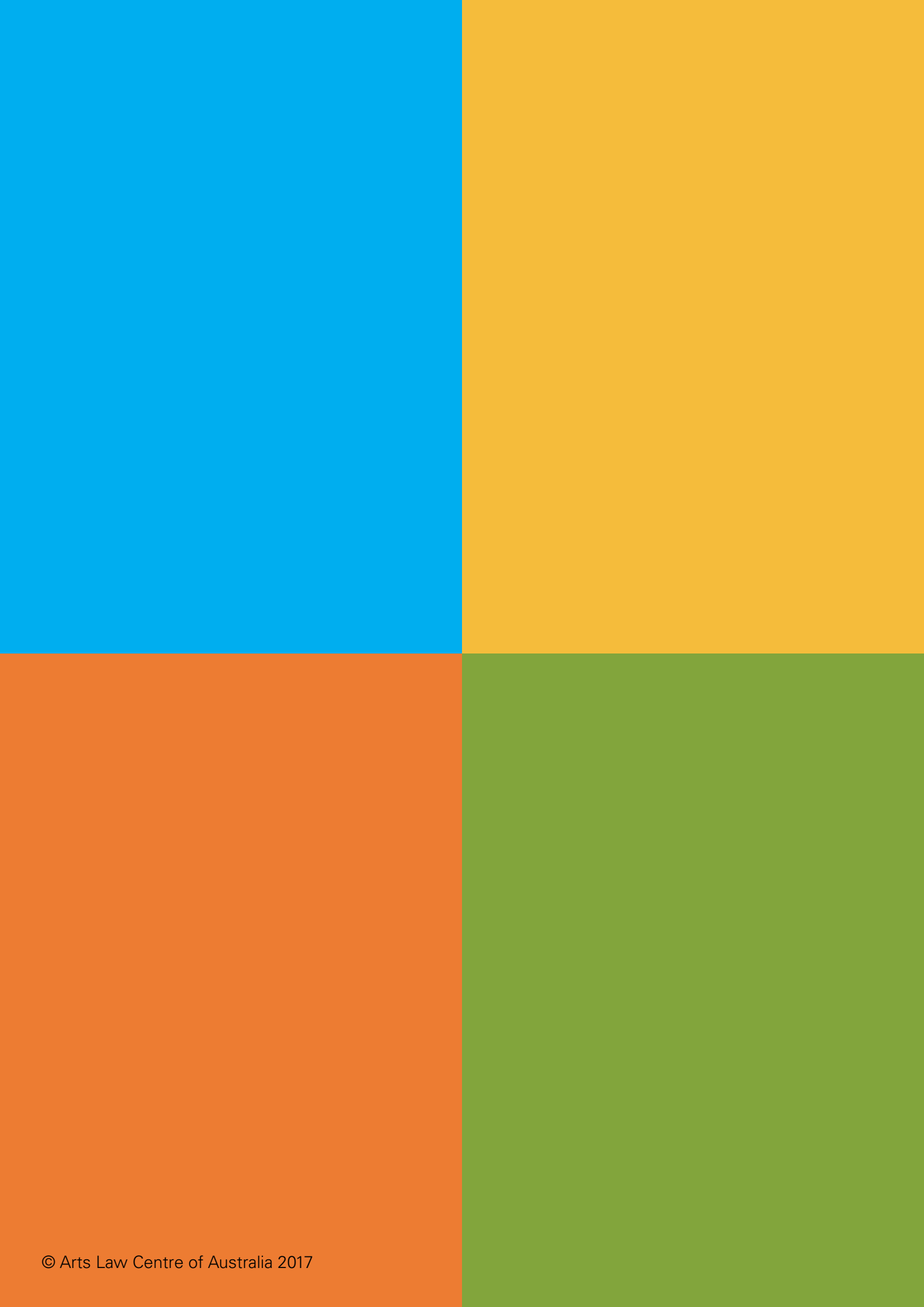


**ARTS LAW CENTRE
OF AUSTRALIA
ANNUAL REPORT**



2016



CONTENTS

Mission Vision Values	4
Highlights for 2016	4
Our Year	5
Services	7
Telephone Legal Advice	7
Top 10 Legal Problems for Artists in Australia	8
Document Review Service	10
Best Practice Advice	10
Alternative Dispute Resolution	11
Advocacy	12
Fake Art Harms Culture	12
Copyright and Design	12
Privacy	12
Inquiries into Freedoms and Personal Choice	12
Prizes and Competitions	12
Art in Prisons	12
Impact of Funding	13
Education	14
Artists in the Black	16
Pro Bono Support	23
Our Organisation	24
2016 Board	26
2016 Staff	28
Finances	31
Fundraising	
2016 Funders	

ARTS LAW IS AUSTRALIA'S NATIONAL COMMUNITY LEGAL CENTRE FOR THE ARTS. WE PROVIDE FREE OR LOW COST SPECIALISED LEGAL ADVICE, EDUCATION AND RESOURCES TO AUSTRALIAN ARTISTS AND ARTS ORGANISATIONS ACROSS ALL ART FORMS, ON A WIDE RANGE OF ARTS-RELATED LEGAL AND BUSINESS MATTERS. ARTS LAW'S ARTISTS IN THE BLACK PROGRAM DELIVERS TARGETED SERVICES TO ABORIGINAL AND TORRES STRAIT ISLANDER ARTISTS NATIONALLY.

MISSION

Empower artists and creative communities through the law.

VISION

Arts Law aspires to be widely recognised as the trusted source of advice for artists and creative communities and as the preeminent authority on artists' rights and arts law in Australia.

VALUES

In delivering our vision, Arts Law is guided by the values of excellence, accessibility, empowerment of artists, integrity, collaboration and innovation.

HIGHLIGHTS FOR 2016

1889

Legal advices given to clients

1950

Education attendees

241

Pro bono lawyers on our panel

25

Outreach trips to Aboriginal and Torres Strait Islander Communities

1235

Legal advices and education attendees as part of Artists in the Black

113

Wills drafted

1333

Referrals

2016 OUR YEAR

As the arts in Australia continues to undergo huge change and ongoing funding stresses, Arts Law has been working to achieve our mission: empowering creators through the law.

In 2016 we helped more than 4000 artists working across a wide range of creative endeavours to understand their rights and protect their work. We helped artists achieve better outcomes throughout their careers by providing them with the right legal advice for their arts practice. We promoted the respect and recognition of the legal and cultural rights of Aboriginal and Torres Strait Islander artists and communities through our Artists in the Black program and our Fake Art Harms Culture advocacy campaign. We also advocated for better laws and policies for the benefit of Australia's artists and provided specialised legal education for artists all over the country.

There are 44,000 artists working in Australia, but only 55% of artists can afford to support themselves on their creative work alone, and 56% of artists earn \$10 000 or less from their art each year. Yet artists contribute enormously to our society, one in three artists bring their creative skills to other industries and the vast majority of Australians believe the arts make a more meaningful life.

As the only community legal centre for the arts in Australia, we have an obligation to provide the best services possible to as many artists as we can. Funding for both community legal

centres and the arts continues to be precarious. Ultimately this has a direct flow on effect to the number of artists we can help. While there was overwhelming demand for our services, we unfortunately had to suspend taking new legal queries for 44% of the year as we were operating with 1.6 fewer in-house lawyers than the previous year.

This was undoubtedly a struggle for us, however we continue to diversify our income, assisted by our Board and our fundraising committee of young lawyers, Hearts for Arts Law, so we can remain a strong voice for artists. Thanks to the Australian Government Solicitor's office, Arts Law has a full time lawyer on secondment for 2017 which will help alleviate the pressures on our service. Nevertheless it is clear that Arts Law needs additional resources to meet the huge demand for our legal advice from Australia's creators.

