

**Arts Law Centre of Australia**

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**2014 Annual Report**





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## Our Year

RIGHT

Robyn Ayres and  
The Hon. Justice  
Margaret Beazley AO

In 2014 Arts Law celebrated the centre's rich legacy of over three decades of supporting and advocating for Australia's artists, and looked to secure the centre's future for many years to come. With our celebratory and fund-raising efforts, combined with increases in legal advice, education and outreach services, 2014 was our busiest year ever. This report sets out the highlights of that year and the challenges of meeting the growing needs of Australia's artists and creative communities.

A core part of Arts Law's work is empowering artists to protect their rights through the provision of legal advice and education. In 2014 Arts Law provided legal services to 5630 artists and arts organisations across the country. We continued to expand and improve our extensive range of publications and materials, most of which are available online through our website, many for free.

Arts Law has operated the highly successful Artists in the Black (AITB) service for Aboriginal and Torres Strait Islander artists and their communities since 2004. In 2014 services to AITB clients comprised 35% of Arts Law's work. Again we were able to leverage over \$1 million in pro bono support for the Indigenous art sector and continued to build on the success of the 'Adopt a Lawyer' program, whereby an Indigenous arts centre 'adopts' a law firm to facilitate greater access to legal advice. However, the success of AITB creates a dilemma for Arts Law in how we balance the high level of demand from the Indigenous arts sector, against the high needs of the rest of Australia's artists and creative communities, given limited funding available, especially for the AITB program.

Arts Law continued to play a leadership role in policy and law reform campaigns. It can take years before this work shows results, however the impact of changes achieved is significant.

In 2014 Arts Law advocated strongly for artists' copyright, moral rights, resale royalty rights

and freedom of expression and respect for Indigenous cultural and intellectual property.

In recognition of Arts Law's excellent track record over many years, the centre received significant additional funding of \$200,000 through the Australia Council's Unfunded Excellence program. This enabled us to rebuild our websites, develop new professional development packages and provide mentoring and outreach services as part of the Artists in the Black service. We also appreciate the ongoing support of the Department of Aboriginal Affairs WA, the Copyright Agency, the Phonographic Performance Company Australia (PPCA) and Film Victoria.

In 2014, the fledgling national funding model established in 2013 continued with Arts Law receiving funding from all State and Territory governments as well as the Australia Council. Arts Law will continue efforts to strengthen the national funding model to secure a more sustainable funding base for the centre.

Following a period of uncertainty for the Artists in the Black service, the Federal Government, recognising the unique and important nature of the service, committed funding to cover the period 2013-2017.

In June 2014, Arts Law was faced with the unexpected loss of all operational funding from Screen Australia. This severely impacted on Arts Law's capacity to meet the legal and business needs of the screen industry, and led to cuts to services.

In this financial climate, the Board of Arts Law reaffirmed the increasing importance of fundraising. To that end, Arts Law ran several high profile and financially successful fundraising initiatives during 2014, including the 30th Anniversary Gala dinner, the Simon Tedeschi Concert and Hearts for Arts Law's comedy and live music nights. These events provided us with an opportunity to showcase some amazing talent, to give our wonderful supporters an evening of fun and entertainment,



and to reach out to new supporters in the community. Arts Law is deeply grateful for all the support we received from those who attended and we hope to see you at future events.

We also wish to recognise the incredible pro bono support that we received from the legal community, valued at approximately \$2 million per year. Arts Law relies on this support to extend what we can achieve. The pro bono support comes from all sectors of the legal community: large international law firms, in-house counsel, government lawyers, boutique practices and sole practitioners. In 2014, the rolling secondments from the Australian Government Solicitor were of enormous value. We had lawyers from DLA Piper, Gagens, Telstra and the Copyright Agency accompany us on 'wills' trips to remote communities, as well as lawyers assisting with law and policy reform work, and co-presenting educational seminars. We thank them for their time and efforts.

Arts Law is only able to achieve as much as it does through the dedication of its staff. They are committed to ensuring that artists and arts organisations receive high quality and practical

legal advice and resources. Our important work could not continue without their dedication and generosity as many of the staff work many more hours than what is and should be expected. We also thank our daytime student volunteers, without whom we would grind to a halt.

Arts Law has also benefited from the support provided by our talented and dedicated voluntary Board of Directors. In 2014, we farewelled four board members; the Hon Justice Andrew Greenwood, Kimberlee Weatherall, Peter Griffin and Steven Miller, who we would like to thank for their generous services. We also warmly welcome our newest board members, Wayne Quilliam and Michelle Gibbings.

2014 was a big year for Arts Law and there were many people involved in making it our busiest and most successful ever. We thank you for your support and look forward to another 30 years delivering the best possible services to Australia's artists and creative communities.

**Robyn Ayres &  
The Hon. Justice Margaret Beazley AO**



View of 'The Gunnery', Woolloomooloo, home to Arts Law since 1992

PHOTO | © AMELIA OLSEN-BOYD, 2015





# About Us

Arts Law is Australia’s independent 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.

## Vision

Arts Law envisages a society that promotes justice for artists and values their creative contribution.

## Mission

To empower all Australian arts communities to understand and protect their legal rights and have sufficient legal and business skills to achieve financial security and carry out their arts practice in a non-exploitative and culturally aware environment.

## Values

In working towards achieving our vision, the work of Arts Law is guided by the values of excellence, accessibility, empowerment, integrity and respect.

