



**2015 ANNUAL REPORT**

The front cover of the 2015 Annual Report is the new Arts Law logo, designed for Arts Law pro bono by Oddfellows Dentsu.

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# OUR YEAR

by Robyn Ayres and The Hon. Justice Margaret Beazley AO

It's an interesting time to be an artist in Australia. According to a recent report from the Australia Council, 85% of Australians agree that the arts make for a richer and more meaningful life. While 52% of artists can afford to support themselves from all sources of income, only 12% can support themselves from their creative work alone. In fact, 56% of artists earn \$10 000 or less from their art each year.<sup>1</sup> In this climate it is almost impossible for artists to reach out for legal help at commercial rates, yet artists face a complicated and large range of legal problems simply by the nature of their work.

Copyright, contracts and moral rights continue to be the three biggest problems artists must navigate while trying to create a sustainable income from their work. Without Arts Law working to build and sustain a national group of lawyers able to give free or low cost advice, artists would be vulnerable to exploitation and unable to protect their rights. Providing these services is at the core of Arts Law's mission and informs everything we do.

2015 was an exciting year for us as we trialled new ways of delivering our Artists in the Black service (a program specifically for Aboriginal and Torres Strait Islander artists), which now constitutes 35% of our work. We visited over 30 communities to hold education workshops,

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1. Throsby D and Zednik A, 2010, 'Do you really expect to get paid? An economic study of professional artists in Australia', The Australia Council for the Arts pg 44

provide face-to-face advice and mentor art centre staff. We developed new strategies to reach out to Aboriginal and Torres Strait Islander artists who were not connected to an art centre and therefore extremely exposed to exploitation and we produced animations to share across communities. The Wills Project, giving artists security in the future ownership of their assets and their art, was another great success. We drafted 115 wills for artists all around the country.

We also launched our new Arts Law and Artists in the Black websites, an incredibly useful resource for artists who want answers to complex questions about their rights. These facilitate easy access to information sheets, contract templates and checks and guidelines, as well as a new platform for our advocacy work.

Our Pro Bono awards are a highlight each year as we are given the opportunity to recognise the lawyers who donate their time and resources to the arts community. Their support is valued at approximately \$2 million per year. In 2015 Arts Law celebrated thirty four lawyers and others who provided exceptional services to artists. We also use this opportunity to celebrate the volunteer law students who give so much to Arts Law. They are often the first contact our clients have with our organisation and are able to offer a sense of relief that someone will listen to their problem and connect them to our lawyers who will provide practical advice.



President of the Board The Hon Justice Margaret Beazley AO and Arts Law Executive Director Robyn Ayres. Photo by Tom Groves

As was the case for many other arts organisations in Australia, Arts Law struggled with the changes to government funding in 2015, and there was a direct flow on effect in Arts Law's ability to service all our clients' needs. The challenge of diversifying income streams to continue functioning in this environment is real and significantly impacts upon our very limited resources and is sure to have an impact on our capacity to provide crucial legal services to artists in 2016. We ran several successful fundraising initiatives in 2015 and are grateful for the support of the Hearts for Arts Law committee run by young lawyers who aim to raise funds for Arts Law. These efforts will continue in 2016. As the only national community legal centre for the arts it is vital that we remain committed to maintaining our high standards of advice and continuing to advocate for a just outcome for artists in Australia.

Of course Arts Law can only achieve all that it does through the tireless efforts of its staff. Their passion and determination to support artists is the driving force behind our work, and the countless hours of donated time to Arts Law reflect that. Arts Law is also buoyed by our talented and visionary Board of Directors. In 2015 we said goodbye to the Hon Peter Heerey AM QC who served on the Arts Law board for ten years, as well as Tania Chambers, and warmly welcomed Navid Bahadori and Enid Charlton to our board.



Two raffle prizes at the Arts Law Fundraising Concert, November 2015: L-R 'Dhari' Torres Strait Islander Headdress by Darren Compton and Matrilineal Connection Series 4 by Bronwyn Bancroft. Photo by D Hasan 2015

# ABOUT US

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.

## IN 2015...

**2733 LEGAL ADVICES GIVEN TO ARTISTS AND ARTS ORGANISATIONS.**

**2045 PEOPLE PARTICIPATED IN OUR LEGAL EDUCATION PROGRAM FOR THE ARTS COMMUNITY.**

**4778 AUSTRALIAN ARTISTS AND ARTS ORGANISATIONS BENEFITED FROM OUR SERVICES.**

'I FOUND THIS SERVICE FABULOUS AND HIGHLY VALUABLE. I WAS LOST LEGALLY AND THIS ADVICE WAS KEY FOR ME MOVING FORWARD WITH CONFIDENCE'

## OUR SERVICES

Australia's arts communities make an important creative and cultural contribution to our society. Arts Law aims to ensure that Australia's artists are properly acknowledged and fairly rewarded for their creative work and to build their capacity to deal with the legal and business matters arising from their arts practice. Arts Law does this primarily through the provision of free or low cost legal advice services, providing artists and arts organisations access to practical, specialised advice and information on a wide range of arts related legal and business matters.

We offer a variety of legal advice services to cover the differing needs of our clients. These services include:

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

In 2015, Arts Law provided 2733 legal advice services to Australia's artists and arts organisations. This was a substantial decrease compared to the 3287 advices given in 2014. In part, this decrease can be explained by changes to the way we recorded Telephone Legal Advice and Document Review services in 2015. In addition, over the last few years Arts Law lawyers have found that both the

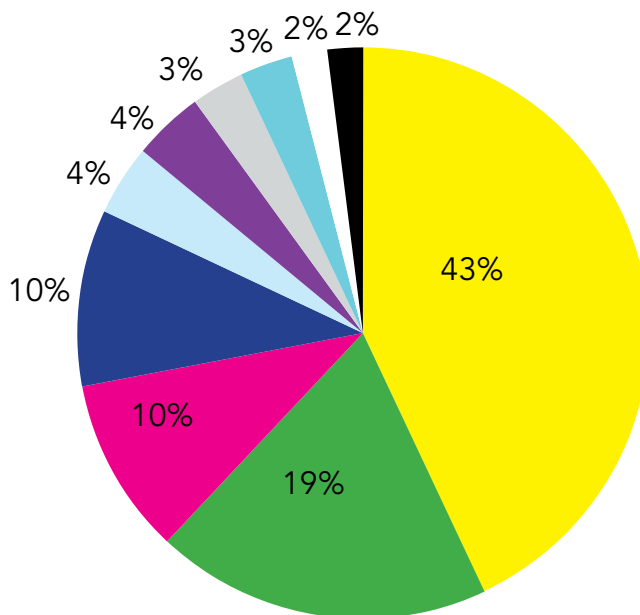
TLA sessions and DRS advices are becoming increasingly complex due to the multifaceted nature of our clients' legal queries. However, the decrease was also a clear result of significant cuts to Arts Law's funding in 2015. This, coupled with high demand for our services, meant fewer clients were able to be advised.

Due to ongoing funding constraints, Arts Law will be forced to operate with 1.5 fewer lawyers in 2016. We know this will be an even greater strain on our services, meaning many artists and arts organisations will not have access to the legal advice they need. Arts Law will continue to aim to meet the increasing demand for TLA and DRS, however to keep up with the needs of clients without diminishing quality, Arts Law needs additional resources and has put together a strategic plan to address these resourcing issues.



