

"Starting the Conversation: Ethical Trade in Indigenous Art"

Full transcript of panel discussion presented by Leichhardt Council in partnership with the Indigenous Art Code, 17 September 2015.

Moderator Jane Caro with curator Franchesca Cubillo, artist Elizabeth Marrkilyi Ellis, collector Geoff Hassall, dealer Christopher Hodges, art consultant Adrian Newstead and ethicist Christian Barry.

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Moderator Jane Caro

Welcome to this "Starting the Conversation: Ethical Trade in Indigenous Art". Welcome to you all. Lovely to see you here tonight. It's not hailing on the roof which is an excellent thing. We were a bit worried about that earlier.....[housekeeping, phones off, where the toilets are etc.] Now, I will begin the formal proceedings of this evening. The first person we're going to hear from is Deb Lennis, the Aboriginal Program's Officer at Leichhardt Council and she is going to do the Welcome to Country. Please welcome Deb. (clapping)

Deb Lennis, Aboriginal Program's Officer, Leichhardt Council

Thank you Jane. [In Language] Welcome everyone. Welcome. Gadigal and Wangal people lived at this place. Today I welcome all of you. Look at my country, the country of my ancestors, past, present and future. We lend this land to you tonight to hold our discussion. A discussion about ethical trade in Indigenous Art. Tonight is a chance to share, to educate, to learn and to understand and to break down barriers and most of all to move forward with trust, understanding and tolerance. I'd especially like to welcome the Mayor of Leichhardt Council, Rochelle Porteous. Councillors from six councils, the Deputy Lord Mayor from the City of Sydney, Robyn Kemmis, and Richard England, the Chair of the Indigenous Art Code, Tim Acker, the Remote Arts Economy Project, Lyn Allen, the Ministry for the Arts, Robyn Ayers, Arts Law Centre of Australia, Jacquie Cornforth, Artists in the Black, and to all my Aboriginal brothers and sisters out there. I would like to thank Leichhardt Council, Indigenous Art Code, Arts Law Centre of Australia and [Copyright Agency Limited] Viscopy for allowing me this privilege to welcome you all here tonight. Enjoy the discussion and remember this is just, starting the Conversation. [In Language] Welcome everyone. Welcome. (clapping)

Moderator Jane Caro

Thank you Deb. Now we're going to hear from the Mayor, Councillor Rochelle Porteous, because of course Leichhardt Council are co-hosting this event tonight. Please welcome Rochelle Porteous. (Clapping)

Councillor Rochelle Porteus

Thank you Jane and I would also like to acknowledge the traditional owners of this land and to say this land is was and always will be Aboriginal land. And our special guests here this evening. I think Deborah gave a very good outline of everybody but welcome again to all our special guests and Councillors and Deputy Mayors. Tonight's event has been developed in response to the growing unease about unethical business practices that effect both Indigenous artists and buyers of their work. And I want to thank the local galleries in the Leichhardt Municipality, particularly Boomali and Tali, who were the first to bring to Council's attention, and my attention as well, concerns about recent unethical trade within the industry. Their initiative led Leichhardt Council to realise the threat to our community's reputations, and on a more positive note the role that we could play in opening up the discussion on ethical trade in Indigenous art at a local government level. So just to give you a bit of background, Leichhardt Council is a fair trade council. Fair trade is about purchasing goods where there is a certification that enables us to know the workers are being fairly compensated for their work with decent pay and good working conditions. Furthermore, as a Fair Trade council, we not only look at what we purchase our self, to wherever possible purchase fair trade, but we also take on an advocacy role in our community. So we promote businesses where there are fair trade practices, and we raise awareness of fair trade, and that fair trade benefits communities both locally and globally.

Leichhardt Council also has a long history and association with the local Aboriginal and Torres Strait Islander communities within the Leichhardt LGA (Local Government Area). We have our own ATSIC committee which meets regularly, and we are committed to the principles of co-operation and reconciliation, always ensuring the process is done with respect, trust, and a spirit of openness. So tonight's public forum is hosted by Leichhardt Council in conjunction with the Indigenous Art Code, and the Eastern Regional Local Government Aboriginal and Torres Strait Islander Forum. The Eastern Region Local Government Aboriginal and Torres Strait Island Forum is actually a partnership between six councils, and those councils are Leichhardt, City of Sydney, City of Botany Bay, Randwick, Waverley and Woollahra. These six local governments recognise the importance of supporting Aboriginal and Torres Strait Islander communities and have contributed to tonight's event to show that ethical trade in Indigenous Art is important, not just in our community, but across all communities. And by working with the Eastern Regional Local Government Aboriginal and Torres Strait Islander Forum we are acknowledging this issue is in fact not confined to Leichhardt. The Indigenous Art Code works across Australia and internationally to educate and inform consumers on purchasing Indigenous art ethically and to provide a structure for dealers to promote ethical practice. Local governments have worked on this event with the Indigenous Art Code to respect the significant contribution Indigenous artists make to the Australian visual art sector, the economy and society as a whole. Tonight's hosts - Leichhardt Council, the Eastern Regional Local Government Aboriginal and Torres Strait Islander Forum and the Indigenous Art Code appreciate and respect Aboriginal and Torres Strait Islander communities, and have joined together to assist in this discussion of ethical trade. Leichhardt Council believes council can and should take a positive role in this discussion, and help to promote ethical practice as best practice. And I'm proud to say that here in Leichhardt Council, we take supporting our community very seriously. We acknowledge that unethical trade is a long-standing issue and we hope to work collaboratively and openly to combat this issue, and create a safe, ethical space for our Indigenous artists to create and to succeed. I'd like to acknowledge our supporters - the Australian Government's Indigenous Visual Arts Industry Support [Ministry for the Arts], the Arts Law Centre of Australia, [Copyright Agency Limited] Viscopy and Ninti One, the Co-Operative Research Centre for Remote Economic Participation. I'd like to also acknowledge the contribution of many individuals involved in creating this event - Gabrielle Sullivan from the Indigenous Art Code, Producer Rose Hesp, our Presenter Jane Caro, and our six panellists tonight. I'd like to also acknowledge and warmly thank our council staff, particularly Erla Rowan, Tara Day Williams, Rebekah Raymond, Bronwyn Tuohy, and of course our wonderful Deb Lennis. This is the first forum that we have and we hope this will grow. That there will be further forums. We want to be part of this, we want to see this grow and we want to be part of other forums happening in other parts of Sydney. So I'd like to welcome you to the first of the Starting the Conversation events, and to wish you a very good evening and I look forward to joining you afterwards for some refreshments. Thank you. (Clapping)

Moderator Jane Caro

Thank you Councillor Porteous. Our next speaker is Richard England, who is the Chair of the Indigenous Art Code, and so is co-hosting the event with the Mayor of Leichhardt.

Richard England, Chair of the Indigenous Art Code

Thank you Leichhardt Mayor Councillor Rochelle Porteous, ladies and gentlemen. Councillor Porteous has done a wonderful job of acknowledging all the people in the room so I don't want to stop anybody from hearing the rest of the show, so just accept that you're all acknowledged. I would also like to take this opportunity to acknowledge the traditional owners of the land on which we meet, the Gadigal and Wangal

peoples, and pay my respects to their elders past and present. And the point you made is a wonderful point: this land is Aboriginal land, is, was and always will be. And I think as long as we all recognise that, none of us has any particular ownership or entitlement. I think it's a wonderful thing. Thank you.

The Indigenous Art Code is extremely excited by tonight's event as we start a conversation about ethical trade in Indigenous art. The Art Code seeks to ensure that there is a viable and vibrant Indigenous art industry through promoting best practice and ethical dealing aimed at ensuring artists get a fair go, and the consumer is sufficiently educated to know that they're getting what they paid for. Focusing on consumer education is the next vital step for the Indigenous Art Code. We're delighted by the new relationship that we have with local government and we look forward to developing and strengthening that relationship and encouraging more local government authorities to become involved. They are after all representatives of the grass roots of society.