# Our Achievements

- 5630 Australian artists and arts organisations benefited from our services
- 2343 Participants in our professional development program for those in the arts community
- 2297 Legal Advices
- 990 Document Review Services
- 227 Pro Bono lawyers have provided legal advice in 2014
- 830 Legal Advices to Indigenous clients
- 611 Document Review Services to Indigenous clients
- 24 Matters requiring ongoing casework assistance for Indigenous clients
- 527 Indigenous participants at our Educational Workshops

## Legal Advice Services

Arts Law values the creative and cultural contribution that Australia’s arts communities make to our society. Our mission is 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 which provide artists and arts organisations access to timely, practical, quality and specialised advice and information on a wide range of arts related legal and business matters.

We offer a range of legal advice services in order to cover the differing needs of our clients including:

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

In 2014, Arts Law provided 3,287 legal advice services to Australia’s artists and arts organisations.

Arts Law sent out surveys to clients who had received a Telephone Legal Advice session and received overwhelmingly positive results. 99% of respondents found that the Arts Law lawyer clearly explained their legal position and 98% found that their knowledge had increased as a result of the advice they received. 96% of respondents rated our Telephone Legal Advice Service as Excellent or Good and 99% would refer others to Arts Law’s services.

The Document Review Service (DRS) has continued to grow each year. This service allows our clients to send us their contracts or correspondence for review. In 2009 we provided 370 Document Review Services. Over the following five years this grew to 694

(2013) and in 2014 we provided 990 Document Review Services. The increase is indicative of the success Arts Law has had in developing the professionalism of the arts community by educating artists and arts organisations on the benefits of using contracts and understanding and clarifying any issues before documents (eg. contracts, leases, licenses) are signed. Feedback about our DRS Service in 2014 included comments such as, “I find this service excellent...my query was dealt with most professionally” and, “my experience was so positive...the advice given was very helpful, thorough, and comprehensive.” The only negative comments we received were about our turnaround times, however this is due to high demand and limited resources.

In 2014 Arts Law increased our face to face legal advice clinics, which were held in Perth, Darwin, Alice Springs, Melbourne, Hobart, Canberra and Innisfail. These clinics provide one-on-one legal advice to local artists and arts organisations and encourage local artist’s participation and engagement with Arts Law’s services. These clinics are an important way for a national legal service to deliver services to local communities. Not only does this spread our reach and allow us to help more artists but it also increases Arts Law’s national profile within Australia’s creative communities.

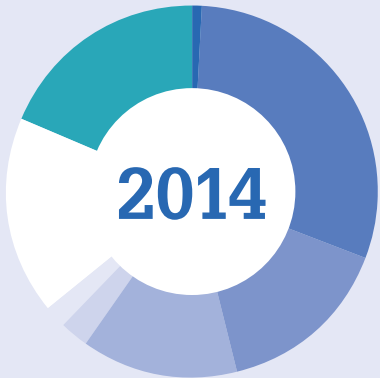
In 2015 Arts Law is focused on maintaining our ability to meet the high demand for the Telephone Legal Advice and Document Review Services. The DRS is resource intensive and places substantial pressure on Arts Law staff to keep up with the demand. With additional funding in 2014 from Australia Council’s Unfunded Excellence grant we were able to increase our capacity and help more artists with their legal issues. However, without this additional funding in 2015 Arts Law is unlikely to be able to meet this continually growing demand. In 2015 Arts Law will continue to provide outreach clinics when possible but this is difficult to plan in a cohesive way without the additional funding.

## Telephone Legal Advice Service

The telephone legal advice service is the cornerstone of Arts Law’s legal advice services. This is a free service for most Australian artists and available to subscriber arts organisations. 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. In 2014, 2,297 legal advices were provided.

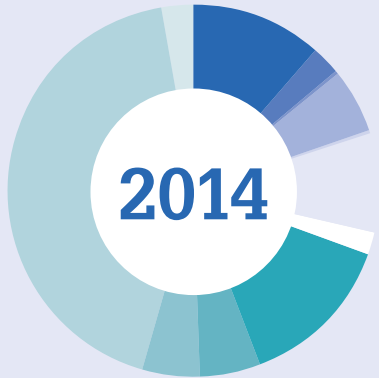
The advice provided is becoming increasingly complex due to the many legal issues affecting our clients. This coupled with high demand for our services means that in order to keep the same high quality of advice, our resources continue to be stretched.

## Legal Advice by State



STATE	2014	2013
ACT	24	21
NSW	685	502
NT	351	178
QLD	312	246
SA	58	58
TAS	45	19
VIC	397	226
WA	425	317
TOTAL	2,297	1567

## Legal Advice by Art Sector



ART SECTOR	2014	2013
Community Arts	263	197
Design	61	84
Fashion	7	1
Film/Video/TV	126	145
Games	8	1
Literature	196	162
Multimedia	41	23
Music	313	222
Performing Arts	123	68
Photography	113	27
Visual Arts & Crafts	983	645
Other	63	5
TOTAL	2,297	1,567

Note: The statistics for 2013 differ from those in the previous Annual Report as Arts Law reviewed the method of reporting on legal advice in 2014 so that only clients who were actually advised were counted, rather than all inquiries for advice received.

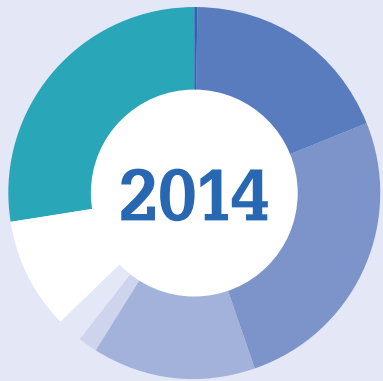
Document Review Service

Subscribers to Arts Law can obtain a Document Review Service (DRS) either face-to-face or through a telephone consultation for up to two hours with experienced specialist lawyers who are on Arts Law’s panel. The DRS is a unique service to Arts Law and is able to be utilised in conjunction with our sample legal agreements. Clients are able to purchase agreements, adapt these to their requirements and then have the document/s reviewed through the DRS.