# TOP 10 LEGAL ISSUES 2015

- COPYRIGHT
- CONTRACTS
- MORAL RIGHTS
- ESTATE PLANNING (INC. WILLS AND INTESTACY)
- COMPETITION AND CONSUMER PROTECTION
- RESALE ROYALTY
- DEFAMATION
- BUSINESS STRUCTURES
- TRADE MARKS
- DEBT & INSOLVENCY



**'THE ADVICE AND INFORMATION I RECEIVED WAS CLEAR AND APPROPRIATE, I AM THRILLED TO HAVE RECEIVED SUCH A GREAT SERVICE'**

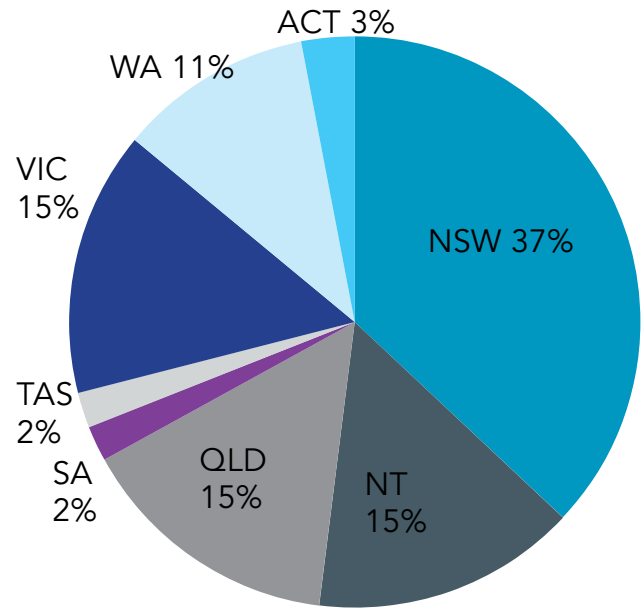
## **TELEPHONE ADVICE SERVICE**

The Telephone Legal Advice (TLA) service is the cornerstone of Arts Law's legal advice services. Arts Law lawyers (in-house or through external volunteer lawyers or law firms acting on behalf of Arts Law) provide telephone legal advice where the inquiry does not involve the review of any document. This service is free for most Australian artists and is available to arts organisations that subscribe to Arts Law. In 2015, 1906 TLA sessions were provided.

Arts Law surveyed all clients who received a TLA session in 2015. The results were overwhelmingly positive with 96% of respondents stating that they found the advice useful. 96% of respondents said that the lawyer clearly explained their legal position and 94% said they felt better equipped to deal with similar legal situations in the future. Negative responses to the survey were largely due to delays in the service and lengthy turn-around times. This was a direct result of resource constraints felt by Arts Law in 2015.

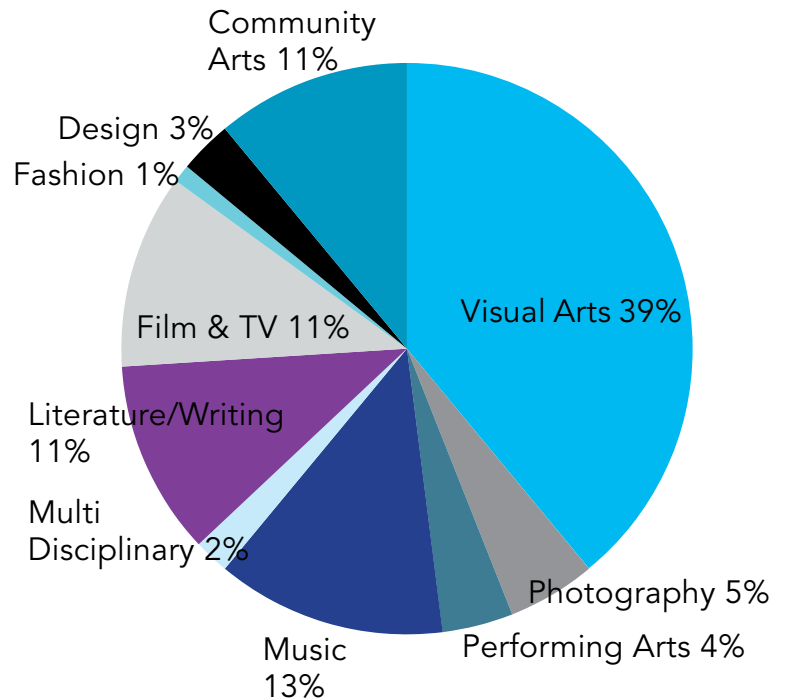
## LEGAL ADVICE BY STATE

State	2015
ACT	48
NSW	698
NT	290
QLD	287
SA	47
TAS	32
VIC	287
WA	212
<b>Total</b>	<b>1906</b>



## LEGAL ADVICE BY ART FORM

Art Sector	2015
Community Arts	214
Design	64
Fashion	21
Film & TV	202
Literature/Writing	210
Multi Disciplinary	30
Music	249
Performing Arts	70
Photography	89
Visual Arts	747
Other	10
<b>Total</b>	<b>1906</b>



# DOCUMENT REVIEW SERVICE

The Document Review Service (DRS) is a unique service, available 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 on Arts Law's volunteer lawyer panel. It is often used in conjunction with our contract templates, which clients can purchase, adapt to their individual requirements, and then have reviewed.

The service is delivered in partnership with:

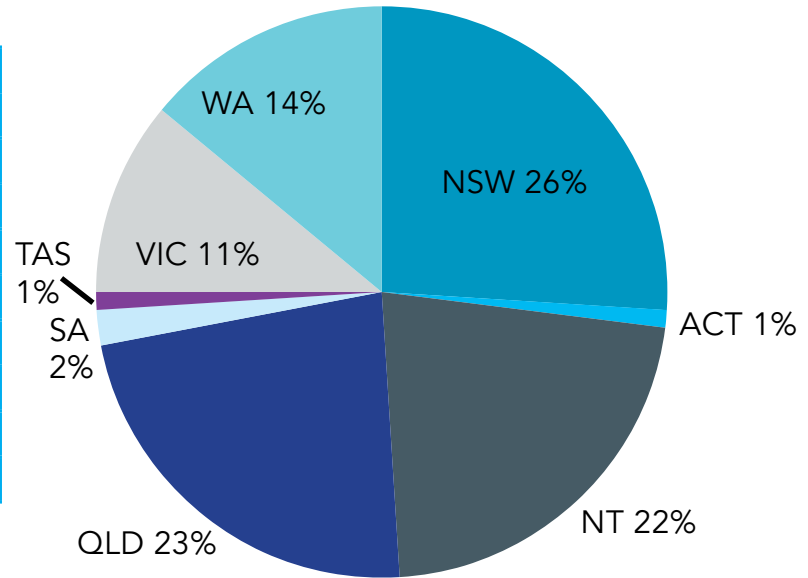
- Lawyers from large corporate and boutique firms
- Government and in-house lawyers
- Other volunteers on our National Pro Bono Panel

In 2015, Arts Law delivered 827 Document Review Services. 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.

As with the TLA service, the only negative feedback was due to turnaround times for legal advice. Unfortunately, we envisage this will continue to be a problem in 2016 as we experience high demand and limited resources.