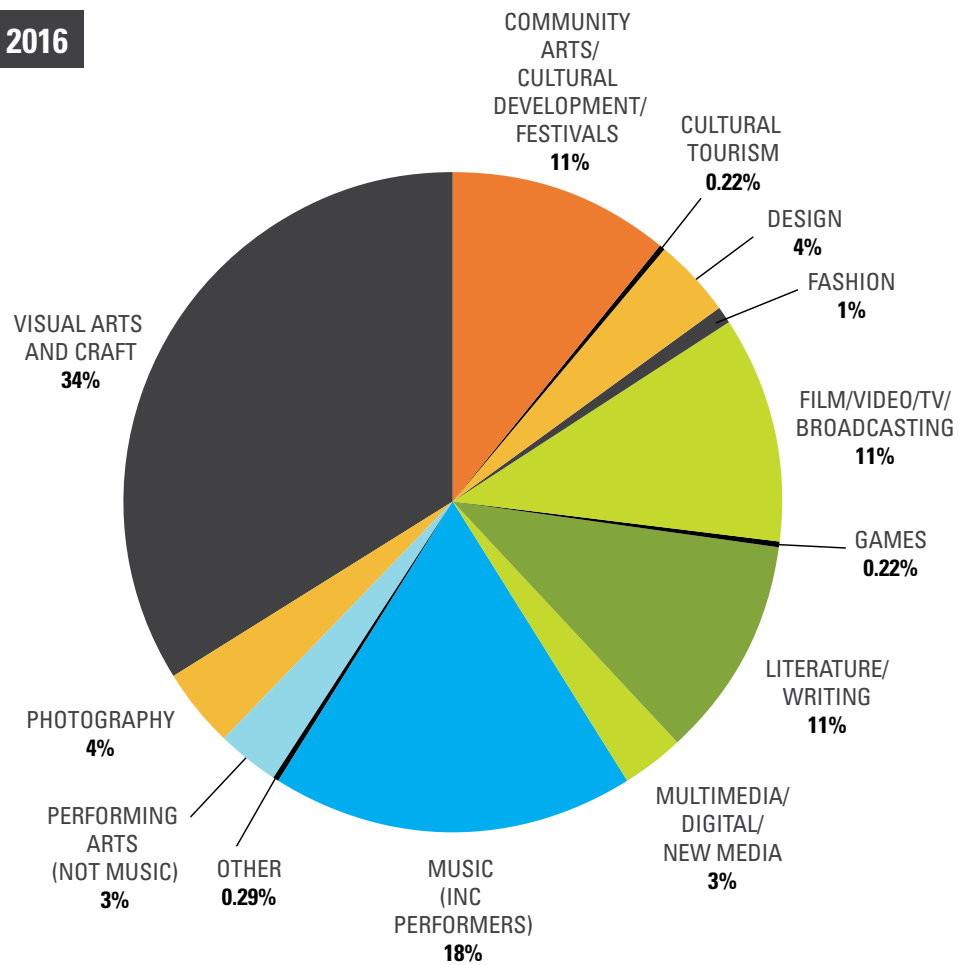
Our profound thanks go to the many organisations and individuals who have buoyed and valued Arts Law. We are supported by an excellent Board of Directors, generous pro bono lawyers and law firms who are on our pro bono panel and numerous arts and cultural organisations who support our efforts in providing free and low cost legal advice to artists. We look forward to the next year in Arts Law's history as we approach our 35th year of service in 2018.

Robyn Ayres and The Hon. Justice Beazley AO

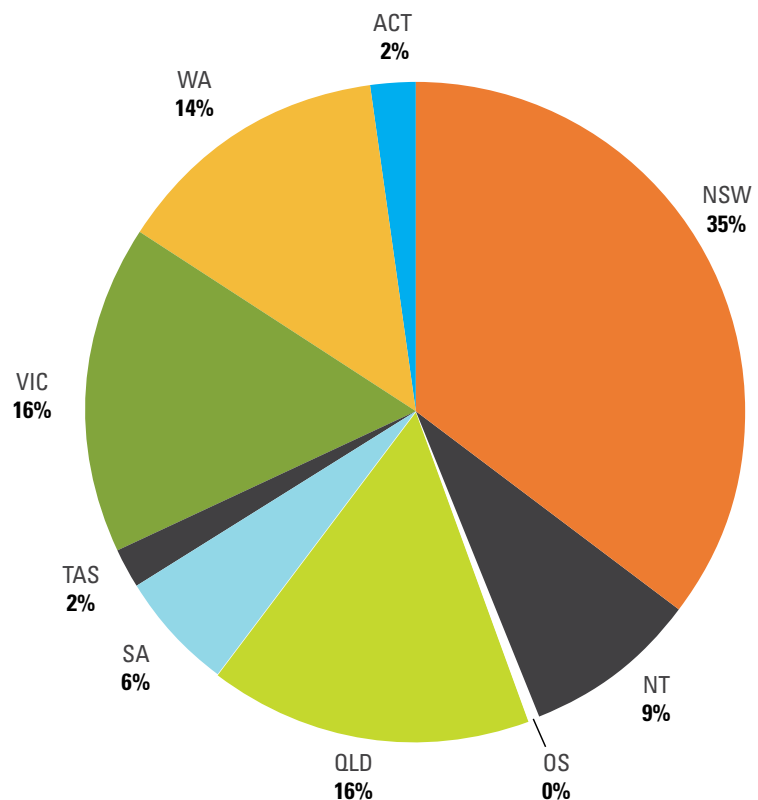
'Thanks for everything over the years. We wouldn't have been able to survive without Arts Law's invaluable advice.'

WALANGARI KARNTAWARRA ABORIGINAL ARTIST

LEGAL ADVICE BY ART SECTOR 2016



LEGAL ADVICE BY STATE 2016



SERVICES

We offer a variety of legal advice services to support the differing needs of our clients.

These services include:

- Telephone Legal Advice Service (TLA)
- Document Review Service (DRS)
- Face to face legal advice clinics
- Alternative Dispute Resolution
- Referrals to expert legal, accounting, taxation and other professionals

TELEPHONE LEGAL ADVICE SERVICE

97% of clients who received a legal advice over the phone rated the service as very good to excellent. This service is means tested and is provided to the vast majority of clients for free.

‘I feel that I’m more equipped to make an informed decision knowing this additional information. I’m very thankful that a legal service for artists like this exists in Australia, that’s easily accessible and free.’

ARTS LAW CLIENT

TOP 10 Legal Problems for Artists in Australia

1. Copyright
2. Contracts
3. Moral Rights
4. Estate Planning including Wills and Intestacy
5. Competition and Consumer Protection
6. Resale Royalty
7. Defamation
8. Business Structures
9. Trade Marks
10. Debt & Insolvency

‘My phone meeting was highly useful and informative. This vital information puts me in a better position of knowing what my rights are in relation to authorship and copyright of written and filmed material. I would recommend this service to anyone and am grateful for this kind and generous service.’

ARTS LAW CLIENT

DOCUMENT REVIEW SERVICE

The Document Review Service (DRS) provides legal advice to clients who seek advice on a document, such as a contract or correspondence. To access the DRS, artists and arts organisations must subscribe to Arts Law. The DRS is then delivered as a telephone consultation with one of the experienced specialist lawyers who are on Arts Law's volunteer lawyer panel which includes lawyers from large corporate and boutique firms, Government and in-house lawyers and other volunteer lawyers.

The DRS has continued to grow each year, indicating the demands on artists to be more business-like, as well as the success Arts Law has had in educating Australian artists and arts organisations on the benefits of using contracts and understanding and clarifying issues before signing any documents.

'My experience to date is that the service is outstanding - an invaluable, essential resource for artists.'