There's so much to celebrate about the Indigenous art sector of the broader art industry, but it's the bad behaviour of few that has in effect undermined the confidence of consumers where they have every right to expect ethical conduct, honest trade and best practice for their purchasing decisions. We're all looking forward to this evening's conversation and I particularly want to thank the panel members, some of whom have travelled considerable distance to be here and given up their time to be with us tonight and lead us into what promises to be a fascinating insight into dealing in Indigenous art. So thank you. Without further ado, on with the show. (Clapping)

Moderator Jane Caro

Thank you Richard. It's now my pleasant duty to introduce the six people who are going to take this interesting subject and wrestle it into shape. No pressure guys. Immediately to my left is **Christopher Hodges**. **Christopher** is the Director of Utopia Art Sydney. Which represents a small group of Australian artists, including leading members of Papunya Tula Artists. Welcome Christopher.

Next to Christopher is **Franchesca Cubillo**. **Franchesca** is a Larrakia, Bardi, Wadaman and Yanyuwa woman from the Northern Territory. Franchesca is Senior Curator, Aboriginal and Torres Strait Islander Art, National Gallery of Australia and Chair of the Darwin Aboriginal Art Fair. Please welcome Franchesca.

Next to Franchesca is **Christian Barry**. **Christian** is Head of the School of Philosophy at the Australian National University, and is currently working on an Australian Research Council Project, the project is titled, *The Ethical Responsibilities of Consumers*. Please welcome Christian.

On my right is **Lizzie Marrkilyi Ellis**. **Lizzie** is a Ngaanyatjarra educator, interpreter and linguist from Western Australia. She tried to teach me how to say that word but I just failed spectacularly. Lizzie is also an arts worker for Tjarlirli Art when she is home in Tjukula in the Western Desert where she paints - when she has the time! Welcome Lizzie.

Beside Lizzie is **Adrian Newstead**. **Adrian** is an art consultant with 40 years' experience working with Indigenous artists and author of the intriguing but bluntly titled *THE DEALER IS THE DEVIL: An Insider's History of the Aboriginal Art Trade*. Please welcome Adrian.

Beside Adrian is **Geoff Hassall**. **Geoff** is an art collector of 40 plus years, who has been collecting Indigenous Art since 1996. Geoff received an OAM last year for services to the arts.

Please welcome all our panellists. (Clapping)

Now before we get to the pointy end of the evening, I'm just going to let you know how this panel discussion is going to run. Basically I'm going to ask the panel an establishing question in a moment. Then I've got a series of scenarios which I'm going to read out to us all, and get the panel to discuss. Now there will also be some pre-submitted questions from the floor. We're not actually taking random questions from the floor just simply because with six panellists, four scenarios and such a big topic, there just won't be time for that but there are some questions coming from the floor at the end of each of the scenario discussions because it's my job to keep us to time.

So what's our first question? Our first question is really the obvious one, and that is I'm asking each of the panellists to explain the importance of Indigenous Art to Australians, its worth to our culture, its place both locally and internationally. And I'm going to start because he's sitting right next to me with Christopher. Christopher, what's your answer?

Christopher Hodges, Utopia Art

Well a country is defined by its culture. And the Australia of 1970 is a very different place to the one we live in now. When I was a boy to go to see Aboriginal art you had to attend the Australian Museum. It was the only place you could see it, and I was quite a regular visitor. And when I was an artist, it was still mostly at the museum that you saw Aboriginal Art. When I became a representative of artists in 1987, I approached the Art Gallery of NSW to see what they looked towards the future of representing contemporary Aboriginal art and they said 'probably about ten major works would suffice over the next decade to enhance our collection'. Well today we see at the Art Gallery of NSW, you walk in the front door and Indigenous art is part of the mainstream. Indigenous art holds pride of place at all other major galleries around Australia. The international art community has learnt more about Australian art through the position of Indigenous art, more than any other form I would argue. And so I would say that Australia is a richer place for the inclusion of Indigenous culture in the broader Australian cultural landscape, and that's come about because of its artists.

Moderator Jane Caro

Thank you. Lizzie what's your take on the importance of Indigenous art?

Lizzie Marrkilyi Ellis, Artist

I'm just going to explain from the point of view of, as a person who speaks English as a second language. The word art, the one word that label everything that you label as art isn't, we don't have an equivalent of the word art. Instead we've got, the closest one is Wallka, and that's part of a word that was sacred but for men only, but now it's being used more because of the art movement and Wallka is, it means symbols, designs and icons. That's what it means. So all of those symbols, icons or designs have meaning, and those meanings come from the culture, and those designs, and icons and symbols were drawn on the body, on the ground, on rock, on important places, on bark, on wooden implements, spears, boomerangs. And now, with the coming of Europeans to our land, those symbols that have been part of the culture for Aboriginal people, that's most of its been in the sacred realm and part of the ceremonial stuff. But a lot of that's been revealed through the art movement and the art, it does not stand alone, it sits with the land, with the stories, the song and dances. It's not a standalone. So from where I come from its part of a whole. And that's the way that you, that it's proper to keep it in the whole form and not to dissect and just look at art on a canvas, or on a t-shirt, or on a cup, or cap, or tea towel, just for the, just to please the eye. It has more meaning. It has spiritual meaning and

its still, those symbols and stories they have owners. There are people who own those stories, and own those symbols and designs and not everybody has the authority to paint those stories and to represent those designs on canvas. So that's what art is. The art that you, that is spoken in the European context, is different to the way we look at it. It's part of our culture. It's part of everything.

Moderator Jane Caro.

Thank you Lizzie. Adrian, how do you see the importance of Indigenous art?

Adrian Newstead, Indigenous Art Consultant

Well really what I would say picks up really on what Lizzie just said to me. Aboriginal art in Australia and its importance to Australia, it's the most potent land rights statement in this country. And, an Aboriginal elder said to me when I first started in Aboriginal art, you know 'put art on peoples' walls and that'll do more to effect the way they think about Aboriginal people and they think about their place in this country than anything else you could do, going into land rights marches etc., so I see it as the most vital land rights statement. Sid Nolan in 1949, 20 years before the first Papunya painting was painted, said that in his opinion the Aboriginal artist was the greatest artists in Australia, and that all artists in Australia should aspire to the same dreaming philosophy. I think what he meant by that was that they should, that they should in creating their art it should come from the same feeling about the spirituality, the spiritual nature of the country and not just see it as a pretty landscape. So I think it's important to Australia because so many of our greatest artists, non-Indigenous artists have been so profoundly affected by Aboriginal art, and I don't mean appropriating Aboriginal art, I mean by you know seeing country as a spiritual entity. And finally I think, I would say the other most important thing about Aboriginal art to Australia is the bridge that it's built between black people and white people in this country. I think that's been a vital, vital to the reconciliation process.

Moderator Jane Caro

Thank you Adrian. Franchesca?

Franchesca Cubillo, Curator

I just want to take this opportunity to acknowledge Deborah, your family, you, your ancestors and the land in which we have this opportunity to have this conversation. Thank you very much for your welcome. And also to Rochelle and to Richard, it's an honour to see institutions and organisations like yourself engaging with such important topics for our communities. So thank you.

For me I believe it is integral that this nation have an understanding of Aboriginal and Torres Strait Islander people, our culture and our arts. And our art is a part of this land, it is part of the original peoples of this land, the people who were formed from this country by their ancestors, the ones who live today and look after and maintain their connection. It is just as alive and dynamic today as it was in the past and it really sets us apart collectively, both black and white Australians. It sets us apart on that world stage. Our art is about this land. It is about our ancestors. It is about the spirit of this continent. It is about title deeds to country. It is about our intimate relationships that we have, both physical and spiritual. And so Australia and the world need to have that understanding, and they need to have that understanding from people who live, breath and fight regularly for its protection and for its maintenance. And for me, Galarrwuy Yunupingu in 1993 said something about what Aboriginal and Torres Strait Islander art is about. And he said when we paint, whether it is on our bodies as part of ceremony or ritual, or whether on bark or canvas for the market,

we are painting as we have always done. It is a demonstration of our connection to our country and our rights and responsibilities to it. And he said that the land owns us, and we own the land. And Djambawa Marawili just recently has also said, as a ceremonial leader from that region, that the land cannot speak for itself, that's why we have to paint and tell our stories, so that we can speak for this land, so that we look after it and it will look after us. And so this discussion is really important. It's a discussion about identity and who we are as a nation. But how we can move forward through art and with working with Aboriginal artists, and Aboriginal and Torres Strait Islander artists, and people and our culture. I think we can really achieve an awful lot as a nation. That's why it's so important I think.