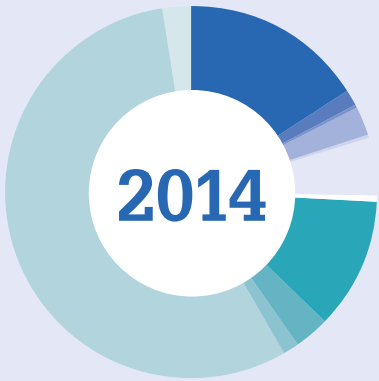
This service is delivered in partnership with:

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

Document Review by State

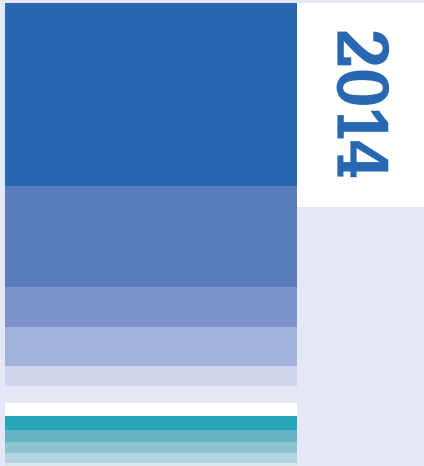


Document Review by Art Sector



Top 12 Legal Problems

	2014
Copyright	1047
Contract	582
Moral rights	230
Estate Planning incl. Wills & Intestacy	225
Competition & Consumer Protection	116
Business Structures & Names	93
Resale Royalty	80
Defamation	77
Insurance	70
Trade marks	66
Other IP	55
Debt & Insolvency	50
TOTAL	2600



Range of Problems

Agency & Management	20	Indigenous Art Code	9
Bailment	7	Insolvency	3
Business Name	14	Insurance	70
Business Structures: For Profit	37	Lease	6
Business Structures: Not for Profit	42	Local Government	4
Censorship and Obscenity	3	Mediation	12
Character Merchandising	1	Moral Rights	230
Competition and Consumer or Fair Trading	51	Other	55
Confidentiality	28	Patents	5
Consumer protection incl. passing off	65	Performers' Protection	27
Contracts	582	Personal Property Securities Act	28
Copyright	1047	PPCA input agreement or direct licensing	3
Debt	47	Privacy	23
Defamation	77	Prizes & Competitions	16
Designs	24	Resale Royalty	80
Domain Names	6	Sedition	1
Employment-Discrimination, Super, Workers Comp	44	Social Media	7
Estate Planning incl Wills and Intestacy	224	Tax incl GST, Income, Sales, Stamp Duty	15
Funding incl. Government and Private ICIP	8	Torts incl Negligence, Trespass	26
	40	Trade Marks	66
		Wills and Probate	1
		Working with Children	8
		<b>GRAND TOTAL</b>	<b>3,062</b>

## CASE STUDY

## “BEST PRACTICE” LEGAL ADVICE

Arts Law has been increasing its delivery of “best practice” advice in order to amplify the impact of our work. “Best practice” assists arts and other organisations to approach their relationships with artists in a way that ensures artists are fairly rewarded for their creativity, and Indigenous Cultural Intellectual Property is respected and protected. In 2014 Arts Law set a target of 10 “best practice” advices but delivered 68. The following case study is indicative of this advice.

## THE TOWN OF VICTORIA PARK: BEST PRACTICE IN PUBLIC ART

The Town of Victoria Park on the Swan River in Western Australia is a vibrant, urban community. Its local government authority understands the important role played by public art in shaping an exciting, creative and unique

environment. The Town’s Public Art Master plan envisages expenditure of over \$700,000 on new public artworks in 2013-2015.

In 2014, the Town worked with Arts Law to develop a Public Art: Design and Commission Agreement to use when commissioning artworks as well as a template agreement for developers. Arts Law’s ‘artists first’ policy meant that it would only assist on the basis that the Town agreed that the agreements would be prepared on a best practice basis. This approach was consistent with what the Town wanted – to strike a fair balance between its needs and those of the artists. By embedding best practice within a particular organisation, it can create flow-on benefits to a substantial number of artists.

Arts Law met with staff of the Town of Victoria Park, reviewed its policies and developed two separate agreements – one for use when the Town commissioned public artworks and one for the Town to make available to any developers seeking to commission artworks for incorporation into their development projects. These agreements dealt with payment protocols, insurance, the design approval process and the construction process. Significantly, these best practice agreements contain clear requirements for additional payments to be made to artists where an un-

reasonable number of changes are requested. The agreements explicitly protect the artist’s moral rights and copyright while recognising that one aspect of encouraging a vital creative culture which engages the public with public spaces is the ability to facilitate and publish images of such works for non-commercial purposes.

Based on this collaboration, Arts Law has now revised and updated its own [Public Art Design and Commission sample agreement](#) to reflect best practice for local government authorities and other organisations wanting to commission public artworks.



**ABOVE & BELOW**  
Damien Butler’s concepts for Lathlain Place. Installation due March 2015. This is the first artwork procured under the new Arts Law contract. IMAGES | © DAMIEN BUTLER



## 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 with the assistance of an impartial person – the mediator – to facilitate the process.

When legal advice is provided to a client, Arts Law will assess whether the matter might be suitable for mediation. Arts Law can set up the process organising a mediator from its panel of mediators. The mediators offer their services for the purpose of providing a low cost mediation service to artists and art organisations.

Arts Law advised 12 clients on mediation in 2014 and referred three matters to mediation, two of which proceeded. In 2014, we set up a working party of representatives of peak film, media and entertainment industry bodies to look at developing a new dispute resolution model for those industries. That working party has developed a proposed model and is currently seeking broader industry feedback with a view to a trial in 2015.