ARTS LAW CLIENT

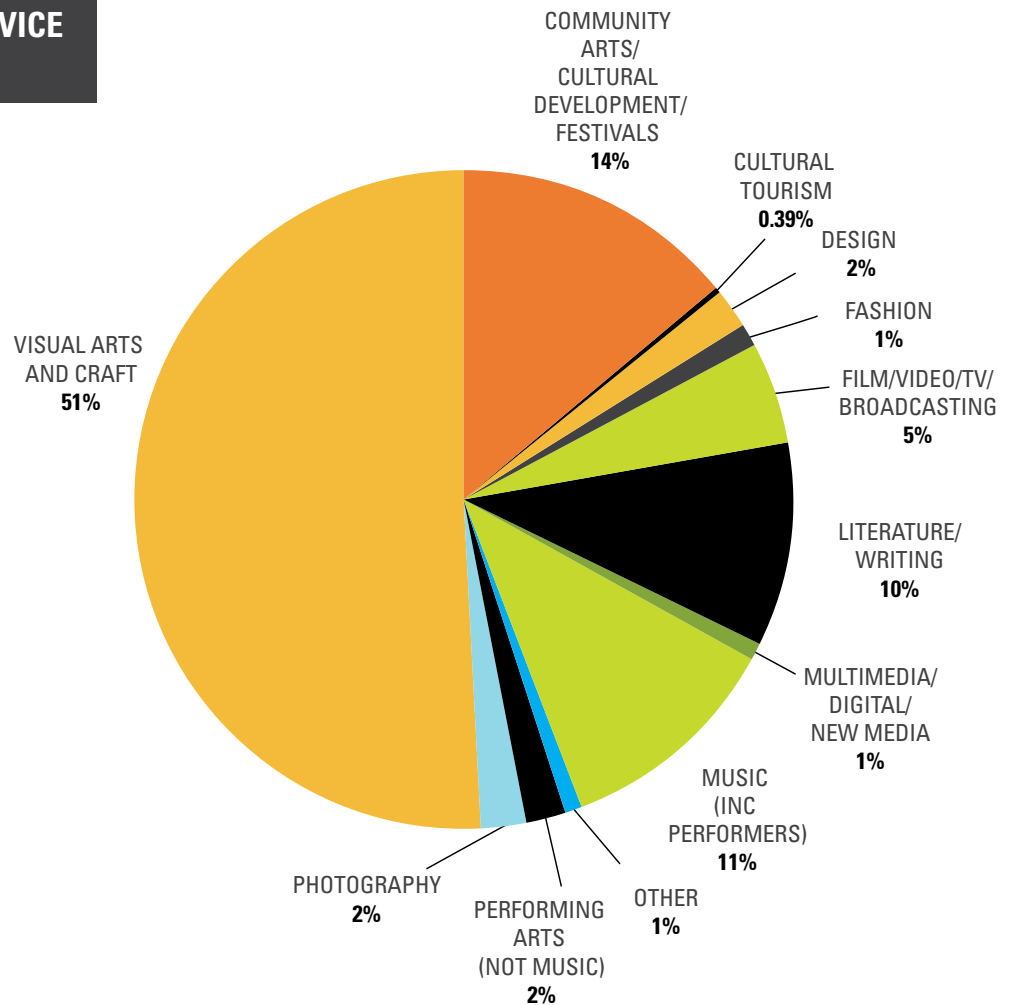
CASE STUDY

An Australian singer/songwriter approached Arts Law for review of a publishing contract that she had been offered by an overseas publishing company for one song that she had written and recorded. She wanted a general explanation of the terms of the contract and their implications for her as an artist, including her future rights to use the material she had created.

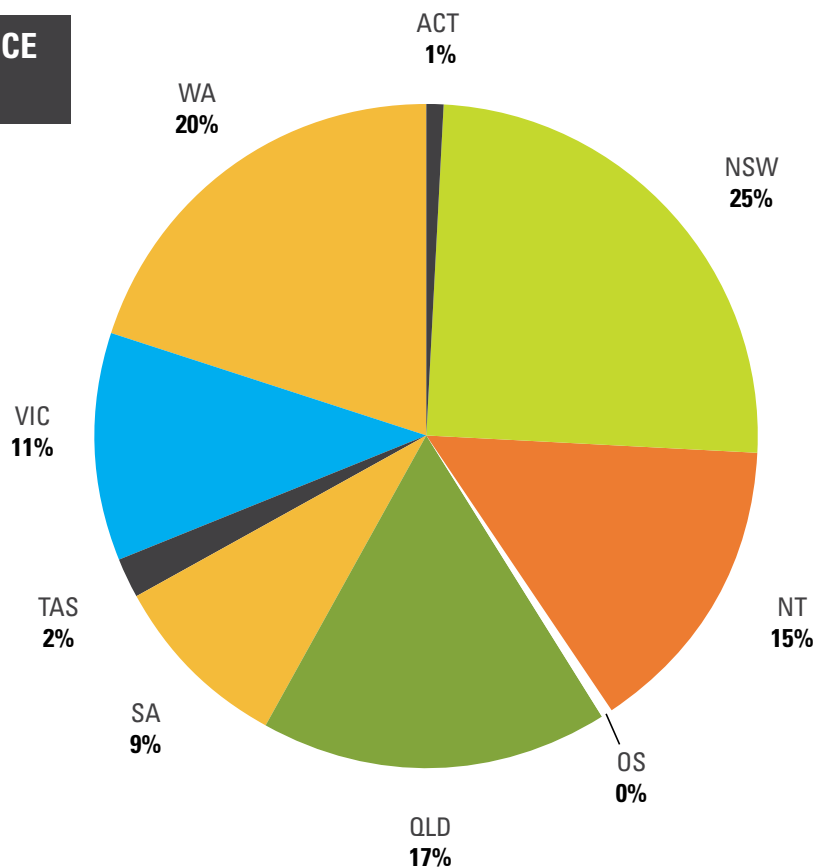
One of Arts Law's external pro bono lawyers, Jules Munro of Simpsons Solicitors, reviewed the documentation and explained that the agreement was a production music deal, where the creator of the music permanently assigns away to the publisher, all right, title and interest in the composition and in the master recording. The contract contained no right of termination and reversion and no requirements to get approval nor to tell the creator how the material was being used. Jules confirmed that the deal was more appropriate for generic production music and not the kind of material that the artist had created.

Having heard the advice, the artist decided that she did not want to proceed with the deal. She wants to use her recording and song again, especially because they were part of a larger project which she hoped to release on EP and wants to keep the benefit of owning and controlling the publishing of the song. Her experience shows the value of reviewing any agreement carefully before signing and seeking advice to avoid a potentially harmful deal.'

DOCUMENT REVIEW SERVICE BY ART SECTOR 2016



DOCUMENT REVIEW SERVICE BY STATE 2016



BEST PRACTICE ADVICE

We see the enormous benefit of providing 'artists first' advice to arts organisations in relation to their dealings with individual creators, in particular to improve the standard of contracts and ensure fair terms and conditions for artists. Arts Law provides best practice advice to arts organisation who drafted a template agreement for artists they intend to work with, organisations running competitions and on general legal matters. Arts Law provided 36 best practice advices in 2016.

ALTERNATIVE DISPUTE RESOLUTION

Alternative Dispute Resolution (ADR) refers to a process where an impartial person assists parties to a dispute to resolve the issues between them. The creative industries are no exception when it comes to disputes. People who work within the creative industries often need, or desire, to work together on projects

in the future and don't want that opportunity sabotaged by a dispute over the current project. Often the parties – or at least one of them – to the dispute can't afford the time and expense involved in engaging lawyers and commencing legal proceedings.

ADR can provide a relevant, cost effective, fair and timely means of resolving disputes in a manner which, to the extent possible, preserves the parties' relationships and creates maximum opportunity for projects to be realised and completed. A writer who used our ADR services in 2016 said: *"I found Arts Law's service very user friendly and professional. I also found the mediation process very helpful as the mediator was able to think about the issues and develop solutions from a non-adversarial perspective."*

Arts Law referred 9 clients to ADR in 2016 and we will continue to encourage our clients to attempt to resolve their disputes without having to go to court.

CASE STUDY

Bayside Acquisitive Art Prize (BAAP) is an annual prize and exhibition hosted by the Gallery at Bayside Arts and Cultural Centre, located in the Brighton Town Hall in Brighton, Victoria. There are 3 prizes to be won and each includes prize money: the Bayside Acquisitive Art Prize, the Local Art Prize and the People's Choice Award. The Gallery approached Arts Law for review of the terms and conditions (T&Cs) of the BAAP.