Moderator Jane Caro

Thank you Franchesca. Geoff?

Geoff Hassall, Collector

In multicultural Australia, the dominant culture is the Indigenous one. And in the artwork that's been produced in the last 30 or so years it's actually recorded it well. And being a collector for a long time I think the best of art in this country has been produced in the Indigenous world, with a few exceptions of course. But the thing that I really like to see is the best of Indigenous art travelling through the world and being included in major exhibitions and it opens the rest of the world's education of how incredibly good the Indigenous culture was when the first contact was made here, and was largely ignored its only in recent times that people are starting to wake up to what we have here. And I know a club I'm a member of here in Sydney they're now hanging Indigenous art, and people are saying *oh it's great to see the contemporary Indigenous art rather than that rather stuffy art club painting*. So people are really, it's really shifted a great deal from negative to positive and it's all because of the fantastic Indigenous artists we've had producing, some have recently passed away unfortunately, but the younger generations seem to be coming through well.

Moderator Jane Caro

Thank you Geoff. Christian?

Christian Barry, Ethicist

Just listening to the other panellists, it's pretty clear to me there is no single way in which Indigenous art is important to Australia, that it has different meanings to different Australians and it has importance of different kinds to different Australians. And one of the interesting things as Australians collectively is to decide how to manage all these different significances that this development has, and one question is: to what extent is it art, as Lizzie has pointed out, in the sense that it should be a tradable commodity and treated as such, and it is currently traded as a commodity, but if it is to be traded as a commodity, are there things that distinguishes it from other commodities that are traded and require special kind of protection or regulation of this market, as opposed to other markets? These are things that collectively Australians need to decide, and think about, whatever importance it has for them individually. To some of us, and I'm not myself an Australian, my encounters with Indigenous art is obviously quite different and I first certainly encounter it in a very a pure aesthetic way and how it affects me, which is quite different than the sort of rich connection with someone with a greater wealth of experience and understanding of the history of experiences these works of art. But we live in the same place and we have to come to some collective understanding of how we're going to treat these artefacts and engage with one another with respect to them.

Moderator Jane Caro

Thank you. Well I think the consensus is, it's pretty important, so that's good because we're going to spend the next hour and a bit discussing it, so that's excellent. I'm very pleased. I have to say I respond to it mostly aesthetically as beautiful and deeply engaging and different and unlike anything else, and that's what I get enjoyment from. But enough of me. Here is our first scenario where we will get down to some of the things Christian was referring to in terms of the differing stakeholders in this whole process.

SCENARIO #1

A top Aboriginal artist from the Western Desert travels 400km to Alice Springs for medical appointments. Let's call her Alice. So she's Alice in Alice Springs. A private Art Dealer asks Alice to visit his Studio. Studio, in my notes by the way, is in inverted commas. A place set up for Aboriginal artists to paint. He supplies canvas, paints, cups of tea, and food. Alice needs money for her fuel to drive and the Dealer asks her to pose for photos in front of some artworks he has that are painted in Alice's style, but are not hers. These paintings will later appear in pop-up Art Auctions, on EBay and in commercial galleries in big cities around Australia, and that photo will be used to authenticate the works as hers. There are stories where artists are asked, not just to pose for a photo, but to sign works. The artworks, by the way, are painted by lesser known artists, some it's claimed by backpackers. Well that would be an even lesser known artists I would have thought. There's even been reports they've been painted in Bali!

Moderator Jane Caro

So Christopher, response to that?

Christopher Hodges, Utopia Art

Well nothing new. A story we've heard a million times, and one that always fills me with incredulity because there are a lot of people who are obviously suckers, or greedy or stupid, or one or the other, but then there are obviously some really ordinary people who are taken in by shysters and salesmen. I take a very different attitude to this at the moment. I suggest everyone learns about the artist they're going to purchase from. If you're going to buy stocks and shares, you go to a reputable stockbroker. And if you're going to do lots of this, you seek advice. So I always recommend people go and seek advice from public institutions. Go and see what the public institutions have on their walls. Go and see what the curators collect. Look at where they collect it from. Understand the quality of the artist's work. And then, if the work you're looking at does not fall into the top ten percent of that artist's body of work, and you're considering yourself to be an art collector, you do not want to buy it anyway. So all those things just fall aside.

Moderator Jane Caro

So, no impulse purchases?

Christopher Hodges, Utopia Art

Well if you like it and you want to buy it because you simply like it, buy it. But if you think you are buying a work of art that's legitimate, you need to make sure that's actually correct.

Moderator Jane Caro

Do your research.

Christopher Hodges, Utopia Art

Do your research. Do your homework.

Moderator Jane Caro

Adrian, do you agree?

Adrian Newstead, Indigenous Art Consultant

Yes I do to a certain degree. Probably entirely actually. But there's two things that come to mind. One is that in the 80s people used to come into my gallery and say invariably, *How much is the artist getting out of this?* and by the time 90s came around and Sotheby's was selling Aboriginal art and it had entered into the contemporary mainstream by far more common was to have someone come in and say, *Is it a good investment? Can I make money out of it?* So that's the first thing that comes to mind when it comes to the motivation of people buying paintings. There will always be people who think they are doing the right thing by buying a painting as cheaply as they can get it. And you can't do anything about that, you know, you can tell them, if you bought it on EBay or if you bought it from a cheap auction house and when you go into a really good gallery, and you see the provenance of the work and you see that it came from a reputable source and it's properly documented etc. and it's \$8000, there has to be reasons why a painting is \$1500 you know when it's just accompanied by the photograph of the artist holding up the work, it may not even be the artist. But the other part to that, and I'll try to be brief, is I had a very similar, this scenario is actually quite fresh to me in the sense that I have, I was approached not so long ago by a French collector, quite a big one, who wanted a, who had been buying from auctions in Europe, and he was buying beautiful paintings, there's no doubt about it, the documentation that accompanied the paintings varied enormously. Some had documents that came from art centres. Some were accompanied by folios of working photographs. Some had been bought through reputable galleries in Australia. And some were only accompanied by a picture of an artist holding a painting, or nothing at all. And he said, *well how do I work my way through all of this?* And so I said, *look do you care if it came whether it came from an art centre or not?* And he said, *no I don't really care if it came from an art centre. I care whether it's a really good painting.* I said, *well generally if it's a really good painting, well probably you could almost guarantee that it was painted under pretty good conditions.* You know artists don't paint really well for people that exploit them. You know they paint perfunctory, lousy paintings for them. So I said, but as a rule never buy a painting that is isn't accompanied by a minimal level of documentation and we decided, we went through what I was prepared to authenticate, using a minimal level of documentation.

Moderator Jane Caro

Thanks Adrian. Christian

Lizzie Marrkilyi Ellis, Artist

I just want to say, I disagree with you saying artists choose to paint a painting that's not a good quality. I think all artists strive to do the best painting that they can if it possible.

Christopher Hodges, Utopia Art

I take exception to because for example I represented the late Emily Kame Kngwarreye throughout her career, from when she was not famous until she was really famous and she said to me, I paint those rubbish ones cos they pay rubbish money. Rubbish. And so some artists are quite calculated in their market. Some people, some artists, I agree, some artists can't paint anything but what they're best is. But some do.

Lizzie Marrkilyi Ellis, Artist

But you wouldn't want to. I disagree in saying all artists

Christopher Hodges, Utopia Art

No, not all

Lizzie Marrkilyi Ellis, Artist

I'll paint rubbish paintings and I'll paint good one.