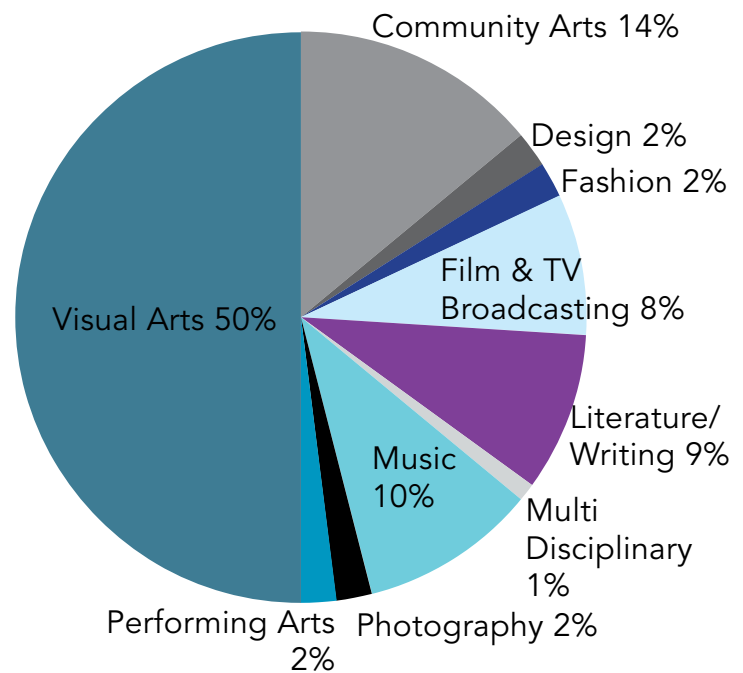
## DRS BY STATE

State	2015
ACT	3
NSW	220
NT	151
QLD	186
SA	19
TAS	12
VIC	91
WA	114
<b>Total</b>	<b>827</b>



## DRS BY ART FORM

Art Sector	2015
Community Arts	120
Design	21
Fashion	13
Film & TV	68
Literature/Writing	74
Multi Disciplinary	5
Music	82
Performing Arts	16
Photography	15
Visual Arts	410
Other	3
<b>Total</b>	<b>827</b>



# CASE STUDY: SUSAN SCHMIDT

Susan Schmidt is a Queensland-based fine-arts painter, graphic designer and award-winning illustrator. Her works have featured in numerous exhibitions within Australia and overseas, including the Chelsea International Fine Art Collective in New York in 2012 and Contemporary Istanbul in 2014. Susan approached Arts Law after she literally stumbled upon the unauthorised use of her work in a library. "It was actually a book that fell off the shelf at my feet. The work wasn't fresh in my memory or anything, and I was sort of like: er... what's this?" Susan said she felt "a mixture of shock and disbelief" upon realising that this was one of her works.

Susan thought it wasn't right that some other party had used her work without her permission, and this feeling irked her for some years. However it was not until she spoke to a friend that she realised she might be able to do something about it.

"[I had] a friend who had a book publishing business, so I started off by asking her... she actually told me to get in touch with the Australian Publishers Association, that was my starting point and they actually suggested Arts Law."

Susan received initial advice from Arts Law on the unauthorised use of her work and drafted a letter of demand. She then used Arts Law's Document Review Service to review her letter before sending it off to the publisher. Susan

and the publisher corresponded, and with some further assistance from Arts Law, they were able to come to an agreement favourable to the artist.

Susan was pleased with this outcome, especially as she had never received legal assistance before. "I think everybody has trepidation about [their first] legal experience" Susan explained. "Where's it going to go? How much is it going to cost? I don't think it's something anybody wants to venture into." But she was very happy with the assistance she received from Arts Law. As a result of our clear and helpful instructions she was able to negotiate with the publisher, confident about her rights and what a fair response to her grievances would be.



On the Beach, Susan Schmidt 2014

# REFERRALS

Arts Law is not always able to provide appropriate legal services to our clients. These situations include when:

- The artist is not eligible for Arts Law's services
- The matter is beyond the limits of Arts Law's advice service
- The matter requires a solicitor to act on the clients behalf
- There is a conflict of interest or policy conflict.

When this occurs, Arts Law offers to assist the client through our free referral service. Referrals are primarily made to qualified lawyers on our national referral panel. Arts Law also refers artists to organisations and services appropriate to their needs, including arts industry bodies, other advisory services, collecting societies, other community legal centres or legal aid services.

Additionally, Arts Law often refers clients to our own website, reflecting the wealth of information and resources we make available online.

In 2015, Arts Law made a total of 778 referrals.

# MEDIATION

Mediation is a process of dispute resolution which encourages the parties in dispute to isolate the issues, develop possible settlement options, and negotiate a resolution which is acceptable to them. It is facilitated by an impartial person – the mediator – who assists both parties to work towards the resolution.

When Arts Law provides legal advice to a client, the lawyer will assess whether the matter may be suitable for mediation. Arts Law can then put the client in touch with a mediator from our panel. The mediators on Arts Law's panel offer their services for the purpose of providing a low cost mediation service to artists and arts organisations. Arts Law referred five clients to mediation in 2015 and we will continue to encourage our clients to attempt to mediate their disputes.

# BEST PRACTICE ADVICE & CASE STUDY: AUBURN COUNCIL

Considering the potential benefit of advising arts organisations in relation to their dealings with individual artists, in particular to improve the standard of contracts and ensure fair terms and conditions for artists, Arts Law can offer “best practice” advice. Arts Law provided 45 best practice advices in 2015. Before we give any advice, the organisation must, in accordance with Arts Law’s Best Practice Guidelines:

- acknowledge that the mission of Arts Law is to assist artists and arts organisations;
- consent to Arts Law advising artists on the subject-matter of the best practice advice given;
- confirm that all information provided to Arts Law is not confidential and authorise its disclosure by Arts Law to any artist seeking advice in respect of the subject matter of the best practice advice;
- agree that in case of any dispute between the organisation and an artist, Arts Law may provide legal services to the artist despite the organisation being a former client; and
- acknowledge the possible consequences of obtaining best practice advice from Arts Law.

Auburn City Council is a vibrant council in the heart of Western Sydney and is host to a unique fusion of cultures from around the world. A successful project undertaken by the Arts Coordinator, Jenny Cheeseman, and the Council was the Public Libraries’ Bookmarks Project. The bookmarks promote the council’s cultural resources and library services and use prints of artworks submitted for the annual Auburn Mayoral Art and Photography awards.

Jenny says that “as well as a great opportunity to provide development and support to local artists, the new library bookmarks have become an annual activity that is eagerly anticipated each year with people collecting each series.”

Jenny asked Arts Law for assistance with drafting a ‘best practice’ agreement. She wanted to know how the Council could best balance the need to provide a fair model licensing agreement for artists and at the same time ensure that the Council would be able to use the artworks for their desired purpose.

We drafted a licence agreement for Auburn City Council that clearly identified a “permitted purpose” for use of the artists’ work. Auburn City Council are pleased that the licence agreements they offer to local artists are fair and provide those artists with a model example to refer to when negotiating their own merchandising agreements with other commercial partners.



'AS AN EMERGING TEXTILE ARTIST IT HAS GIVEN ME DIRECTION ON HOW TO ESTABLISH MY BUSINESS.' CITY OF SYDNEY WORKSHOP PARTICIPANT, NOVEMBER 2015

## ARTS LAW'S EDUCATION PROGRAM

Our education program provides well-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 agreements. We empower artists through providing a level of understanding about their legal rights and obligations. Through strategic partnerships with organisations ranging from City of Sydney to Ninti One to Desert in Alice Springs, we are able to travel all over the country and directly contribute to the development of sustainable arts businesses. We also hold online webinars which are available online nationally. Our partnership with Creative Partnerships Australia and the ATO enabled Arts Law to participate in a national series of seminars on Tax Tips for Organisations which was held in every state and territory.

In 2015:

101 education sessions given with over 2000 artists and arts workers attending, including 400 Aboriginal and Torres Strait Islander artists.