Arts Law helped the Gallery to revise their T&Cs to reflect best practice conditions for artists. For example, the Gallery amended their agreement so that they only ask shortlisted entrants for permission to reproduce their work for limited uses associated with the prize, such as in an exhibition catalogue and promotional material. It also limits this licence to 5 years. This is great because this gives the artist an opportunity to use their work in an exclusive relationship in the future.

Arts Law also explained that creators of works have 'moral rights' to be attributed, the right against false attribution and the right of integrity. The Gallery amended their T&Cs to reflect this obligation and to make a positive undertaking to attribute the artists wherever the work is reproduced.

In terms of the winner, the Gallery had initially considered adding a clause to the T&Cs that the winner will be required to sign a separate licencing agreement after the fact. We explained that the Gallery cannot ask entrants to agree to something they have not seen. There is also a risk the winner will not sign once they have seen the licence agreement. Instead, Arts Law suggested including a clause in the T&Cs asking the winner for a broader licence to reflect the considerable prize money.

Arts Law was very happy with the final T&Cs developed by the Gallery and awarded it an outstanding 5/5 stars for fairness to artists!

ADVOCACY

Fake Art Harms Culture

We launched an ambitious advocacy campaign in 2016 along with partners The Indigenous Art Code and Copyright Agency | Viscopy, to stop the sale of fake Indigenous art products and souvenirs in Australia. The Fake Art Harms Culture campaign was launched at the Darwin Aboriginal Art Fair in August and we travelled to Desert Mob and Homeground Festival with our letter to Government calling for new laws to stop fake souvenirs from being sold.

Not only does the sale of fake art mislead consumers who may believe they are purchasing an authentic artwork, it destroys an income stream for Aboriginal and Torres Strait Islander communities. Often the income brought in from selling artwork is the only non-Government income in some communities, and this is threatened by the sale of these inauthentic works.

Another significant impact from the sale of fake products is the harm to culture. Celebrated Yolngu Artist Banduk Marika said, *"the ecosystem, the environment we live in is full of natural resources. Our art is our resource, it belongs to us we use it in a ceremonial context; it is a resource for our survival. If control of that resource is taken away from us, we cannot meet our cultural obligations; we cannot use it for our families benefit. Exploiting our resource needs to be negotiated on our terms, we need to have control of how that's done."*

The response from the arts sector to the campaign was overwhelmingly positive with significant media coverage and interest from government. We hope to see more developments as a result of this campaign in 2017.



Trish Adjei with artists from the Buku-Larrnggay Mulka Centre holding the letter to government.
Photograph **Gabrielle Sullivan**.

Copyright and Design

Proposed changes to copyright laws continue to be controversial in the arts sector. In June 2016 Arts Law made a submission on the Productivity Commission Draft Report on Intellectual Property Arrangements. In particular we were concerned by the disregard of the value of artists' contributions, the lack of consideration of Indigenous Cultural Intellectual Property issues, the suggestion that the optimal copyright term is 15 to 25 years after creation, the proposal to remove parallel import restrictions for books and the fair use provisions proposed in the draft report. The government will respond to the final report after further consultation in 2017.

Privacy

In 2016 the NSW Government responded to the recommendation by the Legislative Council Standing Committee on Law and Justice that NSW should introduce a tort of privacy. We had previously made various submissions on this issue from 2007. In the NSW Government's response they indicated they were unlikely to introduce a statutory cause of action for serious invasions of privacy. Arts Law was specifically mentioned in their response because of our concerns around balancing the protection of privacy with freedom of expression. This is a positive outcome in allowing the important work done by photographers, filmmakers, writers and journalists to continue in Australia.

Inquiries into Freedoms and Personal Choice

We made a submission to the Inquiry into Freedom of Speech in December 2016. Due to the nature of our work and our field of expertise, we endorse a comprehensive and robust protection of freedom of speech and expression in Australia. However, Arts Law acknowledges that the right to freedom of speech in Australia should not be absolute in all circumstances and believes that the current structure of section 18c of the *Race Discrimination Act 1975* is appropriate.

Prizes and Competitions

In 2016, Arts Law continued its ongoing advocacy around best practice in prizes and competitions, albeit in a more targeted way. We reviewed the terms and conditions of 4 prizes and provided information to organisers and to artists through Arts Law's website and social media. Our advocacy work in this area is being noticed with organisations and artists contacting Arts Law directly to ensure prizes and competitions are meeting our best practice standards and are fair to entrants.

Art in Prisons

For some time, Arts Law has been concerned with State and Territory legislation, regulations and policies that govern the rights of prisoners creating artistic work whilst in prison. Although the rules differ from State-to-State, the rights held by prisoners across Australia fall short of the rights granted to artists under the Copyright Act. Arts Law continued to research this issue throughout 2016 and received some feedback from stakeholders. We hope to circulate a report more widely in early 2017.

Impact of Funding

Arts Law continues to work with other arts organisations and other community legal centres to show the importance of both a healthy arts sector and the importance of community legal centres to Australian society.

‘Presentation style was excellent, easy to understand, interactive and very engaging and our presenter was very knowledgeable about the topics and willing to answer all questions.’

CITY OF SYDNEY WORKSHOP PARTICIPANT



Photo of Kino Crowd.
Photograph **Kautilya Velpula**

EDUCATION

Our education program provides targeted educational sessions to Australian artists and arts organisations to help increase awareness and understanding of the many legal and business issues affecting the creative community, including copyright and contracts, wills and resale royalty rights.

Through strategic partnerships with arts and cultural organisations we are able to travel all over the country to directly contribute to the development of sustainable arts businesses and empower artists through providing a level of understanding about their legal rights and obligations.

Artists and arts workers who attend our education programs are overwhelmingly positive in their response. 98% of attendees of our education sessions said the workshop was excellent and 90% felt their understanding of their rights as artists had improved.

‘I found the workshop really helpful ... this has given me an insight into many areas of arts law that I wasn’t aware of.’

REGIONAL ARTS VICTORIA
WORKSHOP PARTICIPANT

ARTISTS IN THE BLACK

Arts Law's Artists in the Black (AITB) service is specifically tailored for Aboriginal and Torres Strait Islander artists, communities and organisations and offers access to free or low cost, culturally appropriate, professional legal advice and resources. The AITB program was established in 2004 in response to the overwhelming need to protect Aboriginal and Torres Strait artists from exploitation regarding their arts practices and to educate these artists about their rights under Australian law.

Importantly, in 2016 Arts Law launched our Innovate Reconciliation Action Plan. The AITB program is featured throughout this plan as Arts Law commits to supporting reconciliation in Australia throughout all aspects of its services.

Our outreach trips to Aboriginal and Torres Strait Islander communities through our Artists in the Black service continue to be very valuable for the artists. Despite limited funding in some states we were able to present 46 education sessions and visit 25 cities, communities and towns. Without the support of external bodies, art centres and pro bono law firms, it may not have been possible for the AITB Outreach program to visit so many places in 2016.

Also, Arts Law and the AITB program were involved in many important events that gather artists, art centres and art lovers. In 2016 Arts Law and AITB attended the Revealed Festival in Perth, Bush Bands Business/Bash in Ross River, Desert Mob in Alice Springs, the Darwin Aboriginal Art Fair, the IACA Conference in Far North Queensland and Homeground Festival in Sydney. These events give Arts Law the opportunity to engage with many people involved in the Aboriginal and Torres Strait Islander arts sector and provide pop-up legal advice clinics as well as irreplaceable networking opportunities for future outreach and education possibilities.

AITB was also chosen as an SBS Foundation partner in 2016. We produced short, informative animations with CAAMA which focus on legal issues for Aboriginal and Torres Strait Islander

artists. These videos will be broadcast on NITV and SBS which will allow even more artists who may not be associated with an arts centre to hear about our program and services for artists. You can see the videos at artslaw.com.au/videos-and-audio/entry/aitbartistsrights-video-series/.