Christopher Hodges, Utopia Art

Not all

Lizzie Marrkilyi Ellis, Artist

Because there are damn good painters who paint good all the time

Christopher Hodges, Utopia Art

I agree

Geoff Hassall, Collector

I find that artists that are painting for themselves paint the best work. But if they're painting under duress, or other influences outside and they're just going through the motions, and if you study really artists' work you can pick it straight away, without even checking the back of the painting.

Adrian Newstead, Indigenous Art Consultant

That duress can come from their families.

Francesca Cubillo, Curator

There's that other aspect too. They're painting they're ancestors. And they're painting their country and they're painting that dreaming narrative. So they can paint it quickly, and they can paint it over a longer period and I guess from my perspective, they are all good paintings because they're painting their ancestors and their country. But when it meets that point at the market, then if a painting is painted quickly, it will reflect that it's been painted quickly. If it's had time, so the artist is still maintaining their cultural responsibility in terms of depicting their ancestor and depicting that important sacred site

Lizzie Marrkilyi Ellis, Artist

That's why I'm saying you can't say this one is good art, and that one is not good art because both of them remember what I said before, it's part of a whole. Art is part of a whole. It's part of the land, the stories, the dance, the song and they're all symbols. You got to be careful.

Moderator Jane Caro

But I think that's a slightly different point from what this scenario is about which is that, this is not the painting by the artist. This is a painting by other people where she's had a photograph taken with that painting. So it's not the same as Alice deciding she'll paint some paintings for fuel or whatever it is. It's a

matter of her being asked to actually fudge, she may not even be aware of it or conscious of it, but to fudge who actually the artist actually is.

Franchesca Cubillo, Curator

Can I just say though that there is a defining aspect, in that Indigenous people share rights to paint that same country so an artist who might not actually be the author of that painting, can actually share the same authority to hold that painting and hold that dreaming story, so this is where the culture and the market really intersect in our very first scenario.

Moderator Jane Caro

Yes it's really interesting. Christian, this is your area of expertise. Who do you think is being exploited in this scenario, and is anyone being exploited?

Christian Barry, Ethicist

Well there are a lot of different ways people understand the idea of exploitation but generally it involves someone taking unfair advantage of another, and in this scenario it seems that there a few people who are being taken unfair advantage of. We need to know a bit more about them to know is just how unfairly they're being treated. Certainly whatever the meaning of the artwork for the person standing next to it, the consumer, the intended consumer, is not going to understand notions of authorship and authority over that painting, in the way that they do. And the dealer of course is appealing to that person, and so that person is certainly being taken unfair advantage of, at least in so far as we don't think it's reasonable for them to easily be able to detect that this sort of ruse is going on. The way you describe the case, the person is in some sense, even posing for the picture, under some kind of duress. She needs fuel to go back, so she is being taken unfair advantage of. And I think a lot of these issue that are endemic, they shouldn't really be surprising in that any time a tremendous amount of resources, or the prospect of a lot of resources flood into an area which is relatively resource poor or where people are needy it creates tremendous incentives for this kind of manipulation and dissembling with an attempt to capture gain. So in this case if she is knowingly going along with this, knowing this is going to happen, then she also bears some measure of responsibility too, and I'm sure that is sometimes the case. It may not be the case in this hypothetical.

Moderator Jane Care

No exactly.

Franchesca Cubillo, Curator

Sorry, could I just add that that's the element that you know we hear about that the market needs to be educated, you know, know what they're buying and how they're engaging but the artists also needs to be educated and have that information so that they are making informed decisions as to what they're prepared to do and take responsibility for and what they're not.

Adrian Newstead, Indigenous Art Consultant

Can I just say who has that knowledge? The people who have that knowledge, you know, are very few. If you ask, who knows Emily's' oeuvre so well, and I think I do, that they could tell you, they could look at a painting and say, that was painted in 1992 maybe early, late 1991.

Geoff Hassall, Collector

And, and the, and the month.

Adrian Newstead, Indigenous Art Consultant

And the month etc., and that represents a style that is actually using elements that came from an earlier period. Kathleen Petyarre is a perfect case in point. She painted wonderful paintings for her agent in Alice Springs. These established her reputation as one of the finest artists, Aboriginal artists in the country. When she went back to Alice Springs she was at the mercy of a large, avaricious family. Painted quickly, yes they were her dreaming but they were like chalk and cheese and then, now her grandchildren are painting those ones, the same image, they're being held up by Kathleen and being sold. You could say to Kathleen, why are you doing this? You are undermining your market. Your market. She doesn't care about her market. That's the least. She's not interested in the white market. She's interested in supporting her family that need money in the here and now. And that's the reality of life for Aboriginal people who as you've said, you know, are a rare commodity. Someone who can earn a lot of money in a community that has none.

Moderator Jane Caro

We do need to move on to Scenario 2, fascinating as this is. Let me go on to the next scenario.

SCENARIO #2

You are, imagine for a moment, you are a first time buyer of Aboriginal art. You want to see the artwork on location so you're doing some due diligence. You make a trip to Central Australia and go to an Art Centre in a community outside Alice Springs. You find some beautiful works and buy them. A year later you are in Sydney and pop into a few harbour-side art galleries where you see similar works by the same artist. But they're a lot cheaper! And they're a lot neater. They don't have bits of sand and dog hairs in them! You might miss those I would have thought. Did I, did that person, get ripped off?

I mean, we're looking at authenticity issues, elite art Vs market art, which we were also just talking about in the previous scenario, but also we're talking about primary, secondary and tertiary markets. So Geoff? What do you think? Was that purchaser ripped off?

Geoff Hassall, Collector

No

Moderator Jane Caro

Why not?

Geoff Hassall, Collector

Because the work that was available in the commercial gallery in Sydney that had no dust or dog hair on it, would not have the proper documents on the back of the painting. Most of the art centres have codes that they write on the back of the canvases, numbering and initials and it's all recorded. And it can be checked back for decades. The paintings that were available in the commercial gallery in Sydney, probably if you ask for a letter of authenticity, you would get one from the commercial gallery with the artist's photo on it. The commercial gallery, maybe in a year's time, no longer exists. No state gallery would even accept those paintings as a donation. No valuer for the taxation incentive scheme would value them, so they're, the person buying in Sydney would be ripped off, not the one from the art centre.

Moderator Jane Caro

Thank you, and Christopher you were saying that people who were looking to purchase Aboriginal art, should do their research, and it sounds like this first time buyer has in fact bought the right painting.

Christopher Hodges, Utopia Art

Well there are two things to take into account. One of them is that art is a very special commodity. And art is valued in different ways. It's not valued on the cost of the paint and the canvas and the dots. Art is given value because of the content which is in it, the power which is in it, the aesthetic arrest that it can cause when you look at it. So there is better art, and lesser art. There is production art. I'll give a white example. You don't want to buy an Arthur Boyd that was painted after three o'clock in the afternoon because Arthur Boyd painted seriously all morning, and in the afternoon painted his quick ones for the market place. And you see them at auctions. They've got swans in them, there's hundreds of them around and he painted them to order, read his biography which his wife signed off on. Indigenous artists do the same thing which is their right. However I would suggest that anyone who wants to support Indigenous artists or indeed support any artists, the closer you can come to buying the work from the artist, with the artist in the room, the better it is for the artist. The better it is for the artist's community. So in buying a work directly from an artist's representative, where the artist still is the owner of that painting, that is the closest you can come to supporting the artist. Now, I always suggest as one of the things people can say to, when they're in shops, I say when you're in Alice Springs simply ask the shop owner, who owns this picture now? Does the artist own it or do you own it? You know in most cases, the shop keeper will own it if it's a shop. If it's an artist's representative organisation, an artists, I represent the Papunya Tula Artists they have it in that work all the artists are still involved in the sale of the artwork. It's still their work and that's the closest you can come to actually knowing where it comes from. That piece of paper that you get with it, the certificate, you've got to make sure it goes back to a controlled data base and so the Papunya Tula documentation is a controlled data base that goes back to 1971. And you can actually chase that. There are no photos of artists on that document. But there is a signature. There is a number and it's traceable directly back to the day that it was handed in and the artist dictated the details of that picture. So that's the closest you can get.

Moderator Jane Caro

Thank you. We actually have an audience question from Bronwyn Tuohy.