## Referrals

Arts Law is able to provide artists with referrals to suitably qualified lawyers from our national referral panel. We also refer artists to other organisations and services appropriate to their needs, including to arts industry bodies, other advisory services, collecting societies, other community legal centres or legal aid services. Arts Law is not always able to provide appropriate legal services to a client, so offers to assist the client through our free referral service. These situations include:

- The artist is not eligible for Arts Law services
- The matter being beyond the limits of Arts Law’s advice service
- The matter requires a solicitor to act on behalf of the artist, or
- There may be a conflict of interest or policy conflict

In 2014, in addition to referring clients to our own website, reflecting the wealth of information and resources available there, referrals were mainly to lawyers on our referral panel, collecting societies, arts industry bodies or legal or government services.

Arts Law made a total of 960 referrals in 2014.



## Legal Resources

### Publications

Arts Law has an extensive range of publications that provide information on a broad range of legal issues affecting the arts community nationally. These resources supplement our legal advice services, providing useful reference material for clients, and empowering them to take the next step. They are accessible via our websites, either for free or at a low cost.

Our resources are updated and expanded throughout the year in order to provide the most practical, relevant and up to date information. Our publication range includes information sheets, checklists and guides, sample agreements, seminar papers, books and eBooks. 'Art+LAW', our monthly e-publication is distributed to over 4,000 recipients and contains articles by Arts Law's legal staff, volunteers, and expert pro bono lawyers on current arts-related legal issues, accessible to both artists and lawyers with a passion for the arts. Arts Law also continues to add case studies, audio and audio visual material to our websites.

### Information Sheets

Arts Law's information sheets are available on the website free of charge, enabling arts practitioners throughout Australia to easily access up-to-date legal information. We currently have 78 information sheets published online which can be accessed at [www.artslaw.com.au/legal/information-sheets](http://www.artslaw.com.au/legal/information-sheets). 7 new information sheets were created in 2014, including specialised game development resources and all information sheets were revised to consider digital issues.

### Sample Agreements

Arts Law produces a range of sample agreements 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 sample agreements published, covering a broad range of arts sectors including

agreements for the visual arts and crafts, low budget film/video, game development and music. In 2014 we created 3 new sample agreements.

### Artists in the Black Resources

We currently have 41 information sheets, 19 sample agreements and 4 information comics for the Aboriginal and Torres Strait Islander arts community which are available on the AITB website. In 2014 we created 3 new resources, including an information sheet on the Australian Charities and Not for Profits Commission and an Intestacy Kit for WA in light of the repeal of discriminatory intestacy legislation in WA in 2013.

### Books and Ebooks

In 2014 Arts Law continued to publish remaining chapters of our e-book *Visual Artists and the Law*, one of a range of books and e-publications that can be purchased through our website.

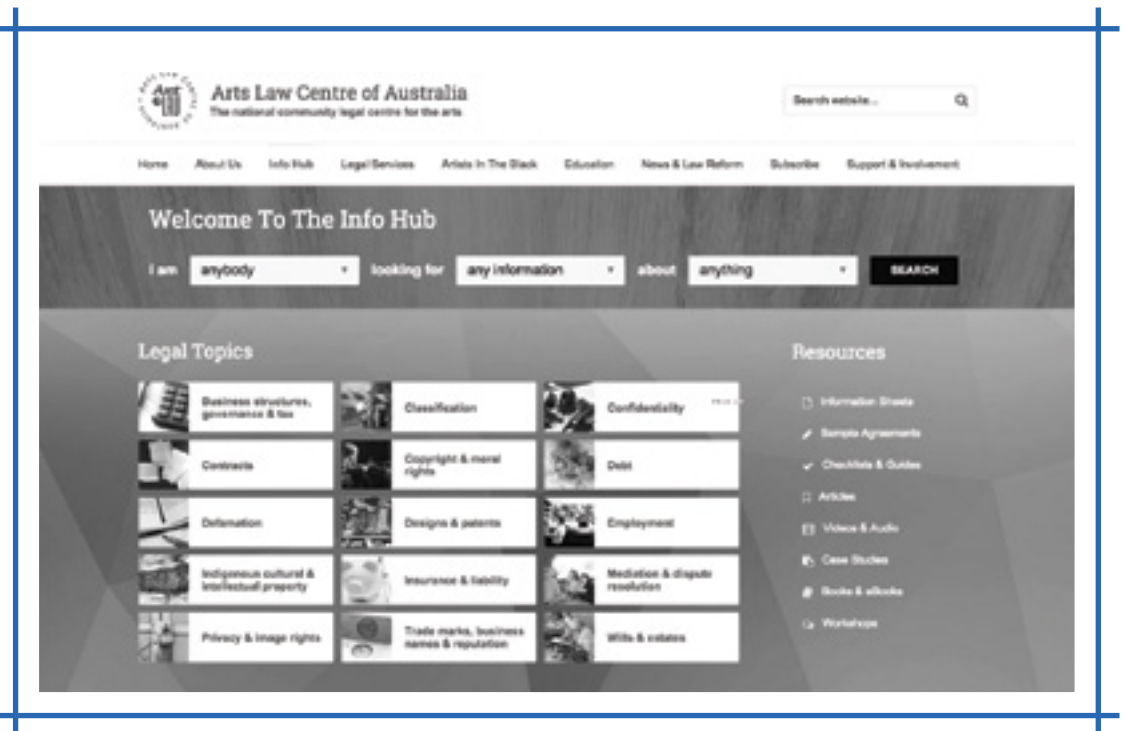
Arts Law is committed to maintaining the currency of all our publications, and in 2015 we are looking to increase and develop our range of our legal resources in order to meet the arts community's constantly evolving needs. In particular we continue to build our resources relevant to collaboration projects, music, games and cross media platforms, as well as Artists in the Black clients.