Wills Project

For Aboriginal and Torres Strait Islanders, having a will that allows them to choose how the royalties from their artwork continue to pass down to their family (related family and adopted) is incredibly important. In 2016, AITB delivered our Wills Project to over ten different communities and art centres and prepared 113 wills for Aboriginal and Torres Strait Islander artists all over Australia. We also worked with external law firms on projects such as establishing the Namatjira Trust which will help the family of Albert Namatjira. These trips were supported by pro bono law firms who provided ongoing support to AITB and kindly donated their expertise and time to the delivery of the Wills project.

We would like to thank the following Pro Bono lawyers and law firms for their commitment to the AITB Wills Project in 2016 assisting Arts Law in our outreach wills trips:

- Tara Voyce – Gadens
Far North Queensland
- Christy Ditchburn – Telstra
Far North Queensland
- Jack Quirk – DLA Piper
APY Lands
- Nick Crennan – Colin Biggers and Paisley
Western NSW
- Andrew Komesaroff – Colin Biggers
and Paisley
Far North Queensland
- Mark Hyde – Minter Ellison
Yamaji Geraldton WA
- Alex Murphy – Ashurst
Mowanjum Derby WA



Delwyn with Mr Jimmy Donegan, and his daughter Margaret Donegan, from Ninuku Arts in Kalka
Photograph **Iain Morton**

On 23 October 2016, I jumped on a plane and headed to Cairns for the start of my long awaited secondment to Arts Law, one of our pro bono clients. Arts Law is Australia's only community legal centre for the arts. The particular purpose of my secondment was to assist with the Artists in the Black Service which aims to increase the access of Indigenous artists and organisations to information about their rights on all arts related matters. It is fair to say that I did not have much of a clue about what was to come.

The art centre at Mornington Island (its full and proper name is the Mirndiyan Gununa Aboriginal Corporation) has shot to national and international prominence over the last decade on the back of the spectacular success of its artists, including in particular Mirdidingkingathi Juwarnda Sally Gabori. Sally did not hold a paintbrush until she was in her 80s when materials were made available to her at the Arts Centre. What followed was a decade of amazing creative output until she passed away in 2015. Her work features in collections, galleries and institutions in Australia and around the world. Currently her work is on display in Melbourne at National Gallery of Victoria. I was fortunate to meet some of Sally Gabori's family during my visit to Mornington Island.

The first part of our full day on Mornington Island involved Robyn explaining the standard arts centre agreement and the principles of copyright and resale rights to a group of 10 artists. Sitting and listening to Robyn's explanation and admiring the clarity with which she spoke, I thought to myself that this was not just a normal Wednesday morning! The next stage of the

day was to take instructions from will-makers. I felt privileged and fortunate to have time alone with these talented artists. Perhaps along with many "white fellas", I have never enjoyed a deep conversation with Indigenous Australians and I was struck by their quiet humour and care for family. The trip was only a few short days and yet was transformative in my thinking about the challenges facing Indigenous Australians. As lawyers, we are somewhat programmed to focus on finding the solution to the problems that come before us. While that normally works in a day-to-day context, it behoves us to think long and hard about the circumstances that have led to the situation in which Indigenous Australians find themselves today.

While I make no claim to truly understand the challenges facing Indigenous Australians, I feel that we must be slow to judge, impose or lecture. In my opinion, the correct approach is to ask questions and to provide support that is wanted and needed. In this regard, the work of Robyn and her team at Arts Law is so meritorious. The tool kit that we as lawyers can bring containing practical advice, contracts and connections is exactly what is needed to assist them in having purposeful, independent and dignified lives.

The experience overall was amazing and I am thankful to the Colin Biggers & Paisley Foundation for creating the opportunity. I loved being part of the "Arts Law Mob" (as Robyn and I were dubbed) and hope to continue my involvement going forward.

ANDREW KOMESAROFF
PARTNER, COLIN BIGGERS & PAISLEY

PRO BONO SUPPORT

Adopt a Lawyer

Aboriginal and Torres Strait Islander Community Art Centres are an integral part of many communities. Not only do they nurture artistic talent by providing artists a place to create their art, they also provide crucial services such as financial and business advice, as well as facilitating access to many other services such as family assistance, child care and even food.

Arts Law's Adopt a Lawyer pro bono program was established in 2013 to facilitate partnerships between Art Centres and law firms over a three-year period. The Art Centres can receive timely and relevant advice from their adopted law firm.

The program now supports eight partnerships in total:

It is evident that Arts Law could not survive without the enormous contribution from the volunteer lawyers on our Pro Bono panel who give countless hours and expertise to advise creators in Australia. Our recognition of this support at our annual Pro Bono Awards also introduced our newest board member to the organisation. Dr Andrew Lu OAM was the recipient of the **Community Pro Bono award** (nominated by the Western Australian Academy for Performing Arts) and he went on to join the Arts Law Board of Directors at the end of 2016. Overall we recognised thirty four lawyers or professionals who went above and beyond for Arts Law at the Pro Bono Awards. Each winner received a print of Sally Mumford's *Evolution of the Written Alphabet #2*. Arts Law would like to thank Radical Son for performing on the night and Dentons (previously Gadens Lawyers) for the use of their stunning space for the evening and for their work in bringing together the 2016 Pro Bono Awards.

	ART CENTRE	LAW FIRM
1	Mowanjumb Aboriginal Art & Cultural Centre Derby, WA	Ashurst Sydney, NSW
2	Warakurna Artists Warakurna, WA	Allens Linklaters Melbourne, VIC
3	Warmun Art Centre Warmun, WA	Lander & Rogers Melbourne, VIC
4	Ngurratjuta Iltja Many Hands Art Centre Alice Springs, NT	Clayton Utz Sydney, NSW
5	Yamaji Arts Geraldton, WA	Minter Ellison Perth, WA
6	Hermannsburg Potters Hermannsburg, NT	CBP (Colin Biggers and Paisley) Brisbane, QLD
7	Ikuntji Artists Haasts Bluff, NT	CBP (Colin Biggers and Paisley) Melbourne, VIC
8	Papulankutja Artists Blackstone, WA	Jackson McDonald Perth, WA



Alexander Mau
Photograph **Jay La**

As a law student and musician, I was eager to volunteer at Arts Law. I was keen to learn more about intellectual property law and about what kind of work an arts and entertainment lawyer would be able to do. As a volunteer, I took instructions from clients and it was fascinating learning about the innovative projects of many artists. Occasionally, I sat in on advice sessions between lawyers and clients. This was an amazing educational opportunity, seeing the varied styles in which lawyers gave their advice.

I was also particularly passionate about Indigenous legal issues and worked on Arts Law's Artists in the Black program, a service dedicated to Aboriginal and Torres Strait Islander artists. I helped the CEO, Robyn Ayres, in drafting the Reconciliation Action Plan and drafted wills and letters of demand for Aboriginal and Torres Strait Islander artists. Working on the wills was particularly eye-opening as I discovered how the lawyers carefully and compassionately dealt with the sensitive subject.

In addition to volunteering, I was fortunate enough to occasionally fill in for the Paralegal. In this role, I had the thrilling opportunity of directly liaising with lawyers who had generously offered to assist Arts Law on a pro bono basis as well organising mediation processes for artists.

My time at Arts Law has confirmed my belief that Arts Law is a crucial service for artists. Artists are often the most vulnerable and yet in the most need for legal advice at the early stages of their careers. Arts Law's free or low-cost legal advice ensures that artists understand their rights and are treated fairly.

To all law students interested in intellectual property or the arts industry as well as to arts students interested in learning more about the law, I strongly recommend volunteering at Arts Law. It is a wonderful opportunity to learn from lawyers with extensive experience in the arts and entertainment industry as well as to make a meaningful impact in the lives of artists in need.