Audience Member Bronwyn

I'd like to ask the panel, I've heard a lot of anecdotal stories about the treatment of Aboriginal Artists. I'd like to hear of some of your experiences in that regard.

Christopher Hodges, Utopia Art

By who?

Audience Member Bronwyn

Dealers, studios and I'm probably intimating in terms of negative treatment

Christopher Hodges, Utopia Art

There's a million stories out there about how people are treated in the broader world, and I've heard everything from the best luxury accommodation, you know showers, three course meals, to bribery and

corruption. The stories are so huge and so varied and some of them so horrible, and some of them so incredible, that I can't single one out to tell. But everything you could possibly imagine, I've heard the story.

Moderator Jane Caro

Lizzie?

Lizzie Marrkilyi Ellis, Artist

Yeah, I just want to say, I'm an artist and I'm ashamed to say, that I have been one of those artists who've been disrespected by art centre managers and they're young people who are the same age as my children. Disrespect me and my mother in our own community. Now art centre managers have to understand that respect is number one. You are there for your livelihood. Just because you're a manager don't get on your high horse and bully people to say you can't go there and paint. It is the prerogative of the artist. There are many factors as to why they do go and paint in those situations that we say is not perfect.

Christopher Hodges, Utopia Art

And as a market, as a person buying in the market the effect that you can have is to place the artist's best work in the highest esteem and you usually you see that in the exhibitions of their best work in the major galleries. And the acknowledgement of the artist's best work, the support of the artist's best work, always finds you a truer painting to help the artists.

Lizzie Marrkilyi Ellis

I just want to say that my mother was the subject of this conversation by the art centre manager. And that art centre manager was managing in my community and I told that art centre manager where to go. Politely. He came over after at 5pm and apologised to me and he was lucky that I didn't tell my mother exactly what he said. Otherwise my mother would have gotten her fighting stick and gone over there and would have dealt him a lesson and he would have been kicked out of the community by me and my mother.'

Moderator Jane Caro

Sounds like there's some fairly feisty artists out there and it's really good to hear that.

Lizzie Marrkilyi Ellis, Artist

We also very respectful.

Moderator Jane Caro

Yes. Absolutely.

Lizzie Marrkilyi Ellis

And we look after our art centre managers. Tell them, you doing something wrong, well I do. What you're doing is wrong. Just slow down. Be respectful.

Moderator Jane Caro

I don't like it when taxi drivers call me 'dear'. I'm just putting that out there.

Adrian, for someone who used to work for one of the big auction houses, there seems to be a number of auction houses out there at the moment. Can you explain Auction Houses dealing with the secondary market, and auction houses dealing with the primary market? What's the difference between those two?

Adrian Newstead, Indigenous Art Consultant

There used to be a golden rule with auction houses that you don't deal in wet paintings. Wet is a term that we refer to a painting that's only recently been painted or one that's better sold in the primary market, it's not seen to be seemly

Moderator Jane Caro

What do you mean by the primary market?

Adrian Newstead, Indigenous Art Consultant

Well the primary market are the galleries that directly represent artists or art centres and are the first place where a painting is sold

Moderator Jane Caro

OK. Gotcha

Adrian Newstead, Indigenous Art Consultant

OK the primary markets are in a strange way in competition with their suppliers, because the art centres get a lot of government funding and most of them wouldn't be viable without it, you know they wouldn't be able to balance their books, but in order to be able to make enough money to survive, they need to sell a certain amount of work, you know retail, direct to the clients, like our friend here who thinks he's doing the artists a big favour by going out to buy direct from the art centre. But actually what he's doing is undermining the market. Because every market is an elitist construct. Art is especially an elitist construct. And the galleries are the legitimate marketing arm of the arts. I'm not talking about black art, or white art, I'm talking about all art right across the board. You know they're the ones that pay the rents in the cities. That pay for advertising. That organise the exhibitions. This is how artists become important. If everything was sold directly from the communities, that's like a car maker selling something directly off the factory floor. That is not integrated market structure. And if the artist isn't having exhibitions. Solo exhibitions. Group exhibitions etc., then their career is not being enhanced in any way. You know so it's not generally, I'm not saying in any way, that there's anything particularly wrong with it other than the paradigm in which we work is being subverted by art centres selling direct to the public. But they have to do it because they need the money. Anyway that's a fact of our lives. But whether it sells from the art centre or whether it sells from a gallery, to the end user, that's the primary market. The secondary market is when all that art, and believe me there is an absolute tsunami of secondary market art coming back into the market.

Moderator Jane Caro

So this is art that's already been bought by somebody?

Adrian Newstead, Indigenous Art Consultant

Over the last 150 years, and it's been traded, or stayed in a family

Moderator Jane Caro

So someone is selling it on

Adrian Newstead, Indigenous Art Consultant

And you know someone who bought a painting when they were in their 40s, 50s, or 60s and is now in their 70s, 80s or 90s and their children don't want it, and they don't want to give it to an institution, so they put it in an auction and that's the secondary market. And the secondary market, that's what auction houses really exist for. So there has been, I get the point of your question, because there has been a proliferation of auction houses, a new breed of auction house that's coming in and actually setting up studios, workshops, sheds or whatever you want to call them in Alice Springs, getting artists to paint for them and then selling them direct into the market as a set, as an auction and this was the most famous, operating out of this electorate, or this council area, that they had was taking out full page ads in the newspaper with the same painting duplicated twice, saying gallery price \$7500 and the next one had, indicative auction price \$1500, why pay gallery prices? And believe it or not they were actually exhibiting the Indigenous Art Code logo at the bottom of their ads and saying we treat artists fairly. Well they were one of the first cases that the Indigenous Art Code sort of investigated and they're still operating, they've just changed their name and moved out of the council area.

Moderator Jane Caro

Very interesting. Does anyone else want to comment on that?

Christopher Hodges, Utopia Art

Well the ACCC actually did an investigation into that same auction house and found that, not with Indigenous work, but non-Indigenous work and found that their works being offered for sale, were very, one was pulled out of a frame and was proved to be a photocopy and the curator, or conservator who opened that and looked at it received threatening phone calls for simply opening it, opening something and looking at it. But it brings us to a very important point that we all have to think about today, ethics. The ethics of representation are very important. I represent, when I opened my gallery I started on the principle that I was going to represent Indigenous and non-Indigenous artists side by side and totally equally. So I didn't put stories on the wall and I didn't even hand out certificates for the first ten years. I used to just make people come in, I educated people a lot about the artists and their communities, and introduced the artists and that but I worked it so that the people had to come in and learn something themselves about what was going on, and about the artists and that educational process that we went on established for some artists an orderly market place and in any business sector there should be an orderly market place. So I had a structure whereas the gallery representing a community organisation would on behalf of the artists and I knew the artists personally, through the, we had a business structure that was normal, the same as every other artist I represented, and this market place functioned well. Emily Kngwarreye, I'll use as the example, was an unknown artist when I represented her first and we managed to have great success with her work. We would, we had no problem putting her work in the National Gallery of Australia, into the Holmes a Court Collection, into private galleries across Australia. We did that well, we did it competently and did it easily. But within a short period of time other people felt that they could do it just as well, if not better and so they entered the market place. And after a little while others thought they could too, and they entered it. Now the first person that entered the market place was at least smart and he followed exactly what I was doing, to the point when I had an exhibition at the gallery, he'd turn up to the gallery two weeks beforehand and offered them work by the same artist which undermined my relationship with the gallery. And so was his behaviour