Of those surveyed:

92% of attendees felt more confident in dealing with legal issues after the session

96% said the information provided was excellent or very good

93% of attendees would attend an Arts Law education session again

We travelled to over 80 locations nationally to deliver our education program



Next Wave Artist Development Intensive - Sep 2015. Photo by Eugene Howard

# ONLINE ACCESS TO LEGAL RESOURCES

Arts Law provides an extensive range of publications on the legal issues affecting the arts community. Our publications are all available through our websites, either for free or at a low cost, and include Information Sheets, Contract Templates, eBooks and Checklists and Guides. These resources supplement our legal advice services, providing useful reference material for clients, and empowering them to take the next step.

## ARTS LAW ONLINE

We launched our new websites for Arts Law ([artslaw.com.au](http://artslaw.com.au)) and AITB ([aitb.com.au](http://aitb.com.au)) in early 2015, which saw an increase in online visits to Arts Law. Both websites are accessible and WAG2 compliant. We use our website to publicise education workshops, case studies, advocacy news and any upcoming events, as well as providing a platform for our Info Hub. The Info Hub has an easy to use search function which helps artists find useful answers to their questions through our online legal resources. In 2015 we also worked with production company Only Human Communication to produce three artist profile videos that highlight how Arts Law can help artists with their practice. Our e-newsletter, art+LAW, published up to date articles written by Arts Law staff and pro bono lawyers on interesting aspects of arts law, and it saw our first targeted campaign for musicians with our Music Issue in August 2015.

## INFORMATION SHEETS

Arts Law's information sheets are available for download on Arts Law's website free of charge, enabling arts practitioners throughout Australia to easily access up-to-date legal information. We had 78 information sheets available to download in 2015.

## CONTRACT TEMPLATES

Arts Law produces a range of contract templates with explanatory notes that are available for a small fee to download and may be adapted to the user's requirements. There are currently 79 contract templates published, our most popular being the Copyright Licensing Agreement.

## EBOOKS, CHECKLISTS AND GUIDES

Eighteen chapters of the third edition of 'Visual Artists and the Law', originally written by Shane Simpson and totally revised by Annabel Clemens, are able to be purchased through our website. We also publish very popular checklists and guides including the Organising a Festival Checklist, our most downloaded guide.



The Lovely Days performing at the Arts Law Pro Bono Awards. Photo by John Fennell 2015

**3952 FACEBOOK FOLLOWERS**

**2612 TWITTER FOLLOWERS**

**4777 ART+LAW ENEWSLETTER  
SUBSCRIBERS**

**555 004 WEBSITE VISITS**

# ARTISTS IN THE BLACK SERVICE

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. These resources include telephone legal advice, document review services, case studies, AITB education and outreach, and advocacy on important issues that affect Aboriginal and Torres Strait Islander artists and their communities. Through these avenues, Arts Law supports and strengthens the Aboriginal and Torres Strait Islander arts sector, promoting professional excellence in its artists and championing for sustainable incomes in non-exploitive environments.

## HISTORY OF THE SERVICE

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. Since then, the AITB program has grown to be a vital program of Arts Law and now accounts for over 35% of Arts Law's services.

## WHY WE DO IT

As this arts sector grows and diversifies, the need for the AITB program and its resources

rapidly grows in demand. Throughout 2015, it was evident that not only did the demand for the services grow, the legal matters that arose were more complex and sometimes out of the scope of the advice and support Arts Law can provide. Despite this, Arts Law continues to do our best to meet this demand with limited funding by strengthening relationships and developing partnership opportunities with external bodies to help assist in the delivery of the AITB service.

## HIGHLIGHTS AND ACHIEVEMENTS

In March of 2015, the Attorney General's Department announced that Arts Law would continue to receive its funding for the AITB Coordinator position until 30 June 2017. This funding is vital to the continuation of the AITB service as it ensures an Aboriginal and Torres Strait Islander staff member can facilitate and manage the program.

In 2015, the AITB Program travelled to Alice Springs for its first outreach program focussed on independent Aboriginal artists in the area and surrounding communities. Research indicated that this group, who are not affiliated with Aboriginal and Torres Strait Islander arts centres, are less knowledgeable of their rights and more likely to be taken advantage of.



Travelling Places Workshop, delivered by Arts Law for M&GNSW (c) RA 2015

## HIGHLIGHTS AND ACHIEVEMENTS

Many independent Aboriginal artists are found in Alice Springs selling their artwork to tourists and passers-by. We were able to engage with these artists, aided by the new animations on our tablet, and the local Ninti One crew providing the familiar face and local knowledge. Although a very successful trip, it was heartbreaking to hear stories of artists who had travelled hundreds of kilometres to sell their art in Alice, where they experienced financial hardships and exposure to unethical art dealers and carpet baggers. This further highlighted the need for Arts Law to provide this outreach program.

In a related project, Arts Law worked with the Central Australian Aboriginal Media Agency (CAAMA) to produce three short animations relating to copyright, contracts and wills. These are a great resource for explaining artists' rights in a less formal way.

In June, Arts Law's AITB Coordinator, Jacqueline Cornforth, was invited to attend the Seminar on Intellectual Property and Genetic Resources, Traditional Knowledge and Cultural Expressions held at the World Intellectual Property Organisation (WIPO) in Geneva, Switzerland. WIPO gathered member states, observers and Indigenous representatives from around the world to this seminar. This

provided the Indigenous and local community representatives with a valuable opportunity to acquire and exchange information on existing local, regional and national practices, case studies and policy issues. Arts Law would like to thank the Swiss Federal Institute of Intellectual Property for providing generous financial support to all the Indigenous representatives that participated in the Seminar. In addition AITB received essential support from Ministry of the Arts (Cth) and Arts Queensland's Backing Indigenous Arts.

Another highlight for the AITB program in 2015 was its continued delivery of telephone legal advices and documents review services. Arts Law provided 1153 Telephone Legal Advices and 460 Document Review Services to Aboriginal and Torres Strait Islander clients.

## ARTISTS IN THE BLACK RESOURCES

We have 41 information sheets, 19 sample agreements and 4 information comics for the Aboriginal and Torres Strait Islander arts community available on the AITB website. The videos produced in partnership with CAAMA on contracts, copyright and wills have proved to be a very successful educational resource. In addition we have multiple audio definitions of legal topics accessible in language through the AITB website. Arts Law's Will Kits were all updated in 2015.

# CASE STUDY: AITB ON THE ROAD, BUSH BANDS BUSINESS

Bush Bands Business is an annual skills and industry development camp connecting leading Aboriginal and Torres Strait Islander musicians and songwriters from central Australia with the music industry. Over three days, musicians and top industry professionals converge on Ross River, NT for workshops, rehearsals, networking opportunities and discussions. For the past five years, Arts Law has been travelling to the desert to mentor these musicians and spread the word about our Artists in the Black service.

The 2015 line up of artists were so talented and motivated to learn more about their artistry and acquire new skills to help define their sound and image. Tjintu Desert Band (Haasts Bluff and Ikuntji), Rayella (Marlinja Community), Desert Mulga (Nyirripi and Yuendumu), Creekside Reggae Band (Warakurna), Eastern Reggae (Santa Teresa), Iwantja (Injulkana) and the D7'zBoys & E-Town Boyz (Ampilatwatja/ Elliott/Wutungurra) all participated. Arts Law's Deputy Director, Delwyn Everard and AITB Coordinator Jacqueline Cornforth were on hand to host workshops on copyright, contracts and music law, and although the bands were focused on jamming and polishing their sets for the Bush Bands Bash, they all took the time to learn more about how the law affects their work.

The artists continually grow in confidence and gain essential knowledge because of this great initiative and it was wonderful to see them

perform on the Saturday night at the Bush Bands Bash in front of thousands of people from their communities.