ALEXANDER MAU VOLUNTEER

Pro Bono Panel Lawyers

Thank you to the law firms and legal practitioners who were part of our Pro Bono panel in 2016.

ACT	
Jasmine Hope	Australian National University Legal Office
Rebecca Mason	Prime Media Group
William McCarthy	Bradley Allen Love
NSW	
Adam Casselden	State Chambers
Adam Flynn	National Film and Sound Archive
Alexandra George	Faculty of Law, University of New South Wales
Amanda Meehan	Digby von Muenster Law
Andrew Cameron	Brett Oaten Solicitors
Ben Kay	Kay & Hughes
Capucine Hague	Webb Henderson
Chloe Martin-Nicolle	Media Arts Lawyers
Christopher Chow	Chris Chow Creative Lawyers
Clare Young	Simpsons Solicitors
Daniel Posker	Herbert Smith Freehills
Deborah Yates	JLL Australia
Derek Baigent	Griffith Hack Lawyers
Elaine Leong	The Benevolent Society
Elaine Wong	Sole practitioner
Elizabeth Burrows	Influence Legal
Emma Cameron	Bird & Bird
Emma Gorrie	Allens/Linklaters
Frances Drummond	Norton Rose Fulbright
Gautham Srinivas	Macquarie Group Limited
Gene Goodsell	Goodsell Lawyers
Gordon Babe	13th Floor St James Hall
Grant McAvaney	ABC Legal Services
Guy Narburgh	Herbert Smith Freehills
Hamish Fraser	Bird & Bird
Ian James McDonald	Simpsons Solicitors
Isabella Bosworth	Johnson, Winter & Slattery
Ishan Karunanayake	IshanLaw
Jackie O'Brien	Norton Rose Fulbright

Jacqueline Winters	McCabes Lawyers
Jake Blundell	Kennedys
Jennifer Goh	Lander & Rogers
Jeremy Storer	Storers Lawyers
Jim Lennon	Norton Rose Fulbright
Joanne Jin	MFS Investment Management
Jonathan Adamopoulos	Allens/Linklaters
Josh Cavaleri	EA Games
Jules Munro	Simpsons Solicitors
Justine Munsie	Addisons Lawyers
Kate Brophy	Australian Government Solicitors
Kate Gilchrist	ABC Legal Services
Kate Morton	Bird & Bird
Katherine Giles	ABC Legal Services/ Minter Ellison
Kelvin O'Keefe	Sole practitioner
Kim Leontiev	Carroll & O'Dea Lawyers
Kim Leontiev	Thomson Geer
Kim Pettigrew	University of New South Wales
Lai Lynn Choong	Norton Rose Fulbright
Lishan Ang	Frederick Jordan Chambers
Longzhen Han	PPCA - Phonographic Performance Company of Australia
Luke Hawthorne	King & Wood Mallesons
Mandy Chapman	Beyond International Ltd
Mandy van den Elshout	ABC Legal Services
Marie Foyle	Screenrights
Mark Davidson	Davidson & Associates
Mark L W Matulich	Matulich Lawyers
Martin Slattery	Carroll & O'Dea Lawyers
Mathisha Panagoda	Carroll & O'Dea Lawyers
Matthew Hall	Artifex Advisors
Megan West	University of Wollongong

Michael Easton	Michael Easton Legal
Michael Terceiro	Terceiro Legal Consulting Pty Ltd
Michelle Bakhos	Lexis Nexis
Michelle Eadie	Simpsons Solicitors
Monica Kelly	Prevention Partners NSW
Nicholas Melville	ITV Studios Australia Pty Ltd
Nicholas Smith	Blackstone Chambers
Paul Dabbagh	Sole practitioner
Paul Ippolito	Ippolito Lawyers Pty Ltd
Peter Karcher	ClarkeKann Lawyers
Priscilla Blackadder	Silberstein & Associates
Rachel Chua	Australian Government Solicitor
Raena Lea-Shannon	Entertainment Media Technology
Rebecca Simpson (nee Dimaridis)	Resolve Litigation Lawyers
Rebekah O'Sullivan	Chris Chow Creative Lawyers
Rob Clark	Tenth Floor Chambers
Robert Neely	Lander & Rogers
Rob Glass	Media Arts Lawyers
Sally McCausland	McCausland Media Law
Sam Berry	Holding Redlich
Sarah McKeith	Spruson & Ferguson
Shariqa Shaheed	Simpsons Solicitors
Sheree Hollender	Griffith Hack Lawyers
Stephen Boyle	Stephen Boyle Media and Entertainment Law
Stephen Digby	Digby von Muenster Law
Emily Hawcroft	Minter Ellison
James Gonczi	Allens/Linklaters
Melanie Bouton	Herbert Smith Freehills
Patricia Monemvasitis	Carroll & O'Dea Lawyers
Tom Bridges	Webb Henderson
Hamish Fraser	Truman Hoyle Lawyers
Anna Vandervliet	Herbert Smith Freehills
Ian Robertson	Holding Redlich

Julia Kovarsky	Allens/Linklaters
Sarah Butler	Holding Redlich
Hugh James	Bilbehry Pty Ltd
Adrian Chang	Allens/Linklaters
Alana Barlow	CBP
Andrew Komesaroff	CBP
Claudia Hall	Allens/Linklaters
Elliott Burton	Allens/Linklaters
Joel Barrett	Allens/Linklaters
Kaelah Ford	Allens/Linklaters
Lena Balakrishnan	Allens/Linklaters
Madeline Collins	Allens/Linklaters
Natasha Dixon	Allens/Linklaters
Pierce Hartigan	Lander & Rogers
Richard Sawyer	Allens/Linklaters

QLD

Jaimie Wolb	K & L Gates
Jamie Doran	Clayton Utz
Mark Harley	Boss Lawyers
Michelle Hyams	Cooper Grace Ward Lawyers
Nicole Murdoch	Bennett & Philp Lawyers
Leanne Collingburn	Norton Rose Fulbright
Sandy Zhang	Bennett & Philp Lawyers

SA

Paul Gordon	NDA Law
-------------	---------

TAS

Andrew Walker	Tasmanian Bar
Jason Samec	Butler, McIntyre and Butler Lawyers
Abigail Shelley	Sense-T
Susan Larsen-Scott	M+K Dobson Mitchell & Allport Lawyers

VIC

Tim Guy	Funtastic Limited
Paul Kallenbach	Minter Ellison
Alexander Horton	Minter Ellison
Andrea Allan	Watermark Intellectual Asset Management

Annette Rubinstein	Phillips Ormonde & Fitzpatrick Lawyers
Claire Campbell	Lander & Rogers
Craig Smith	Victorian Bar
Daniel Creasey	CBP Lawyers
Darren Sanicki	Sanicki Lawyers
David Curtain	GDF Suez Australian Energy
David Vodicka	Media Arts Lawyers
Hannah Pham	Thomson Geer Lawyers
Harrison Ottaway	Griffith Hack Lawyers
Jeff Bergmann	Solubility Pty Ltd
Jennifer Tutty	Studio Legal
Julian Hewitt	Media Arts Lawyers
Julian Murphy	High Court of Australia
Katarina Klaric	Stephens Lawyers & Consultants
Kelly Griffiths	Minter Ellison
Maddalena Rinaldi	Sanicki Lawyers
Matt Vitins	Matchbox Pictures
Moira McKenzie	Sanicki Lawyers
Natasha Simonds	Minter Ellison
Nick Cooper	Music Victoria
Paul Mayson	CBP Lawyers
Robyn Fry	Sole practitioner
Sally Whiteman	Victorian Bar
Savannah Hardingham	K&L Gates
Stephen King	Media Arts Lawyers
Tony Grujovski	Actuate IP
Warwick Rothnie	Victorian Bar
Linda Rubinstein	Holding Redlich
Rebecca Pereira	Minter Ellison
Robert Cooper	Minter Ellison