ethical? I don't know I can't work that one out. And then, but at least he knew the market. So he didn't bugger it up. He followed me. He was ruthless. But he didn't actually mess the market up. He kept the price structure. He didn't flood it. He was aiming at the same audience. But then along came these really great intelligent people who reckoned, I could find this artist, I could get her to sit there, paint some pictures, at least three dots on the top, take some photographs of this woman and flog them in supermarkets and stuff. Devaluing the market. And you see these guys reckoned they figured they could offer the nephew a car and if she painted this big picture there, the nephew would get the car. She loved the nephew. Adored him. Painted the picture. At the end of the picture, she stood up, grabbed her billy can, walked away. She had the shits. The nephew got the nod, and he drove off in the car and the picture is now hanging in the National Gallery of Victoria. It's a beautiful painting. Was that ethical? Then you go to the next level of people who swapped food and provisions for other paintings, and then you go to the next level of the guy that got her to sit with the photographs taken in front of all the other pictures which are everywhere and are ubiquitous and on the whole terrible. Now all those levels exist. And all those people that tagged on the end sought to destruct an orderly market. And the worst example of this is Kathleen Petyarre's sister, Gloria Petyarre, who was an amazing painter. A beautiful painter. A great innovator. The second most important painter in Utopia in the beginning and her family started to paint pictures like her. Then a lady in Alice Springs started to paint pictures like her. And the galleries in Alice Springs, in all their wisdom, they'd have a Gloria Petyarre there, \$1200, they'd have her sister's painting there, \$800, and they'd have three other people's pictures there, \$600, \$500, \$400, and they'd all look very similar. Not the same. But very similar. Her market is completely ruined. She has work in every major gallery in Australia. Beautiful work, of the highest quality, but her market has been ruined by people who have no understanding of the market place. No respect for the artist and their work. Certainly no respect for the dealers who've represented them. And as an artist representative for over 25 years, I would say the thing missing from the market is respect. Respect for the artist, and respect for order. And their right to have an orderly market place. And that's an important aspect.

Franchesca Cubillo, Curator

The other thing too as well, is that what we don't really have factored in, except in a bit of way in terms of Adrian mentioning the primary market and how art centres are in competition with commercial galleries, I think we really do need to focus on how important the art centre is in an Indigenous community. They fulfil so many multiple roles. And providing a safe space to produce art is only one aspect of the role they play. And in, I think I should be able to buy a car that comes off, you know, the chain. I should have that option. If I want to buy it from there, or if I want to go to a car dealer, if I want to get it from Pickles Auction. I should have that option and I think our Indigenous art centres aren't resourced enough, and aren't given that wonderful kudos. I mean they engage with respectable commercial galleries to ensure that artists are being represented in a really important way, and that the market is being developed for that individual or for that community. But what we see that is when art centres aren't working properly, when you have the wrong person in those jobs, or when you have the right person and they go after twelve months. The market ends up being so messy. Dangerous. Evil. And it's reflected in the art work and so I think art centres are so integral, and Indigenous governance over those art centres. Not outsider governance. Indigenous governance. Community governance to ensure that it operates appropriately and effectively.

Moderator Jane Caro

Thank you Franchesca. Christian?

Christian Barry, Ethicist

One thing that the contrast with the car case brings out is that it's not easy to sort of immediately get into the car sales business, in the same way that it seems to be easy to get into the art sales business, right. So there are certain features of the art market that make it, well, particularly difficult I think for consumers to have some clear sense of what reasonable precaution looks like. I mean, if you're buying vehicles, first of all new vehicles you just can't just make them up usually, and you're certainly not going to be buying them in a dark alleyway. And you could pretty much trust that if you're buying them on Parramatta Avenue, with big glossy signs, that's going to come with it a certain kind of acknowledgement of authenticity. And there's no obvious equivalent. I mean there are equivalents in the sense of the art centres will mark them, and you can trace them back. Certainly there's not the sense of what a reasonable good faith purchaser is going to expect from the market in the arts, as they would with respect to something like vehicles. So, the question is how you actually deal with that, right? The question is how it is you can unburden the consumer by giving them relatively routine and easily checkable ways of identifying some of the characteristics that went into bringing this art to market. Its authenticity. The conditions under which it was produced. Because it seems really important to give that information in some easily digestible, checkable form to them, because they can't count on the normal obvious rules that take place in the markets of something like cars, or where it's much more difficult to enter. It's much more difficult to engage in this kind of, what would you call, undermining of an orderly market.

Moderator Jane Caro

Yeah. Yeah. Well what you're describing too is the inevitable result of success. So this is in a way, the reason Aboriginal art has become a very desirable thing, so that makes it the sort of market that somewhat unscrupulous people want to involve themselves in. I'm aware that we have another audience question from Cate Massola. Cate?

Deb Lennis, Aboriginal Program's Officer, Leichhardt Council

We actually haven't got Cate here tonight, but we've got Janelle going to ask that same question.

Moderator Jane Caro

Oh, go Janelle.

Audience Member Janelle

Thank you. The question is, how do you see the art market picking up in light of the government's Indigenous Advancement Strategy, and cuts to remote communities?

Moderator Jane Caro

Who'd like to tackle that question first?

Lizzie Marrkilyi Ellis, Artist

Well, I just want to say something quickly. I don't want to hog the floor. But I come from Tjukula which was on the list of the 150 communities to be closed. And if the art centre was, if we were closed, the art centre is the only little organisation in little Tjukula that makes money. So Tjarlirli art, we've got a ex Tjarlirli art centre manager sitting there Nyssa. Little Tjarlirli art has been the in the black, black is good, it's been in the black for three years running, pride and yeah we got my aunties and mothers and they are really good painters and they are the high end but there's a lot of young ones. Like me and my sisters and other people

that paint and we are very proud of the fact that we have been managing to stay in the black and keeping Tjukula running because there is nothing else there so that's a good thing. And also just to say something about what you said Christopher, quickly, about our auntie, we come from you know Papunya Tula. Lot of the paintings was about Tingiari cycle, and my father was the boss for Tingiari ceremony. There's lots of song lines for the Tingiari ceremony but for one of them he was the boss, and we can't paint them, because we're a woman. But men can. But because we can't paint Tingiari, but we can paint other stories that are close to Tingiari, and our aunties they give us the authority and they show us. They say, paint like this. Paint this country. And you copy them. And Nyssa can tell you. You can pick up all the paintings that me and my sister paint. And you can tell, oh that's one of the Giles girls because that's Purungu. So that's going back to family painting the one story. And you know when I said earlier. People. Families have the authority to hold knowledge, to hold designs.

Moderator Jane Caro

So there's a difference here between the Western idea of the 'artist' and the Indigenous idea of the 'story' which has many tellers?

Francesca Cubillo, Curator

Collectively. And therefore can be collectively represented.

Moderator Jane Caro

It's very interesting.

Christopher Hodges, Utopia Art

But the people that are marketing the art, the people that are making the sales of the art, are, tend not to be the Indigenous people, and the shopkeepers in Alice Springs. Like, I don't mind somebody saying, I er, it doesn't make any economic sense, the advancement of Indigenous artists for a shopkeeper to have four different products on the wall looking vaguely the same with four different price points of it. Nobody is being advanced by that method. In fact everyone's getting dragged down to the lowest common denominator. And I have a relationship with the Papunya Tula Artists that began in 1988 and has been a continuous relationship ever since and fortunately through changes of management we've maintained a very stable relationship. And I've got a stable relationship with all the artists that I represent. And some pictures are sold up there. And some pictures are sold down here. And the dialogue we have back and forth between us, it's a robust dialogue. Sometimes I say what are you doing? And sometimes they say to me, look on and do this. But it's an honest style. So they know what I'm doing and I know what they're doing. And we're all working to the one end which is supporting the artists in a community with the only business, the only business that exists in the community that has operated in the community that is running at a profit in the community and the only business that is owned by the community members and provides. In Papunya for example, Papunya Tula Artists and their supporters have built a public swimming pool, a dialysis centre, an aged care facility. I mean that's the role that a small business well run in a community can perform, and why people can't see supporting that industry is worthy, when we support aluminium smelters and Holden plants and things like that. Why don't community centres deserve support?