The Aboriginal and Torres Strait Islander music community is thriving with talented musicians waiting for the opportunity to tell their stories to the world. These artists can be found all over Australia, from the concrete urban city areas to the most remote communities. All are passionate about music and want the wider community to hear them. Arts Law and Artists in the Black will continue to support these artists and hope to be a part of the Bush Bands Program for many years to come.



Deputy Director Delwyn Everard and AITB Coordinator Jacqueline Cornforth with D7'zBoys & E-Town Boyz. Photo by Arts Law

**‘THE LAWYER WAS VERY PATIENT, CLEAR AND INFORMATIVE AND I GOT EVERYTHING OUT OF OUR CONVERSATION THAT I WAS AFTER. THANK YOU FOR OFFERING SUCH A GREAT SERVICE.’**

## **OUTREACH AND EDUCATION**

Throughout 2015, Arts Law provided education to Aboriginal and Torres Strait Islander artists, communities and organisations all over Australia. Although we had limited funding in some states or territories, we managed to provide our AITB Outreach program to over 30 communities, towns and cities. Many of these education sessions emerged from new or existing relationships with external organisations who understand the importance of empowering artists in their community through the law. Without the support of these external bodies, it may not have been possible for the AITB Outreach program to visit so many places in 2015.

Arts Law and the AITB program also continued to be involved in many important events that gather artists, art centres and art lovers. In 2015 Arts Law and AITB attended the Revealed Festival in Perth, the Cairns Aboriginal and Torres Strait Islander Arts Fair, Bush Bands Business/Bash in Ross River and Alice Springs, Desert Mob in Alice Springs and the Darwin Art Fair. 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.

## **THE YEAR AHEAD**

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

The AITB program will focus on utilising and strengthening our relationships with supportive external organisations to successfully deliver the resources and services we currently provide. As the need for the AITB program grows, the capacity of the Arts Law team declines. Arts Law is determined to develop new relationships and partnerships with supportive organisations and/or programs across all sectors to help with ongoing costs in facilitating the AITB program.



Arts Law Solicitor Jenny Arnup in Balgo, WA. Photo by Delwyn Everard

## AITB WILLS PROJECT

In 2015, Artists in the Black delivered its Wills Project to over ten different communities and art centres and prepared 115 wills for Aboriginal and Torres Strait Islander artists all over Australia. Four of those trips were supported by our Pro Bono law firms, who provide ongoing support to the Artists in the Black service and kindly donated their expertise and time to the delivery of the Wills project.

We would love to thank the following Pro Bono lawyers and law firms for their commitment to the AITB Wills Project in 2015, assisting the Aboriginal and Torres Strait Islander Art Centres and artists from these communities:

### 3-8 May 2015

Jane Collis, Solicitor – DLA Piper Brisbane

Jane travelled with Arts Law Deputy Director Delwyn Everard to Mossman Gorge, Pormpuraaw and Hopevale in Far North Queensland.

### 22-25 June 2015

Azita Doudman, Solicitor – Gadens Sydney

Azita travelled with Arts Law Deputy Director Delwyn Everard to Taree, Kempsey and Coffs Harbour on the Mid North Coast of New South Wales.

### 21-26 September 2015

Laura Glover, Solicitor – DLA Piper Melbourne

Laura travelled with our Executive Director Robyn Ayres to Darwin and Daly River in the Northern Territory.

### 22-28 November 2015

Chris Rumore, Senior Partner - Colin Biggers & Paisley Sydney

Chris travelled with Arts Law Deputy Director Delwyn Everard to Alice Springs, Santa Teresa and Hermannsburg in Central Australia.



## ADOPT A LAWYER

Aboriginal and Torres Strait Islander Community Art Centres are an integral part of Aboriginal and Torres Strait Islander communities, particularly those in remote areas. Not only do they nurture artistic talent by providing artists a place to create their works, 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.

In 2015, Arts Law added two new partnerships to the Adopt a Lawyer program: Hemannsburg Potters and Colin Biggers & Paisley in Brisbane, and Papulankutja Artists and Jackson McDonald in Perth.

ART CENTRE	LAW FIRM
Mowanjum Aboriginal Art & Cultural Centre Derby, WA	Ashurst
Warakurna Artists Warakurna, WA	Allens
Warmun Art Centre Warmun, WA	Lander & Rogers
Ngurratjuta Iltja Many Hands Art Centre Alice Springs, NT	Clayton Utz
Yamaji Arts Geraldton, WA	Minter Ellison Perth, WA
Hermannsburg Potters Hermannsburg, NT	Colin Biggers and Paisley
Papulankutja Artists Blackstone, WA	Jackson McDonald Perth, WA

# ARTS LAW OUTREACH 2015



# ADVOCACY: ACHIEVEMENTS AND HIGHLIGHTS

Arts Law aims to provide targeted, quality advocacy on law and policy reform for the benefit of the Australian creative sector. This is done through:

1. Identification and prioritisation of issues affecting the arts community;
2. Research and making of submissions;
3. Development of relationships with the government, media, arts sector and other relevant bodies; and
4. Lobbying to influence the decision making of government and other bodies.

Arts Law's advocacy work is informed through being unique in the service we provide, straddling the worlds of both art and law and representing a large group of Australian artists. In 2015, Arts Law continued to provide targeted advocacy with the goal of maintaining artists' rights and promoting their ability to access those rights.

## COPYRIGHT AND DESIGN

The Australian Law Reform Commission's (ALRC) final report on current copyright laws in relation to the digital economy was released in February 2014. Most controversially, the report recommended the introduction of fair use in Australia, increasing exceptions to copyright which would allow for more unremunerated

uses of creators work. Arts Law's response to the recommendation highlighted our concern that fair use represents an erosion of artists' rights. Arts Law continued to lobby in 2015 against the implementation of fair use in Australia. In 2015, Arts Law also:

- made a submission to the Productivity Commission on IP and particularly the issues relevant to artists in relation to copyright and moral rights;
- made a submission to the Senate Committee on the Copyright Amendment (Online Infringement) Bill 2015; and
- made a submission to Advisory Council on Intellectual Property on impact of Designs Act on artists

## PRIVACY

In 2015 Arts Law made a submission to the NSW Inquiry into Serious Invasions of Privacy and later in the year gave evidence to the Standing Committee on Law and Justice of the NSW Parliament. It is the general position of Arts Law that there is no need to introduce a statutory cause of action for serious invasion of privacy. Further Arts Law believes that the existing remedies for a serious invasion of privacy are sufficient. A significant concern is the preferencing of privacy over the right to freedom of expression and the potential inadvertent erosion of artists' creative freedom.

## IMPACT OF FUNDING CUTS IN THE ARTS 2014 & 2015

Arts Law provided a submission and gave evidence to the Senate Inquiry into the impact of Commonwealth Budget Decisions on the Arts. Arts Law set out the concerns around the cuts to both the Australia Council and Screen Australia, not only for Arts Law, but also for many small to medium arts and screen organisations, as well as individual artists. This called on our experience working with a broad range of creators and cultural organisations right across Australia.

## INQUIRIES INTO FREEDOMS AND PERSONAL CHOICE

During 2015 Arts Law made submissions to the Senate Economics References Committee inquiry into personal choice, focussing on the issues of the classification system and censorship and to the Australian Law Reform Commission's inquiry into Freedoms. Arts Law pointed out that the 'Classification (Publications, Films and Computer Games) Act '1995 (Cth) has the potential to conflict with the common law freedom of speech. A well-tailored classification system, the purpose of which is primarily to enable adults to make an informed choice as to what they want to see, hear and read, and what to allow their children to have access to, is an effective mechanism to regulate freedom of expression - provided it is not used as a means to censor material that is otherwise legal.