Emily Booth	Holding Redlich
Dan Pearce	Holding Redlich
Madeleine Stevens	Holding Redlich
Edward Heerey SC	Victorian Bar
Yasmin Naghavi	Media Arts Lawyers
Adrian Botta	Minter Ellison
Barnaby Matthews	Herbert Smith Freehills
Chelsea Roche	Herbert Smith Freehills
Christy Ditchburn	Telstra
Emma Iles	Herbert Smith Freehills
Georgina Hoy	Herbert Smith Freehills
Marcus Walkom	Media Arts Lawyers
Louise Connell	Norton Rose Fulbright - National
Rochina Iannella	Stephens Lawyers & Consultants

WA

Adam Levin	Jackson McDonald Lawyers
Andrew Johnstone	DLA Piper Australia
Angela Hayward	Cancer Council WA
Jamie Lyford	Elevation Partners Pty Ltd
Jarod Benson	Murdoch University
June Kenny	JDK Legal Services
Marie Wong	Wrays Lawyers
Michael Paterson	Michael Paterson & Associates
Michael Tucak	Creative Legal
Robin Galpin	Michael Paterson & Associates
Scott Girdler	Clayton Utz
Stephanie Faulkner	Wrays Lawyers



Anissa Memari, Audra Oliveira-Ben and Daisy Johnson from Colin Biggers Paisley
Photograph **Sophie Byrne**

Volunteers and Interns

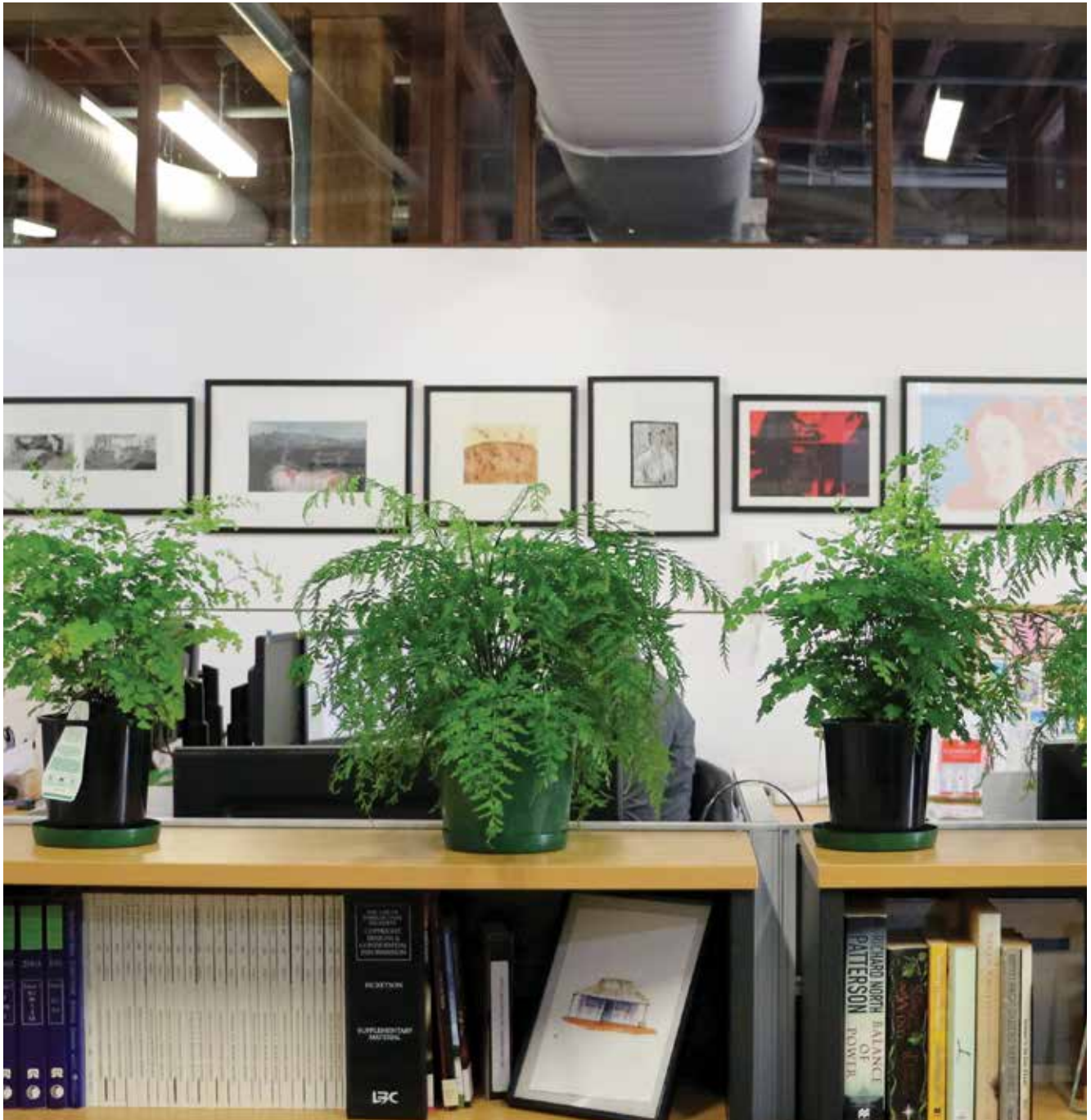
We are also extremely grateful for the many volunteers and interns who are at the frontline of providing our services.

VOLUNTEERS	
Georgie Leahy	Jakeb Thornton
Chloe Condylis	Trent Wilson
Joanna Lowry	Lee Elsdon
Madeleine Hunt	Karl Rieschieck
Justin Abidaheer	Eleanor Wood
Suzanne Line	Libby Eckersley
Danielle Stone	Amrita Saluja
Adam Disney	MG Moyo
Jane Gurney	Angus Blyth Nicholas
Shanna Dib	Isabella Boag Taylor
Sarah Lee	Paolo Remati
Michael Tran	Max Morrison Smith
Jodie Fisher	Ruby Munsie
Brian Lee	Emily Marsh
Isabelle Hazell	Sarah Stalbow
Alexander Mau	Lauren Mclean
Stephanie Scott	

INTERNS	
Carrick Brough	QUT
Lindsay Mengel	QUT
Lucie Treguier	
Angus Blyth Nicholas	UNSW
Seb Tonkin	Graduate Intern
Phoebe Boyle	UNSW
Rebecca Smythe	UNSW
Isobel Larkin	QUT
Gabrielle Redmond	QUT
Thilo Klawonn	District Court Wuppertal, Germany

OUR ORGANISATION

The Arts Law Centre of Australia is a not-for-profit company limited by guarantee. We are recognised by the ATO as a Public Benevolent Institution (PBI) and a Deductable Gift Recipient (DGR). We are endorsed as a Tax Concession Charity. Arts Law is registered with the Australian Charities and Not-for-profits Commission (ACNC). We would like to thank Arts NSW who renovated our offices at The Gunnery building in 2016 and provide us with subsidised rent.