Francesca Cubillo, Curator

I think also in terms of closure of Indigenous communities, it wasn't on the basis of them being unviable. It was purely on the basis of a land grab, I whole-heartedly believe that. There are resources on this land, and

they want to move Aboriginal people off of it so they can get to those resources. So art centres provide this wonderful economic, as well as social as well as political hub for the community. And to close those facilities down on the basis of them being unviable is, it's a joke. So I think if we have those communities closed then we will see the art change, and that's because there won't be wonderful art centres operating, supporting, encouraging, fostering that next generation of artists and mediating with that broader sector which is that secondary sector which is further down in the east coast so we collectively have a responsibility to stop that from happening. Stop the closure of Indigenous communities. And also stop the changes to the Aboriginal Heritage Act be it in WA or any other parts of Australia because they will desecrate sites. They will rip up historical, ancient rock art sites. And they will destroy people's connection to country and we'll see it reflected in not just the art but the heart and soul of our Indigenous peoples which is again the identity of this country.

Moderator Jane Caro

Adrian, you wanted to say something?

Adrian Newstead, Indigenous Art Consultant

Just in answer to the question, you know when I started in Aboriginal art in the early 80s; I don't think there were more than about ten art centres in the whole country. Today there's about 120 or something, adult education centres, women's' centres or whatever. All being supported by government funding. So on the one hand, it's true the government wants to close down some communities which is devastating for the people in those communities and people who want to, you know we've seen Yuendumu grow three times in size as they've cut down, since the government Intervention has closed down all those little communities around it that had lovely little schools, and little shops, and everything where people felt more comfortable. Now they're all thrown in together inappropriately and you know with all the problems that are in attendant upon that. But the government is putting more money into Aboriginal art centres than it ever has in the past. I don't know it's up over \$25 million now and growing. So you know. But they're putting all this money into production. You know, people make art because they want to indulge in their creativity, because their keeping their culture alive because of the things

Francesca Cubillo, Curator

Are you saying it's a lifestyle choice?

Adrian Newstead, Indigenous Art Consultant

No I'm not saying it's a lifestyle choice at all. No, I'm certainly not saying it's a lifestyle choice. I mean art is keeping culture alive and we understand this

Moderator Jane Caro

And making money for people in communities

Adrian Newstead, Indigenous Art Consultant

And there are no other economic games in town, and yes it is a but Aboriginal people probably list making money from art down fourth or fifth on the list of the benefits they get from engaging in art practice. But, what is the government doing in the marketing area? In the marketing sector? You know we're producing all this art and they just think, that, oh it will look after itself. You know the market will just absorb all this art. Given the tsunami of art that's coming back into the market that's been produced over the last 50 years. You

know there's going to be tens of thousands of paintings, every year coming back into the market that's competing with the art that Lizzie and other people are making right now. What are we doing to promote our culture abroad? Where's the government spending the money? What's the government doing about you know superannuation, making it more and more difficult for people to buy art in their super funds etc.? Putting more and more restrictions on the market, in terms of resale royalties and not everyone agrees with resale royalties. I have my particular point of view but I'm not going to canvas it here. The fact is the government is doing nothing to promote Aboriginal culture abroad. Do you know next year is the, Brazil is the Foreign Affairs Department's "Country in Focus" because of the fact that the Olympic Games are on in Brazil. And yet Foreign Affairs has not initiated an Aboriginal exhibition in Brazil. It's just ludicrous.

Francesca Cubillo, Curator

Can I just come in at this point?

Moderator Jane Caro

Just very briefly because we've got ten minutes left.

Francesca Cubillo, Curator

Alright briefly. I've just freshly come back from Istanbul Biennale. Djambawa Marawili was represented. The Bark Petition from 1963 was represented. Berndt Collection Crown Drawings from 1947 was represented. Vernon Ah Kee was represented. They were all there, thanks to the contribution of the Australian Government. I think we need to look at funding. I think the market is a consideration. But I think more importantly indigenous people; Indigenous artists need to benefit from this industry. There is no Aboriginal millionaires. There are no Aboriginal and Torres Strait Islander collectors. There are no Aboriginal and Torres Strait Islander auction houses. There is no Aboriginal, Oh I think there's one but we won't mention that person's name, who runs their own commercial gallery. There is many, which is fine; there is many non-Indigenous people in that secondary industry. That's fine. But I think the government needs to put money into Indigenous peoples and communities so that they can operate themselves in that secondary industry, as well as being producers.

Lizzie Marrkilyi Ellis, Artist

And can I just say quickly because what you're saying, there's no millionaires, Aboriginal people, it's because sharing. We have to share everything. When people come we give them food. They travel without blankets, bedding. We give them bedding. My brother's travel through via Tjukula to those Kiwirrkurra they pull in they say 'pay for my fuel' and I do it. I give them a note; take it to the store manager and they fill the car up. Because we have to share everything. It's part of our Tjukurrpa. Sometimes I hate that. But there are times when we can use it to the max.

Francesca Cubillo, Curator.

Absolutely. I mean the sector generates hundreds of millions of dollars. Surely at least one family, one community, one artist can at least say, I'm a millionaire. Out of this 500-million dollar sector. Surely one of us, even sharing everything that we have, surely one of us can operate in those terms and still share money with everyone.

Lizzie Marrkilyi Ellis, Artist

My nieces they ringing me all the time. Facebooking, 'Auntie send me \$100 for food'. (Audience laughing) I say yes, but you've got to give it back to me boomerang, it's gotta come back to me.

Moderator Jane Caro

We have less than ten minutes to go. And I'm just going to go to the final scenario very quickly.

SCENARIO #3

So we've talked about Central Australian Aboriginal artists but I wonder about Indigenous Artists working in Sydney, Melbourne, Brisbane, Adelaide and Perth. Do any of these issues affect them, or their work? And how does this Discussion relate to them? Do Remote Indigenous Artists get special treatment that their Urban Indigenous peers do not?

Christopher Hodges, Utopia Art

I would say that if the contemporary Indigenous art world and market was forged by people called Tjungurrayi, Marawili, Kame Kngwarreye and will be owned by Jones, Cook, Boyd. But as we don't know that the last three names I mentioned are three urban artists who are enjoying enormous fame and have great careers ahead of them. The advantage that they have over their rural peers is that they basically grew up with a good understanding of English, and they went on the whole have had art school educations and understanding of their culture and they are making beautiful work, but they are not under the pressure that other rural artists are because they have backing of usually family who some of who have a million or half a million. They have stable environments. Alternative work choices. Their relatives and family have come from reasonably stable environments. And so that the community pressures that Indigenous artists in remote areas face usually don't apply to these guys, so I see many of these people are good friends of mine and I think they will make unbelievable territory in the next few years, and they will be the Indigenous artists that forge the international careers of great standing.

Francesca Cubillo, Curator

I think that's absolutely correct and they've also supported each other through that process. I mean and so the establishment of Boomali and how Indigenous artists like Brenda Croft and Fiona Foley and Michael Riley, they were all about supporting each other and making a space and educating each other and informing each other about the market, the sector and how to represent yourself. And of course today we look to proppaNOW, and all of that impact that you know Richard Bell and Vernon Ah Kee, so it's everything that you said Christopher and it's also about city based artists supporting each other. But then you go to a place like Darwin, and there is no art co-op. There are artists operating independently so they don't have, it's not synonymous around all our urban areas but where it is on the East coast it works beautifully and really well and we've seen the results of that.

Moderator Jane Caro

Geoff you wanted to say something?

Geoff Hassall, Collector

Francesca, would you say there's any difference between an urban Indigenous artist, and non-indigenous artists?

Francesca Cubillo, Curator

I wouldn't say there's any difference, in terms of what drives them in terms of their art practice. None whatsoever. It's about identity, connection to country, family, history, culture.

Geoff Hassall, Collector

But the way their art is handled through the commercial gallery system is all the same is it not?

Francesca Cubillo, Curator

No.

Geoff Hassall, Collector

It's not?

Francesca Cubillo, Curator

No. The way the market engages

Moderator Jane Caro

Sorry. I think there's a bit of misunderstanding. You said, is there any difference between Indigenous urban artists and non-Indigenous urban artists

Francesca Cubillo, Curator

Oh

Moderator Jane Caro

So non-Indigenous urban and Indigenous urban

Geoff Hassall, Collector

If you take an artist like Richard Bell and I've visited his studio and it's like visiting a non-Indigenous artist and the way he markets his work through the commercial galleries just seems similar.