### Arts Law Online

In 2014 with our unfunded excellence grant Arts Law redeveloped its websites, Arts Law ([www.artslaw.com.au](http://www.artslaw.com.au)) and Artists In The Black ([www.aitb.com.au](http://www.aitb.com.au)) using the latest technology so they are responsive and comply with accessibility standards. They include an easy to search Info Hub to help artists find answers to their questions. These websites are constantly updated with news, events and resources providing artists with access to valuable information about their legal rights and developments in the law. In 2014 the Arts Law website had 398,298 visits and 876,479 page views. The Artists in the Black website had 9,252 visits and 21,220 page views. In addition to our websites, Facebook, Twitter and LinkedIn provide Arts Law and Artists in the Black

### RIGHT

The Info Hub as featured on the new Arts Law website



with an opportunity to communicate and interact with the arts and legal communities. By the end of 2014 Arts Law had 2605 people like us on Facebook and 2169 followers on Twitter (@ArtsLawOz).

In 2015, Arts Law will launch these new websites and will also be further developing our social media strategies to increase our engagement with artist communities.

### Professional Development Program

Our professional development program provides worthwhile and 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. This contributes to the development of sustainable arts businesses.

2014 was another busy year for Arts Law's professional development program. We delivered 105 sessions nationally, including 9 webinars, which were attended by 2343 participants of whom 527 were Indigenous. The program covered issues such as copyright, moral rights, contracts, business structures, governance, digital, gaming and multiplatform

issues, wills and Indigenous cultural and intellectual property and was delivered in 59 locations nationally.

Feedback on education activities was overwhelmingly positive. Surveys sent out to the participants who attended seminars, workshops and clinics, showed that 92% of respondents now felt more confident in dealing with legal issues arising in their arts practice; 98% of respondents said that the information provided was either excellent, very good or good, and again 99% of respondents said that the presenter was excellent, very good or good.

### What Next?

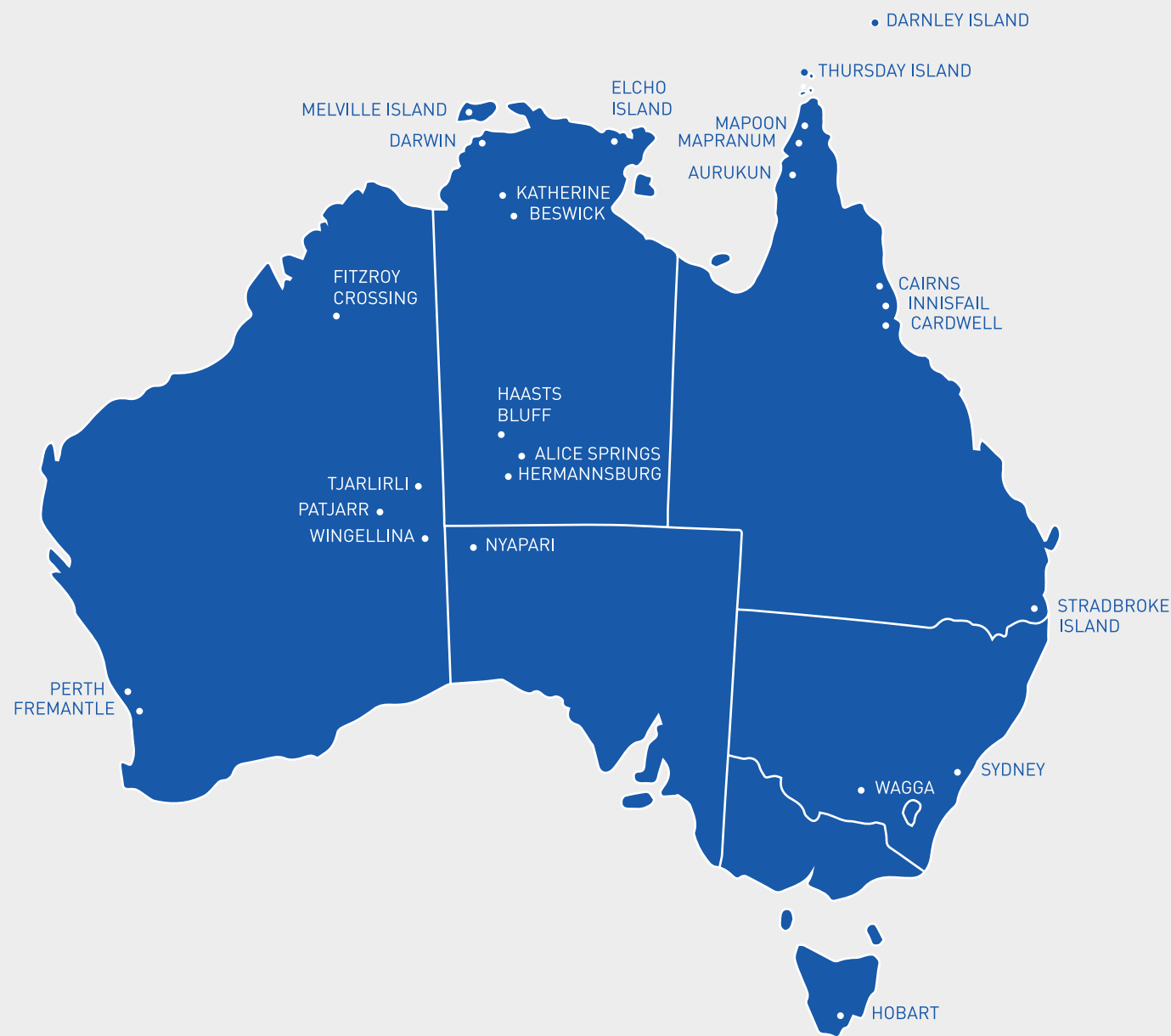
In 2015, Arts Law will build on the success of education delivery to local government, and has committed to increased delivery of education via online platforms.