Arts Law office with new plants
Photograph **Sophie Byrne**

2016 BOARD

The Hon Justice Margaret Joan Beazley AO
President



Andrew Wiseman
Vice President



Navid Bahadori
Treasurer



Michelle Gibbings



Bronwyn Bancroft (from 18/4/16)



Debra Camden (from 18/4/16)



Dr Andrew Lu OAM (from 6/12/16)



Enid Charlton (until 18/10/2016)

Anita Jacoby (until 27/2/2016)

Wayne Quilliam (until 18/4/2016)

The Hon Peter Heerey QC Vice President (until January 2016)

Robyn Ayres Company Secretary

Photographs of The Hon Margaret Beazley AO, Andrew Wiseman, Navid Bahadori, Michelle Gibbings, Debra Camden by **Kent Johnson 2015**



2016 STAFF

CEO

Robyn Ayres

Director – Legal Services

Delwyn Everard

General Manager

Mary Egan

Senior Solicitor and Education Manager

Suzanne Derry

Senior Solicitor

Trudie Sarks

Solicitors

- Jenny Arnup (to August 2016)
- Rebecca Simpson (from November 2016)

Solicitors on Secondment

- Sarah Toomey, Australian Government Solicitor (to January 2016)
- Jane Healy, Australian Government Solicitor (February to April 2016)

- Jennifer Goh, Lander & Rogers (March to July 2016)
- Claudia Crause, Australian Government Solicitor (May to August 2016)
- Roxanne Lorenz, Australian Government Solicitor (from November 2016)

Artists in the Black Coordinator

- Jacqueline Cornforth (to June 2016)
- Leah Flanagan (from August 2016)

Paralegal

- Roxanne Lorenz (to November 2016)
- Georgie Leahy (from November 2016)

Marketing & Communications Administration Coordinator

Sophie Byrne

Administration Officers (Legal)

- Rose Ayres
- Madeleine Hunt (to April 2016)
- Michael Bridges (from April 2016)

Delwyn Everard with a client in Ninuku Arts in Kalka,
Photograph **Iain Morton**



Robyn Ayres at Giringun Arts Centre, Queensland
Photograph **Arts Law**

FINANCES

In 2016 Arts Law continued to work with the Australia Council and all States and Territories on a National Funding Agreement (NFA) for Arts Law and this is now in place for 2017-2020, with agreed performance indicators and reporting requirements aligned to contributions received. This secures 4 year funding for the organisation, creating a stable funding base for us to work with, and reducing the time spent by Arts Law staff in both applying for and acquitting grants.

Arts Law aims to increase financial resources through growing philanthropic and earned revenue. Government funding is, and will continue to remain, essential to our ability to deliver free and low costs services to Australia's creators. However, we acknowledge the limitations of this funding and that increasing income independent of Government is vital to Arts Law's long term viability.

2016 saw an increase in earned income (Education, Subscriptions and Publication sales), exceeding budget expectations. Fundraising income also exceeded budget with 2 successful events. Our mid-year raffle raised over \$14,000 and in November, with the assistance and organisational skills of some very hardworking supporters, we held a very successful art auction, raising in excess of \$41,000 for Arts Law.

Expenses finished below budget with most savings due to lower than expected leave accruals. Arts Law actively encourages staff to take leave as it is due.

With both the increased income and reduced expenses Arts Law finished 2016 with a surplus of \$75,162. This amount will carry forward and reduce the pressure on the 2017 budget.



Louisa O'Toole (L), Robyn Ayres and Jill Eddington (R) from Australia Council
Photograph **Mary Egan**

2016 INCOME		
Total Earned Income (1)		\$212,557
Other Income (inc interest received & expenses recovered)		\$54,158
Fundraising & Donation Income (net) (2)		\$81,411
Non-Government Grants		
PPCA	\$15,000	
Solicitors Trust Guarantee Fund – Tasmania	\$4,000	
Copyright Agency	\$2,500	
Total Non-Government Grants		\$21,500
Government Grants		
Australia Council for the Arts	\$244,320.00	
Department of Communications and the Arts	\$55,000.00	
Attorney-Generals Dept	\$120,000.00	
artsACT	\$11,000.00	
Arts NSW (3)	\$125,250.00	
Department of Arts and Museums – Arts NT	\$25,000.00	
Arts Queensland	\$45,000.00	
Arts South Australia	\$9,443.00	
Arts Tasmania	\$7,000.00	
Creative Victoria	\$50,000.00	
Department of Culture and the Arts WA	\$52,500.00	
Film Victoria	\$5,000.00	
Total Government Grants		\$749,513
Total Income		\$1,119,139

1. Earned income is derived from several sources including subscriptions, education workshops & seminars and publication sales.
2. For the purposes of this report, fundraising income is net. Our audited accounts are required to report this as gross income. Please refer to note 20 in our audited financial statement (available on our website (artslaw.com.au/about/annual-financial-reports/) for further explanation.
3. Arts Law also acknowledges Arts NSW's subsidising our accommodation in The Gunnery.

FUNDRAISING

As an important source of additional income for our organisation, fundraising continued to be a priority in 2016. We ran four main fundraisers: a raffle for three excellent Aboriginal and Torres Strait Islander artworks at our Pro Bono Awards, a comedy night put on by our fundraising committee Hearts for Arts Law, the City2Surf fun-run (Team Arts Law was represented by CEO Robyn Ayres and her two daughters Rose and Claudine!) and an exclusive art auction held at a private gallery.

Our art auction in particular was a resounding success, with 50% of the sale price of each artwork auctioned going directly to the artist. We would particularly like to thank Harriett England, Professor John Carty, Emilia Galatis, Glenn Iseger-Pilkington and the venue owners for their efforts in coordinating this art auction.

In total, Arts Law raised \$81,411 through our fundraising efforts in 2016. We will continue to develop this crucial revenue stream, to ensure the long term viability of the organisation and all our services. Arts Law is grateful to have so many generous people in our community who help to create an 'Arts Law family' and we appreciate every offer of support, whether financial or advisory.



Rose, Claudine and Robyn say 'Thumbs up' for Arts Law!
Photograph **Sophie Byrne**



Radical Son performing at Pro Bono Awards
Photograph **Jay La**



Glenn Iseger-Pilkington, Emilia Galatis and Professor John Carty
Photograph **Sophie Byrne**



ARTS
+
LAW

Empowering
artists and
creative
communities
through the

artslaw@artsale

Guardian Angels and Donors

Arts Law receives generous donations from many of our supporters, who may be clients, legal professionals, arts organisations or individuals who are just passionate about justice for artists.

Arts Law's Guardian Angels are a special group of donors committed to ensuring Australia's arts community can thrive with the right legal support. Arts Law would like to thank our 2016 Guardian Angels for their meaningful contribution. All donations help us continue to provide vital services to Australia's creators.

2016 Guardian Angels

- The Hon. Justice Margaret Beazley AO
- The Hon. George Palmer AM QC
- Dr Andrew Lu OAM
- Susie Manfred
- Julian Sexton SC
- Tobias Richardson
- Enid Charlton
- Mark Stapleton
- Electra Frost Accounting
- Shane Simpson AM
- Jeremy Storer
- The Hon Peter Heerey QC
- Carol Webster SC
- Jane Needham SC
- Michelle Gibbings
- Brian Tucker (on behalf of the former Arts Law Centre of Queensland)
- David and Judith Minty

2016 FUNDERS



Australian Government

Department of Communications and the Arts



Australian Government

Australia
Council
for the Arts



Australian Government

Indigenous Visual Arts Industry Support

Supported by



ACT
Government



Create NSW
Arts, Screen & Culture



Proudly sponsored by
**Northern Territory
Government**



Queensland
Government

ARTS SOUTH
AUSTRALIA

SUPPORTED BY



Tasmanian
Government

CREATIVE VICTORIA



FILM VICTORIA
AUSTRALIA



GOVERNMENT OF
WESTERN AUSTRALIA

Department of
Culture and the Arts



PHONOGRAPHIC PERFORMANCE
COMPANY OF AUSTRALIA LTD

LexisNexis®

The Arts Law Centre of Australia is assisted by the Australian Government through the Australia Council, its arts funding and advisory body; the Department of Communications and the Arts (Australian Government's Indigenous Visual Arts Industry Support program); and the Attorney-General's Department. We are supported by the ACT Government through artsACT, the NSW Government through Arts NSW, the Northern Territory Government through the Department of Tourism & Culture – Arts NT, the Queensland Government through artsQueensland, the South Australian Government through Arts South Australia, the Tasmanian Government through Arts Tasmania, the Victorian Government through Creative Victoria and Film Victoria and the Government of Western Australia through the Department of Culture and the Arts.

Arts Law also receives support from Phonographic Performance Company of Australia Ltd and Lexis Nexis.



artslaw.com.au

02 9356 2566

artslaw@artslaw.com.au

The Gunnery, 43-51 Cowper Wharf Road,
Woolloomooloo NSW 2011

ACN: 002 706 265

ABN: 71 002 706 256