Francesca Cubillo, Curator

But you're seeing Richard Bell at this point in his career. Richard Bell in that very beginning wasn't even, like Marshall Bell his brother was operating at the top of that level and Marshall was operating with the assistance of Laurie Nielsen and Michael Eather so there was a collective that allowed Richard to become that wonderful, gorgeous, crazy artist that he is. So yeah I've never seen an Indigenous person operate totally independently in the way that a non-Indigenous artist does. Not even Jonathan Jones.

Christopher Hodges, Utopia Art

I don't, I just mean that their position in the market place, they're fully savvy of how the gallery system works, they have good relationships with their galleries and their curators and they are in a financial position and in a support situation where they don't come under anything like the pressures that artists in remote communities come under.

Moderator Jane Caro

So given our time problems, to sum up, what you're basically saying is that for Indigenous artists, it is an advantage as it is for non-Indigenous to be in urban areas, and for Indigenous artists, possibly as it would be

for non-indigenous - when you're in remote and rural areas, you have all the difficulties to overcome that everyone does in remote and rural areas.

Christopher Hodges, Utopia Art

That's why good representation of artists, I represent white artists that live in the country. And I have no problem representing them. And I represent lots of Papunya Tula artists that live just near you. And I have no trouble representing them well. Most of the time. But the market from the Western Desert is a more disorderly market. There's more people dipping their finger into the pie. There's more people bringing work to the market place. There's more artists that do just like that, they're looking after their families. They are under family pressures. And if you ever look at a photograph of an artist holding up an artwork, look at their face. The ones that are in the compromised position are always like this. (pulling face). They never look happy. Look at Emily Kame Kngwarreye. Don't ever buy an Emily Kame Kngwarreye picture where she's at the front of it like that. I just warn you. That's a little hint.

Moderator Jane Caro

This is really good because it leads us directly to how we are going to finish.

Lizzie Marrkilyi Ellis, Artist

Just quickly

Moderator Jane Caro

Oh go on Lizzie but you've got about 30 seconds

Lizzie Marrkilyi Ellis, Artist

The thing is everyone paints because they haven't got good English. They haven't got good education, to do something else. When is the education department of this country gonna train our young people to become doctors and lawyers and teachers and everything else. We have too many white people who are working in our communities. That's why they all painting. (clapping)

Moderator Jane Caro

Thank you. Alright we're going to finish in three minutes and each of you; I'm going to ask this one question. *What is the best way to buy Indigenous art? What are the questions a buyer should ask?* Christian, you first?

Christian Barry, Ethicist

As the non-expert on Indigenous art I think that the most important thing is for that question to become easier to answer, right. So the sophistication of the clues that some of the panellists have talked about, looking to determine how you should judge art, the conditions under which it was created, what's its value is and so on and so forth, suggest that it's really very difficult for the ordinary purchaser to become informed. Right, it's not obvious what standard you're supposed to be and I think that if there's anything that initiatives like the Indigenous Art Code could do, it is making it easier for that question to be answerable to the ordinary consumer confronting this market place.

Moderator Jane Caro

Thank you. Geoff?

Geoff Hassall, Indigenous Art Collector

I think it's a question of consumer education; maybe even the problem is around Alice Springs, a nicely designed poster put up in some of the hotels, on bus stations or something like that so that they can follow procedure that they should be looking at. But most of my work has been purchased through commercial galleries that I've developed an association with and I trust them. And I know that they have a connection with the remote communities, and I don't buy directly from the remote communities because I feel that there's a safety in the commercial galleries that keep an eye out for work that they know I'd be interested in. So they're doing a lot of the work for me otherwise I'd be spending the whole time collecting art.

Franchesca Cubillo, Curator

I'd be doing what Christopher said which was buy directly from the artist. As close as you can. So that's the artist, the art centre, that's at art fairs as close as you can where the art centres are selling directly to the public. You have so much to gain. So much to gain. Not just a beautiful work of art. You'll establish a relationship with an Indigenous person and that will take you places that you never thought you'd ever find yourself at, so I'd go straight to the source myself, all over the place.

Moderator Jane Caro

Thank you. Adrian?

Adrian Newstead, Indigenous Art Consultant

I think it really depends on what you're looking to buy. You know if you want a, you know you can go to an art centre; you can go to an art fair. But don't expect to buy the best painting that that artist has produced during that year or whatever. Those paintings are reserved for the best galleries. The best exhibitions. And through the representative model or whatever. There are independent artists that, I haven't had a chance to talk about it but I know an independent artist who has never worked for an art centre that lives in Brisbane, that has put in three kids through private school, that doesn't care what his paintings sell for in the market place. He regularly comes to Sydney and sells a whole raft of paintings to those galleries along the Quay and the Rocks. And sells them a major painting for \$1500 each and when I say to him, well what does he sell them for? He says, I don't care. Every time I come to Sydney they give me \$30 000 and it pays for my school fees. And that's all I care about. And I think that it's such a big question and I think that buying from a good gallery. Buying from somebody that has the expertise. If you're thinking, look the Aboriginal art's industry's been going for over 50 years, and of course there was Aboriginal art long, long, long before that. But the modern Aboriginal art movement, in a sense it's always been about the art of the new, the latest, the newest artist. Every, all through the history, you can trace which community was hot then. Everybody wanted that work. There were lists of 50 people, queuing up at an art centre to get a particular work. Now, it's the, in the most recent times it was the Western Desert. Now it's urban art. And I think there's a reason for that. I think it's a lot to do with the fact that that generation that walked out of the desert, fully initiated people, that you know before they met a white person, or grew up in the desert before they met a white person. They initiated this movement. I think they were frightened, I think to a certain extent I think they were concerned that their culture was not going to be passed on and they wanted to ensure that their culture was passed onto their children. And that golden period is over. There are still people living in communities doing great work and there's a great future for Aboriginal art, I'm sure of it. But there, is as I've said, hundreds of thousands of paintings that've been produced over the last 50 years. If you're interested in the greatest artists of the movement, and I say even if you think it's only 90% of everything that's been

produced, you have to buy it from somebody that knows about those artists careers and can tell you what is a great painting and what is good provenance and what isn't.

Moderator Jane Caro

Thank you Adrian. Christopher?

Christopher Hodges, Utopia Art

Go to the best public galleries in the country. Look at everything there. Decide what you like. They've usually got the best stuff. If you can, talk to the curators. Get their recommendations where you should go. Go and see, I would advise the closest thing you can get to the artist, the artist's representative. But most importantly to see their solo exhibitions. And there is the best chance you get to judge the range of their work, to see if they're any good. And then pick the best one you can afford.

Moderator Jane Caro

Lizzie?

Lizzie Marrkilyi Ellis, Artist

I'd say go to the Indigenous controlled and managed art centres and buy your painting there.

Moderator Jane Caro

Thank you. And I also thank you for the brevity of your answer. (Audience laughs). That was really wonderful.

Moderator Jane Caro

Very pleased. What a fascinating discussion. There was so much more on my notes that we were trying to get to but I had a feeling we wouldn't be able to get to it because this is very rich and we've got a lot of panellists with a lot of really interesting things to say and quite a divide which I really enjoyed hearing about. Before I ask you to thank the panel for their insights and their expertise this evening. There's a survey on your chairs. If you could fill that in, I know the organisers would be very grateful. And if you could please leave your phone number, or email and name on that survey because then you will be in the running for the Berkelow's book prize. So if you don't do that you won't win the book. If you have any further discussions or questions about this topic please go to the Leichhardt Council website where you'll find ongoing discussion around this. And then all that it remains for me to do is to say thank you so much Christian, Franchesca, Christopher, Lizzie, Adrian and Geoff. It's been a really, really interesting discussion. I've learnt an enormous amount and I'm sure many people in the audience have too. And could you join with me please in thanking all of them tonight. (Audience clapping)

And thank you all for coming out on a Thursday evening. And thank you to Leichhardt Council and to the Indigenous Art Code for putting this together. It's fantastic and it's raining just at the right time when we finish. Thank you.

Deb Lennis, Aboriginal Program's Officer, Leichhardt Council

So drive safely home everyone. Thank you.

--- ENDS ---