Warmun artist Lena Nyadbi

PHOTO | © DELWYN EVERARD







# Artists in the Black

**LEFT**  
In 2014, Artists in the Black delivered 39 educational sessions to 527 participants in 28 different locations

Artists in the Black is a specialised service for Aboriginal and Torres Strait Islander artists, communities and arts organisations. The Artists in the Black service aims to provide access to free or low cost, culturally appropriate, specialist legal resources to support and strengthen the Indigenous arts sector. We do this in order for Indigenous creators to achieve professional excellence, a sustainable income in a non-exploitative environment and to achieve better recognition of Indigenous intellectual property.

Artists in the Black was established ten years ago in response to the widespread exploitation of Indigenous artists and a lack of awareness about their rights. For the last 10 years Artists in the Black has been building upon the initial seed funding we received from the Australia Council so that our work with Aboriginal and Torres Strait Islander arts communities now accounts for over 35% of Arts Law’s work. This is indicative of the high level of need in these communities but it also reflects the growth and diversity in the Indigenous arts sector and the increasing complexity of the type of advice and support we are asked to provide.

The other key focus area for AITB is responding to the needs of the Aboriginal and Torres Strait Islander artists on the better protection of, and respect for, Indigenous Cultural and Intellectual Property (ICIP). The misuse and misappropriation of ICIP causes significant distress and harm to Aboriginal and Torres Strait Islander peoples and their cultures and we continue to look at legal and advocacy strategies to provide protection and remedies in this regard.

It was a tense time for the first half of 2014 while we waited for confirmation of our core Artists in the Black funding from the Attorney-Generals Department. We were delighted when it was announced in June we had funding for the preceding years and through to June 30th 2015. (It was subsequently announced that funding

would continue until June 2017.) This enabled us to eventually appoint Jacqueline Cornforth as the new AITB coordinator. Jacqueline started in November but managed to fit in a trip to Erub Erwer Meta (Darnley Island Art Centre) in the Torres Strait and Yarrabah Art Centre in Far North Queensland before the end of 2014 working alongside Arts Law’s Executive Director, Robyn Ayres, to provide rights education to the artists, helped with taking instructions for artists’ wills and assisted in the legal advice sessions with the art centre artists and staff.

**Outreach**  
Outreach is crucial to AITB service delivery and in 2014 Arts Law visited 28 Aboriginal and Torres Strait Islander communities over the year (see map on left). We also caught up with a whole lot more artists and art centre staff at Cairns Indigenous Art Fair (CIAF), Darwin Art Fair, Desert Mob in Alice Springs and the Revealed Emerging Aboriginal Artists event in Perth. In 2014 the Artists in the Black service provided 830 legal advices and 611 Document Review Services (DRS) to Aboriginal and Torres Strait Islander clients which was a big increase on 2013 (571 legal advices and 402 DRS).

**Wills Project**  
The Wills Project has also been another very successful AITB initiative which responded to a pressing need in Aboriginal and Torres Strait Islander communities. In 2014 we drafted 134 wills for Aboriginal and Torres Strait Islander artists. We were very pleased to receive significant pro bono support for this work with [DLA Piper](#) making Artists in the Black one of the firm’s international Signature Projects. In 2014 DLA Piper lawyers, Carrie Follas, Robert Tobias and Emily Christie accompanied Arts Law on wills trips. The AITB wills trips were also supported by Telstra lawyers Adrienne Lyle and Nadine Courmadis, and Gaden’s Matthew Geary and Eleanor Wheelhouse. Since its introduction, the wills project has become a very important part of the Artists

in the Black program, with nearly 1,000 wills drafted so far.

#### Adopt a Lawyer

Commenced in 2013, Arts Law's Adopt a Lawyer pro bono program continues to strengthen the existing Artists in the Black support of Indigenous art centres by facilitating a relationship between an art centre and an individual law firm for a three year partnership. Through this program, the art centre can contact their adopted law firm directly for advice on a wide range of legal issues and lawyers develop a more detailed understanding of the art centre's operations, resulting in relevant commercial and timely legal advice for the art centre.

To date, the following relationships have been established:

- Mowanjumb Aboriginal Art & Cultural Centre + Ashurst
- Warakurna Artists + Allens Linklaters
- Warmun Art Centre + Lander & Rogers
- Yamaji Art + Minter Ellison (Perth)

#### Education

Providing education, professional development to artists and arts workers and mentoring art centre staff is another important role of Artists in the Black. In 2014, Artists in the Black delivered 39 educational sessions to 527 participants in 28 different locations, as illustrated on the previous page.

#### Feedback

Throughout 2014, Arts Law proactively sought feedback from those artists and arts communities who engaged with Artists in the Black services. Feedback from the Artist in the Black education workshops shows that 100% of participants found the information

was excellent or very good and 100% of participants said their understanding of their rights and arts related issues increased as a result of the seminar.

Artists in the Black also reached out to key stakeholders in order to receive feedback or comments about the importance of the programs existence in the current funding climate.

#### Comments included:

"Arts Law's Artist in the Black Program is an extremely important essential. It helped us with a range of legal matters that we wouldn't have the time or money to follow up ourselves. AITB has put us in touch with lawyers that helped us make claims for the return of payments that our artists were owed by galleries. We were able to get back many thousands of dollars. AITB helped us obtain important and sound advice that we were able to follow up on. The most important thing was help with governance. In indigenous communities governance is extremely difficult - they just do things differently. AITB helped us in sticking to the legislative requirements while working with Aboriginal customs. AITB was so helpful in bringing on reforms in the way we do things that were just so important. The lawyers helped us review our organisation and get it back on track has been very important."