## RESALE ROYALTY

In 2013, the Federal Government requested a review of Australia's visual arts resale royalty scheme which provides artists with a

5% royalty on any resale of their work over \$1,000. Debate among stakeholders as to the workability of the scheme followed, with some interests calling for the scheme to be abolished. Artist feedback received by Arts Law advised the scheme was of great assistance to the individual artist, especially as a continuing source of income for an artist's family after the artist dies. Arts Law provided submissions to the Government in 2014 and 2015 to support the scheme and continues to do so through correspondence with government ministers, working with other artist organisations and talking to the media about the issue.

## PRIZES AND COMPETITIONS

In 2015, Arts Law continued its ongoing advocacy around best practice in prizes and competitions, reviewing the terms and conditions of 109 prizes and providing information to organisers and to artists through Arts Law's website and social media.

Our advocacy work in this area is being noticed with six organisations contacting Arts Law directly to have their competition reviewed to improve fairness 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 2015 with a report due for stakeholder feedback in early 2016.



AITB Coordinator Jacqueline Cornforth at the WIPO Conference, Geneva. Photo by Arts Law

# 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 Deductible 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).

## ARTS LAW BOARD



L-R: The Hon Peter Heerey AM QC (Vice President), The Hon Justice Margaret Beazley AO (President), Navid Bahadori (Treasurer) (appointed 1st Feb 2015), Michelle Gibbings, Andrew Wiseman, Enid Charlton (appointed 13th April 2015). Not pictured: Tania Chambers (resigned 19th Jan 2015), Anita Jacoby, Wayne Quilliam.



## ARTS LAW STAFF

### **Executive Director**

Robyn Ayres

### **Deputy Director**

Delwyn Everard

### **Administration and Finance Manager**

Mary Egan

### **Artists in the Black Coordinator**

Jacqueline Cornforth

### **Senior Solicitors**

Morris Averill  
Suzanne Derry  
Trudie Sarks

### **Solicitors**

Jenny Arnup  
Anika Valenti

### **Seconded Solicitors** Snezana Vukovic

(Australian Government Solicitor seconded Dec 2014 – Sept 2015)

Emily Bell (AGS seconded 16 Feb – 15 May 2015)

Sophie Flaherty (AGS seconded 22 May – 22 Aug 2015)

Sarah Toomey (AGS seconded 26 Oct 2015 - 27 Jan 2016)

### **Paralegal**

Maiko Sentina (to Aug 2015)

Ivan Vizintin (Aug – Oct 2015)

Roxanne Lorenz (from Nov 2015)

### **Marketing & Communications Officer**

Amelia Olsen-Boyd (Jan-Oct 2015)

### **Administration Officers (Legal)**

Rose Ayres

Madeleine Hunt

# PRO BONO AND VOLUNTEER ASSISTANCE

Volunteers and pro bono lawyers are fundamental to the services Arts Law provides.

The Arts Law 'Document Review Service' (DRS) functions through using a panel of volunteer lawyers who provide pro bono advice to clients. The lawyers on our DRS panel are situated across Australia and work in a variety of roles within law firms, as in-house counsel or as sole practitioners. Without the support of our panel of lawyers the DRS would not be possible.

Other lawyers assisted Arts Law with advocacy work, our engagement with the Government and publications. Some lawyers also participated in our education program providing seminars to the arts community.

In addition to support provided to us from volunteer lawyers, Arts Law also utilises a roster of daytime volunteers, made up of law students and recent law graduates. These daytime volunteers attend the Arts Law office and provide crucial support to our clients by taking enquiries and processing legal query requests. We are very grateful for the contribution and commitment our daytime volunteers bring to Arts Law.

We would also like to thank Garey Campbell for his invaluable support.

## PRO BONO AWARDS 2015

To recognise all of our volunteers, including our pro bono panel of lawyers, we hold the Pro Bono Awards each year. In 2015 we recognised thirty three lawyers or professionals across the country who made an outstanding contribution to Arts Law and Australia's artists in the previous year. Winners in 2015 received a limited edition print of 'Iceberg' by Western Australian artist Meg Herbert, which was commissioned by Arts Law. In addition, we announced the Community Pro Bono Award, which recognises a lawyer who made a significant contribution to an arts organisation in 2015. This year the Community Pro Bono Award was won by lawyer Kate Cuthbertson, nominated by Contemporary Arts Tasmania. Arts Law would like to thank Gadens Lawyers for hosting our awards in their beautiful space and for their support in bringing together the 2015 Pro Bono Awards.



Arts Law Pro Bono Awards, L-R Neetha Gair, National Manager Pro Bono Services AGs and The Hon. Justice Margaret Beazley AO, President of Arts Law Board. Photo by John Fenell



# THANK YOU TO THE FOLLOWING LAW FIRMS AND LEGAL PRACTITIONERS WHO WERE PART OF OUR PRO BONO PANEL IN 2015.

## ACT

Sophie Herrmann

William McCarthy

Bradley Allen Love

## NSW

Lishan Ang	Frederick Jordan Chambers	Lucinda Edwards	Terri Janke & Company
Fiona Austin		Kousai Elali	Worker Compensation Commission
Gordon Babe		Adam Flynn	National Film and Sound Archive
Derek Baigent	Griffith Hack Lawyers	Christopher Forbes	
Michelle Bakhos		Hamish Fraser	Truman Hoyle Lawyers
Jake Blundell	Kennedys	Alexandra George	Faculty of Law UNSW
Rose Bollard	DLA Piper Australia	Katherine Giles	ABC Legal Services
Isabella Bosworth	Allion Legal	Rob Glass	Media Arts Lawyers
Melanie Bouton	Herbert Smith Freehills	Melissa Goode	Herbert Smith Freehills
Elizabeth Burrows	Influence Legal	Gene Goodsell	Goodsell Lawyers
Andrew Cameron	Brett Oaten Solicitors	Troy Gurnett	Bird & Bird
Mandy Chapman	Beyond International	Longzhen Han	Phonographic Performance Company of Australia
Christopher Chow	Chris Chow Creative Lawyers	Rohan Higgins	
Sophia Christou	Norton Rose Fulbright	Richard Horton	Squire Patton Boggs
Rob Clark	Tenth Floor Chambers	Kate Hughes	Kay & Hughes
Matt Clarke	Gadens	Joanne Jin	MFS Investment Management
Luke Cohen		Harriet Johnston	DLA Piper Australia
David Cross	Norton Rose Fulbright	Bora Kaplan	Sixth Floor Selborne/Wentworth Chambers
Rebecca Currey	Bird & Bird	Peter Karcher	ClarkeKann Lawyers
Mark Davidson	Davidson & Associates	Ishan Karunanayake	IshanLaw
Stephen Digby	Digby Law	Ben Kay	Kay & Hughes
Frances Drummond	Norton Rose Fulbright		
Michael Easton	Michael Easton Legal		

