

Chapter 1

Introduction and conduct of inquiry

1.1 Australian Indigenous art is a story of the flowering of one of the world's great contemporary movements in art. It is a story of cultural reinvigoration and communication within, between and beyond Indigenous communities. It is a story of successful links being forged across areas of Indigenous policy and need, particularly between culture and health. And it is a story of economic growth and prosperity amidst poverty and economic disadvantage.

1.2 Set against the rapid evolution of contemporary Indigenous visual arts and craft is emerging concern about the sustainability of the sector, and allegations of unethical business practices within it. It was at the intersection of the great hopes and sincere concerns held for Indigenous art that this inquiry was born.

1.3 On 15 August 2006, the Senate referred the following matter to the Committee for inquiry and report by the first sitting day of 2007:

Australia's Indigenous visual arts and craft sector, with particular reference to:

- (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.

1.4 With the inquiry attracting considerable interest from stakeholders, on 18 October 2006 the Senate granted an extension of time to report until 22 March 2007. On 27 February 2007 the Senate granted a further extension of time to report until 12 June 2007 and on 12 June 2007 the Senate granted a final extension to 21 June 2007.

1.5 In accordance with its usual practice, the Committee advertised details of the inquiry in *The Australian*. The Committee also contacted a range of organisations and individuals, inviting submissions. The committee received submissions from 89 different individuals and organisations, listed in Appendix 1. The committee conducted seven hearings in Canberra, Kununurra, Darwin, Alice Springs, and Sydney. Details of the hearings are shown in Appendix 2. A list of tabled documents and additional information is in Appendix 3.

1.6 During the course of the inquiry the committee or committee members visited a number of sites, including:

- Waringarri Aboriginal Arts, Kununurra
- Jirrawun Arts, Kununurra
- Our Land Gallery, Kununurra
- Red Rock Art, Kununurra
- Karen Brown Gallery, Darwin
- Amoonguna Community art centre, Amoonguna
- Irrkerlantye Arts, Alice Springs
- Tangentyere Artists, Alice Springs
- Gallery Gondwana, Sydney.

Members were also shown around Alice Springs, giving them a picture of the distinctive circumstances of art production in that town.

1.7 The committee is extremely grateful to the artists and workers in the sector who took the time to show the committee the industry and to talk to it about the issues. The committee particularly extends its thanks to Lyn Allen at DCITA, Nigel Ridgway and Jacqueline Thorpe at the ACCC, John Oster at Desart, Paul Sweeney at Papunya Tula, Bev Knight and Diane Mossenson of the Australian Commercial Galleries Association, Martin Wardrop of Art.Trade, and Mark Gooch in Alice Springs, as well as many other industry participants who gave freely of their time and knowledge.

1.8 The committee was honoured by the opportunity to meet with, and in some cases hear evidence from, artists in their communities, including Freddy Timms, Nancy Noonju, Nellie Gordon, Peggy Griffiths, Kim Griffiths, Donna Burak, Miriam Charlie, Djambawa Marawilli, Regis Pangiraminni, Peggy Brown, Mary Napangardi Brown, Joy Nagala Brown, Jimmy Frank, Andrea Nungarrayi Martin, Valerie Napaljarri Martin, Bess Nungarrayi Price and Amelia Turner. It regrets it was unable to take up all the many invitations extended to it to visit art centres, communities and galleries all over Australia.

1.9 The committee was impressed with the enormous commitment of stakeholders in the industry, and the passion they all share for Indigenous art and Indigenous community development. The committee also noted a level of anger and

conflict in different parts of this sector. Much of what was claimed about business practices appeared to be based on hearsay, and there was little tolerance of the diversity of people and legitimate ways of doing business which might all contribute to the benefit of Indigenous creativity, Indigenous art and Indigenous prosperity.

1.10 There is no doubt that there have been unethical, and at times illegal, practices engaged in within the field of Indigenous arts and craft. There are probably still instances of these problems, and there may be people seeking to take advantage of issues within the sector by ripping off artists or art centres.

1.11 In spite of all this, the committee urges everyone in the sector to recognise each other's sense of commitment, and reap the benefits of co-operation, rather than sow seeds of rancour and division.

1.12 The committee notes that the Indigenous Art Centres Strategy and Action Plan was developed in 2003. While the Action Plan provides for the future development of the sector, the committee believes that it should be reviewed in due course, especially in light of the recommendations in this report.

1.13 The committee acknowledges the valuable reviews that have been undertaken by those committed to the future of the sector, including the report of the Review of the Aboriginal Arts and Craft Industry (1989), Desart and Felicity Wright's report, *The Art and Craft Centre Story* (1999), and the *Report of the Contemporary Visual Arts and Craft Inquiry* (The Myer Report, 2002).¹ In particular the committee notes the work still underway by the National Association for the Visual Arts (NAVA) and others on an Indigenous Australian Art Commercial Code of Conduct. This work has the potential to be crucial to the future of the industry.

1.14 The committee has made a number of recommendations that involve adoption and implementation of a code of conduct. It recognises that the NAVA-led process is aimed at developing a broad code suitable for application by the different participants in the sector. The committee supports this process. As this report demonstrates, there is a need for a practical code that sets out clear parameters for appropriate conduct in the industry. An industry code will need to set clear expectations regarding behaviour in this market, and be widely adopted, if it is to have an impact on unethical conduct in the sector. In chapter 10 the committee indicates that this code should be released as soon as possible, so that further steps toward implementation can then be taken.

1 R. Myer, *Report of the Contemporary Visual Arts and Craft Inquiry* (cited throughout this report as the Myer Report), June 2002.