"Our elders have been assisted to write wills, leaving clear instructions regarding the sale of their art, and IP rights. Our annual Festival has been assisted in clarifying IP and contracts, especially regarding photography and filming. All art centre programs involving external artists now use well thought through contracts outlining the IP in works produced. Artists and dancers now

have a better understanding of the difference between cultural rights and intellectual property law. 16 Art workers employed at the Centre have access to on line information to improve their understanding of IP."

"Arts Law provides a vital service to the Queensland arts community, including specialised legal and business advice and referral services as well as professional development resources and advocacy for artist and arts organisations. Arts Law provides invaluable support. The important work it currently carries out includes their telephone legal advice and document review services, publication and web resources, their education and professional development seminars and workshops."

Arts Law works hard to deliver the Artists in the Black service nationally, including to some of the most remote and disadvantaged communities in the country. We are heartened to know that the Attorney-General's Department has confirmed funding for this service until June 2017.

In 2015, Arts Law is more determined than ever to empower Aboriginal and Torres Strait Islander creative communities through the law. We aim to become less dependent on government support by seeking philanthropic and pro bono resources to deliver this core legal service. Artists in the Black outreach program will focus on reconnecting with art communities in regional NSW and Victoria as well as communities who have accessed independent funding in order for Arts Law to provide tailored workshops and advice to them.

Although funding and resources are the determining factor to the frequency and ability to provide the Artist in the Black service, Arts Law is focused on strengthening the reach and quality of the services we offer.

#### CASE STUDY

## ANANGUKU ARTS & CULTURAL ABORIGINAL CORPORATION: INFRASTRUCTURE UPGRADE PROGRAM IN APY LANDS

Ananguku Arts and Culture Aboriginal Corporation (Ananguku Arts) is an Aboriginal owned and governed organisation that assists the professional development of Aboriginal artists. Ananguku Arts supports Aboriginal art making and cultural maintenance across South Australia, and helps build a dynamic arts industry in South Australia and across Australia.

Over a number of years, Ananguku Arts made a number of submissions to government bodies seeking support to build new and upgrade existing arts infrastructure across the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands. These art centres and staff housing provide a central place for artists to come together and create and give people in the area meaningful full-time work. Ananguku Arts received funding from the Department of Regional Australia and the South Australian Government to renovate and build new art centres on seven communities on the APY Lands. Ananguku Arts asked Arts Law for legal assistance with the various contracts

between it, the architect and the builder for each art centre. Through its Artists in the Black casework program, Arts Law was able to source the pro bono expertise of experienced lawyer Brendan Hoffman, a partner at national law firm Gadens, to help with each of these contracts.

Brendan and his team at Gadens advised Ananguku Arts on three primary areas, being the Tender documents used to find a project manager, the contracts with the project manager and architect and preparing agreements between Ananguku Arts and the various arts centres.

Elizabeth Tregenza, General Manager of Ananguku Arts said "the Arts Law Artists in the Black program secured the services of a law firm we could not have afforded otherwise. Brendan Hoffman and the team at Gadens Lawyers not only specialised in construction law but were extremely generous with their time and advised on a range of matters related to the project."

#### BELOW

Ananguku Arts and Cultural Aboriginal Corporation. IMAGE | © AACAC







LEFT

Krista Pav and her band performing.

PHOTO | © JAY LA, 2014

## Advocacy

In 2014, Arts Law continued to provide targeted advocacy for the creative sector addressing both ongoing and new issues identified as affecting the arts community. Arts Law aimed to provide input to and influence government decision-making through submissions, lobbying, and support of similar-minded stakeholders and continued development of relationships with the government, the media and stakeholders. Arts Law also continued to keep artists and arts organisations up-to-date with the progress of advocacy and law reform issues through social media channels and website articles and also assisted the arts community get involved in issues of direct concern to them.

### Achievements & Highlights

#### 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 many in the art world 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 strongly lobbied the Government throughout 2014 to support the scheme and continues to do so through correspondence with government ministers, media coverage of the issue and encouragement of artists and stakeholders to show their support for the scheme.

#### Sculptures in Public

Arts Law has long questioned the exceptions to copyright infringement under s65 of the Copyright Act for certain reproductions of permanent public sculptures and works of artistic craftsmanship. In 2014, Arts Law sought feedback from artists and visual arts peak bodies about this particular exception, the responses to which

showed there was particular concern about reproductions for commercial purposes. Arts Law is in the process of formulating a positions paper to highlight this issue.

#### Indigenous Cultural & Intellectual Property (ICIP)

In 2013, the NSW Government released a model for stand-alone Aboriginal Cultural Heritage legislation for public comment. One of Arts Law's key advocacy agendas is the protection of ICIP and our review of the model and subsequent submission aimed to put forward the best possible options for protecting and managing Aboriginal culture and heritage in NSW.

#### Prizes and Competitions

Arts Law continued its ongoing advocacy around best practice in prizes and competitions, reviewing and rating 188 competitions throughout the year. Our advocacy work in this area is being noticed with 6 organisations contacting Arts Law directly to have their competition reviewed for fairness to entrants.

#### Copyright

The 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 as a defense to copyright infringement. Arts Law's response to the recommendation highlighted our concern that fair use represents an erosion of artists' rights because it sends the message copyright doesn't matter. Arts Law continues to lobby against the implementation of fair use in Australia.

In 2014, Arts Law also made a submission to the Attorney-General and Minister for Communications' Online Copyright Infringement discussion paper highlighting the challenge for artists to protect their work in the digital environment; and provided comments on the implementation in Australia of the Marrakesh Treaty to Facilitate Access to Published Works for the Visually Impaired.

