but underneath a huge festering sore is present that at the best might heal, but also has the potential to cause septicaemia and death. Really more needs to be done.

Whilst this enquiry is addressing various elements of the Aboriginal arts industry, its growth and the benefits to the individual artist and the community, its sustainability and its expansion, one should have no doubt that if the industry is allowed to continue in its current form, there will be great damage and permanent potential pollution of the longest continuous art movement in existence, dating back over some 40,000 years. Into the future, there will always be Aboriginal artists putting paint or ochre on various media. However we will soon witness in some areas of the country the death of the last custodians of traditional songs, ceremonies and dances. As a result artwork that we currently revere today will be produced in a different form and with different cultural integrity. It will, I suspect, be all the greatly diminished as artwork and as a record of culture. Maintaining strong culture is integral to the continual success of the Aboriginal arts industry.

In some communities there are no younger people who bother or are prepared to learn from the elders as in previous times. Too many of the youth often pass their time occupied with far less productive and often destructive activities. It will be impossible to regain what is lost.

There are few research units, some only associated with Universities or Museums, endeavouring to record the oral histories and testimonies of elderly people the calibre of which the world will never witness again.

Until there is a serious commitment by government to address all community issues holistically – including health, education, employment, housing, aged care, youth care, cultural maintenance, alcohol and substance abuse, domestic violence and unlawful behaviour in considered continual consultation with the Aboriginal people in communities affected by these issues, backed up with support including appropriate funding to make significant and lasting changes, I pessimistically feel that whatever is done to implement change within the arts industry alone, will not achieve the desired long term positive outcomes needed for the communities and the nation.

Yours sincerely,

Dr Diane Mossenson