## NSW

Alexander Latu	Addisons Lawyers	Rebekah O'Sullivan	Chris Chow Creative Lawyers
Raena Lea-Shannon	Entertainment Media Technology	Kelvin O'Keefe	
Jim Lennon	Norton Rose Fulbright	Janine Pearce	JP Media Law
Kim Leontiev	Carroll & O'Dea Lawyers	Julie Robb	Banki Haddock Fiora
Mark LW Matulich	Matulich Lawyers	Carly Roberts	DLA Piper Australia
Anshu Maharaj	DLA Piper Australia	Melissa Sanghera	Herbert Smith Freehills
Rebecca Mason	Southern Cross Austereo	Jenny Smith	Norton Rose Fulbright
Grant McAvaney	ABC Legal Services	Nicholas Smith	Blackstone Chambers
Sally McCausland	SBS	Oliver Smith	Truman Hoyle Lawyers
Jock McCormack	DLA Piper Australia	Roderick Smith	Evescourt Legal
Ian James McDonald	Simpsons Solicitors	Kristin Stammer	Herbert Smith Freehills
Lucy McGovern	Minter Ellison	Jeremy Storer	Storers Lawyers
Amanda Meehan	Digby Law	Michael Terceiro	Terceiro Legal Consulting
Brent Michael	Sixth Floor Selborne/ Wentworth Chambers	Jin Hong (Kenneth) Ti	Phang Legal
Jillian Mitford-Burgess	Henry Davis York	Mandy van den Elshout	ABC Legal Services
Kate Morton	Bird & Bird	Caroline A Verge	Verge Whitford and Co
Jules Munro	Simpsons Solicitors	Jodie Wauchope	Gadens
Justine Munsie	Addisons Lawyers	Megan West	
Guy Narburgh	Herbert Smith Freehills	Jacqueline Winters	McCabes Lawyers
Melody Ng	Telstra Corporation Ltd	Elaine Wong	
Huong Nguyen	Tiffany & Co.	Deborah Yates	JLL Australia
		Clare Young	Simpsons Solicitors

## QLD

Jamie Doran	Clayton Utz	Harold Littler	
Mark Harley	Boss Lawyers	John Lunny	Workplace Resolve Pty Ltd
Michelle Hyams	Cooper Grace Ward Lawyers	Nicole Murdoch	Bennett & Philp Lawyers

## SA

Paul Gordon	NDA Law	John MacPhail	NDA Law
Anthony Lisacek	Lisacek & Co		

## TAS

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

## VIC

Frankie Alexander	Media Arts Lawyers	Moira McKenzie	GI & Sanicki Lawyers
Andrea Allan	Watermark Intellectual Asset Management	Yasmin Naghavi	Media Arts Lawyers
Paul Bannon	CBP Lawyers	Georgina O'Farrell	Madman Entertainment
Victoria Bayly	Maddocks	Tania Petsinis	Strategy and Law
Jeff Bergmann	Solubility Pty Ltd	Stephen Rebikoff	
Sam Berry	Holding Redlich	Annette Rubinstein	Phillips Ormonde & Fitzpatrick Lawyers
Katie Besgrove	Studio Legal	Linda Rubinstein	Holding Redlich
Daniel Creasey	CBP Lawyers	Peter Ryan	
Peter Creighton-Selvay	List G Barristers	Darren Sanicki	GI & Sanicki Lawyers
Claire Day	CBP Lawyers	Chaman Sidhu	
Robyn Fry		Craig Smith	
Casey Gosper	GI & Sanicki Lawyers	Tiffany Stephenson	Department of Defence
Tony Grujovski	Actuate IP	Campbell Thompson	
Tim Guy	Funtastic Limited	Victor Tse	Victor Tse & Associates
Savannah Hardingham	K&L Gates	Jennifer Tutty	Studio Legal
Peter Harkin	CBP Lawyers	David Vodicka	Media Arts Lawyers
Edward Heerey SC		Marcus Walkom	Media Arts Lawyers
Julian Hewitt	Media Arts Lawyers	Mark Williams	Williams Solicitors
Stephen King	Media Arts Lawyers	Gillian Wong	

## WA

Dan Bull	DanBull Legal	Jamie Lyford	Elevation Partners
David Cox	Jackson McDonald Lawyers	Stephanie Majteles	Rio Tinto
Stephanie Faulkner	Wrays Lawyers	Michael Paterson	Michael Paterson & Associates
Angela Hayward			
Bindhu Holavanahalli	Wrays Lawyers	Imogen Scanlan	National Australia Bank
Adam Levin	Jackson McDonald Lawyers	Michael Tucak	Creative Legal
Andrew Lu OAM	Jarman McKenna	Marie Wong	Wrays Lawyers

## OFFSITE TELEPHONE ADVICE ASSISTANCE

Jonathan Adamopoulos	Allens	Ashley Carlstein	Herbert Smith Freehills
Charles Alexander	Minter Ellison	Joseph Cram	Minter Ellison
Mitchell Beebe	Herbert Smith Freehills	Kaelah Ford	Allens
Sam Berry	Holding Redlich	Liz Georgiou	Holding Redlich

## OFFSITE TELEPHONE ADVICE ASSISTANCE

James Gonczi	Allens	Dan Posker	Herbert Smith Freehills
Melissa Goode	Herbert Smith Freehills	Katie Pryor	Herbert Smith Freehills
Victoria Gregg	Herbert Smith Freehills	Suman Reddy	Allens
Emily Hawcroft	Minter Ellison	Linda Rubinstein	Holding Redlich
Aaron Hayward	Herbert Smith Freehills	Melissa Sanghera	Herbert Smith Freehills
Georgina Hoy	Herbert Smith Freehills	Richard Sawyer	Allens
Tom Kavanagh	Allens	Dennis Schubauer	Minter Ellison
Julia Kovarsky	Allens	David Seidler	Minter Ellison
Tracy Lu	Allens	Alicia Simonds	Herbert Smith Freehills
Amanda Lyras	Herbert Smith Freehills	Madeleine Stevens	Holding Redlich
Lucy McGovern	Minter Ellison	Camille Sullivan	Herbert Smith Freehills
Moira McKenzie	GI & Sanicki Lawyers	Vikisha Thillai	Herbert Smith Freehills
Mark McLennan	Herbert Smith Freehills	Matt Vitins	Allens
Claire McMahon	Allens	Brydon Wang	Allens
Darshini Nanthakumar	Minter Ellison	Brydon Wang	Allens
Guy Narburgh	Herbert Smith Freehills	Leah Wickman	Allens
Jack O'Donnell	Holding Redlich	Steve Wong	Herbert Smith Freehills
Dan Pearce	Holding Redlich	Clare Young	Allens

## THANK YOU TO THE FOLLOWING VOLUNTEERS AND INTERNS FOR THEIR WORK IN 2015.

### Volunteers

Justin Abidاهر	Catherine Gu	Jessica Manthey
Simone Black	Ian Haggis	Patricia Nonis
Gary Campbell	Tom Hakkinen	Youngmi Oh
Chloe Condylis	Therese Hartcher	Thea Porter
Annella Cox	Emily Haworth	Shanna Protic Dib
Amber Dalrymple	Lucy Hughes	Rachel Roberts
Phillip De Guzman	Louise Lau	Bethany Rowlands
Adam Disney	Georgie Leahy	Katherine Sessions
Kendrea Fang	Brian Lee	Saloni Sharma
John Fennel	Suzanne Line	Danielle Stone
Kate Fuery	Patrick Lo	Michael Tran
Samantha Gallagher	Thomas Lynch	Longzhen Han

### Interns

Saba Amir Goudarzi	UNSW
Tom Armstrong	QUT
Jillian Britton	Monash University
Andrew Filocamo	UNSW
Jamie Levine	Harvard University
Sorrel Palmer	UNSW
Tiffany Quach	Harvard University
Hannah Riall	QUT

# FUNDRAISING

As arts organisations in Australia continue to experience ongoing funding constraints, it is increasingly important for Arts Law to secure funding from sources independent of government.

Arts Law's primary fundraising event for 2015 was the Simon Tedeschi and Kevin Hunt concert held in November. The unique recital featured both solo and duet performances from Tedeschi and Hunt; an exciting blend of styles and backgrounds. The night was an overwhelming success, with the proceeds making a significant contribution to the continuation of the Artists in the Black program. Arts Law particularly wishes to thank Simon Tedeschi and Kevin Hunt for their generosity, Guy Noble for hosting the evening, and Sydney Grammar School staff for allowing us to use their beautiful hall.

In conjunction with the fundraising concert, Arts Law also held an exclusive raffle. The prizes were three outstanding works from some of Australia's most talented Aboriginal and Torres Strait Islander artists. The proceeds from the raffle also made an important contribution towards supporting the essential work done by Arts Law.

The Hearts for Arts Law (HFAL) Committee continued to make an important contribution to Arts Law's fundraising efforts. Started in 2013, the HFAL Committee is a group of young law professionals dedicated to helping

Arts Law through their fundraising initiatives. In 2015 HFAL organised a sold out comedy evening, with a raffle also held on the night, which was incredibly well received by all who attended.

Finally, Arts Law staff, volunteers and members of the HFAL Committee raised money for Arts Law's essential legal services by participating in the 2015 City2Surf.

In total, Arts Law raised \$37,506 through its fundraising efforts in 2015. While fundraising events take considerable effort and time from staff and volunteers, Arts Law will continue to develop this crucial revenue stream, ensuring the long term viability of the organisation and all its services.



Kevin Hunt and Simon Tedeschi at Arts Law's fundraising concert November 2015. Photo by D Hasan 2015.

# SUPPORTERS

## GUARDIAN ANGELS

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. These donations help us continue to provide important services to Australia's artists and arts organisations. Our supporters who make significant donations of a thousand dollars or more each year become an Arts Law 'Guardian Angel'.

Arts Law's Guardian Angels are a special group of donors committed to ensuring artists and arts organisations receive correct and excellent information and advice about their rights, responsibilities and how to secure an income from their creative work. Arts Law would like to thank our 2015 Guardian Angels for their meaningful contribution.

## THANK YOU TO OUR 2015 GUARDIAN ANGELS

- The Hon. George Palmer AM QC
- Enid Charlton
- Alison Leslie
- David Marr
- Rupert Myer AM
- Shane Simpson AM
- Jeremy Storer
- The Hon Peter Heerey QC
- Carol Webster SC
- Jane Needham SC

## DONATE TO ARTS LAW

If you're interested in becoming an Arts Law supporter, and helping Arts Law continue to provide essential legal services to artists who need our specialised assistance, you can donate at our website, [artslaw.com.au/donate](http://artslaw.com.au/donate), or call Arts Law on 02 9356 2566.



# FINANCIALS

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 cost services to Australia's artists and arts organisations. However, we acknowledge the limitations of this funding and that increasing income independent of Government is vital to Arts Law's long term viability.

In 2015 Arts Law maintained the programs established in 2014 but without the additional funding received in that previous year. There was also an expectation of increased funding resuming in 2016 with the introduction of the Australia Councils 6 year funding regime. Unfortunately, greatly reduced funding to the Australia Council forced them to abandon that scheme in 2015, resulting in reduced funding to the small to medium organisations they support. Arts Law received reduced funding from several state arts bodies in 2015 and this was the first year we did not receive any funding from Screen Australia, who were also affected by Commonwealth cuts to their funding base.

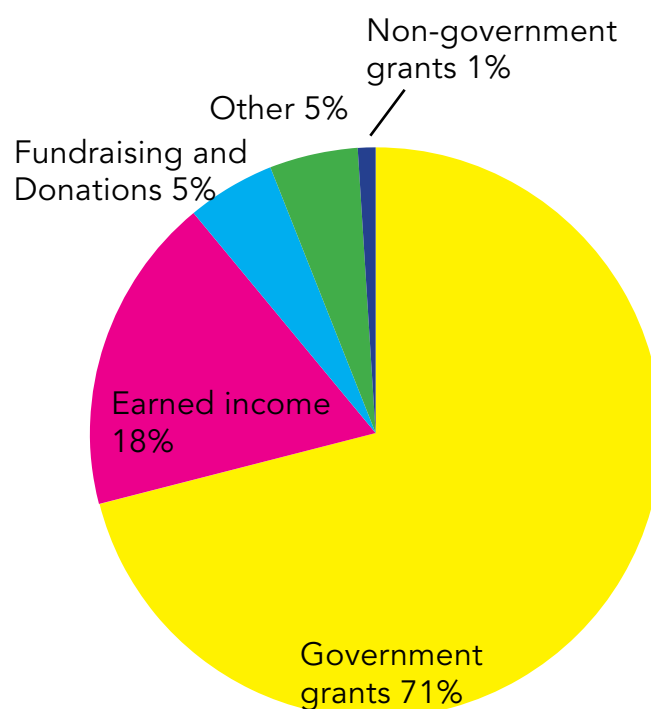
In 2015, Arts Law finished the year with a deficit of \$149,835, slightly better than the planned deficit of \$155,710. While Arts Law maintains healthy reserves of \$250,174 (at 31st Dec 2015), ongoing deficit budgets are not sustainable. Without the prospect of increased funding in the near future we were forced to reduce staff at the conclusion of 2015.

Our earned income (from education, publications and subscriptions) has increased overall, however it has not compensated for the overall reduction in government funding. Whilst we ran one successful fundraising event in 2015, both fundraising and donation income was considerably down compared to our 2014 achievements. When considering the additional workload involved in major fundraising events, Arts Law will continue to develop other fundraising strategies.

Arts Law continues to work with the Australia Council and all States and Territories on a National Funding Agreement (NFA) for Arts Law and we aim to have this in place by 2017, with agreed performance indicators and reporting requirements aligned to contributions received. The purpose is to secure 4 year funding for the organisation which will create a stable funding base for us to work with, and to reduce the time spent by Arts Law staff in both applying for and acquitting grants.

# 2015 INCOME

<b>Total Earned Income<sup>1</sup></b>	\$188,235
<b>Other Income</b> (inc interest received)	\$50,264
<b>Fundraising<sup>2</sup> &amp; Donation Income</b> (net)	\$53,702
<b>Non-Government Grants - PPCA</b>	\$15,000
<b>Government Grants</b>	
Australia Council for the Arts	\$244,320
Ministry for the Arts	\$94,000
Attorney-Generals Dept	\$120,000
Arts NSW <sup>3</sup>	\$125,214
Creative Victoria	\$50,000
Arts Queensland	\$40,000
Dept of Culture and the Arts WA	\$27,500
Arts ACT	\$10,000
Dept of Art & Museums NT	\$10,000
Dept of Aboriginal Affairs WA	\$9,600
Arts TAS	\$7,000
Film Victoria	\$5,000
Arts SA	\$4,443
<b>Total Government Grants</b>	<b>\$747,077</b>
<b>Total Income</b>	<b>\$1,054,27</b>



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/](http://artslaw.com.au/about/annual-financial-reports/))) for further explanation.

3 Arts Law also acknowledges Arts NSW's subsidising our accommodation in The Gunnerly.

# FUNDERS



Government of Western Australia  
Department of Culture and the Arts



SUPPORTED BY



Tasmanian Government



Government of Western Australia  
Department of Aboriginal Affairs



Arts Law is assisted by the Australia Government through the Australia Council for Arts, its arts funding and advisory body, and through the Ministry for the Arts, Indigenous Visual Arts Industry Support. Arts Law is supported by the New South Wales Government through Arts NSW; the Victorian Government through Creative Victoria; the Queensland Government through Arts Queensland; the Government of Western Australia, Department of Culture and the Arts and Department of Aboriginal Affairs; the Northern Territory Government through Department of Arts & Museums; Arts ACT; Arts Tasmania; Film Victoria; Arts South Australia and Lexis Nexis.



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