Privacy

The ALRC’s inquiry into the implementation of a statutory right to privacy in Australia continued in 2014 with Arts Law providing a submission to the discussion paper mid-year. Arts Law remains unsupportive of a cause of action for invasion of privacy because of the potential to excessively impact on freedom of expression, and more specifically, freedom of artistic expression.

Classification

The first stages of reform to Australia’s National Classification System as recommended by the ALRC were finally introduced to Parliament in early 2014. However, the passage of the Classification Amendment Bill was halted when the Senate referred the Bill for further inquiry and report. Having previously made submissions to the ALRC inquiry in 2011, Arts Law provided a further submission to Senate Committee, supporting modernisation of the classification system to better accommodate the way content is consumed, the expansion of exemptions to classification and the development of classification tools to streamline the classification process.

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. In 2014, Arts Law lobbied the WA Minister of Corrective Services to clarify and amend its policy for art produced by prisoners and aims to do the same in other states.

CASE STUDY

Art Produced by Prisoners: Western Australia

In 2014, Arts Law made a submission to the WA Minister of Corrective Services, regarding Policy Directive 46: Art Produced by Prisoners (PD 46). Arts Law’s submission concerned issues relating to the ownership of, and dealing with, the artworks made by prisoners while incarcerated in prison in WA. The submission was particularly focused on Aboriginal artists who are likely to engage in artistic activities in prison as a consequence of a tradition of cultural and artistic expression but are often most vulnerable due in part to low literacy levels.

Under PD 46, the Department of Corrective Services is the owner of “prison art” unless the prisoner has paid for the materials used when creating the artwork. Arts Law submitted that this requirement is inequitable and erodes the general rights of prisoner artists and is inconsistent with the intellectual property rights of artists arising under the [Copyright Act 1968 \[Cth\]](#). Arts law was also of the view that people incarcerated in WA are largely unaware of PD 46, or do not understand its impact on their rights.

Arts Law recommended that PD 46 be reviewed and amended to:

- Reflect existing copyright law and recognise general prisoner artist rights,
- Ensure that prison art would not be considered the property of the Department of Corrective Services, irrespective of how the materials were acquired by the prisoner; and
- Expressly recognise the moral rights of prisoner artists and prohibit the prison from interfering with these rights without the prisoner artist’s written consent

Arts Law received a response in February 2015 from The Honorable Joe Francis, Minister for Corrective Services. He thanked Arts Law for “bringing the lack of clarity in PD 46, as it relates to the rights of prisoner artists, to the attention of the Department.” The Minister informed Arts Law that PD 46 was currently being revised in regard to copyright protection for prisoner artists and anticipated an amended policy would be issued by May 2015.

Fundraising

BELOW

The Arts Law 30th Birthday Gala

PHOTO | © JAY LA, 2014

In 2014 Arts Law continued to work to secure funding from sources independent of government. It is increasingly important for Arts Law to do this to in order to ensure long term viability of the organisation and all its services. Two of the biggest fundraising events of 2014 were the Simon Tedeschi fundraising concert and Arts Law’s 30th Birthday Gala Dinner and Art Auction.

In March 2014 Arts Law held a fundraising concert featuring the extraordinary pianist Simon Tedeschi. The night was organised to raise money to support the essential work done by Arts Law to help Australia’s artists, in particular, Arts Law’s Artists in the Black program.

The night was an overwhelming success, with Arts Law raising well over \$30,000 from tickets sales, raffle tickets and donations. These proceeds made a significant contribution towards the continuation of the Artists in the Black program, allowing us to continue to help Aboriginal and Torres Islander artists, organisations and communities throughout 2014. Arts Law particularly wishes to thank Simon Tedeschi for his generosity, Simon Marnie as MC, Sydney Grammar School for allowing us to use their beautiful hall and Wayne Quilliam and Martumili Art Centre for their generous donations of artworks for the raffle.

Arts Law also celebrated its 30th anniversary with a gala fundraiser dinner at NSW Parliament House. Hosted by Andrew O’Keefe, the dinner featured art, performances and tributes from staff, presidents, clients and supporters and was a true celebration of the achievements of Arts Law. The evening was also a financial success, raising approximately \$41,000 for Arts Law and the Artists in the Black service. We thank Andrew O’Keefe , David Campbell, Michael Beaumont and Jennifer Hoy and friends from the SSO for their talents & generosity; Bronwyn Bancroft, The Hon. Michael Kirby CMG AC and Rupert Myer AM for their words of support and all those who contributed to the success of the evening. The evening also included an art auction featuring art work from many of the art centres we have worked with, some of which were generously donated. The evening also would not have been possible without generous pro bono support from Gary Campbell, who helped to organise and stage manage the event and Andrew Leslie who organised the successful art auction.

The Hearts for Arts Law Committee also contributed to Arts Law’s fundraising efforts in 2014 following on from the success of its film screening in September 2013. Hearts for Arts Law is a group of young lawyers working to promote and assist Arts Law continue to provide its important legal services to the Australian arts community. 2014 events included Comedy and Band nights.





## 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).

## The Board



The Hon Justice Margaret Beazley AO (President)



The Hon Peter Heerey AM QC (Vice President)



Steven Miller (Resigned)



Peter Griffin (Resigned)



Kimberlee Weatherall (Resigned)



Andrew Wiseman



Tania Chambers



Anita Jacoby



Wayne Quilliam (Joined)



Michelle Gibbings (Joined)



Robyn Ayres (Executive Director)



ABOVE  
The Arts Law staff in 2014

## Staff Members

**Executive Director**

Robyn Ayres

**Deputy Director**

Delwyn Everard

**Senior Solicitors**

Suzanne Derry

Morris Averill

**Solicitors**

Trudie Sarks

Anika Valenti

Jennifer Arnup

Donna Robinson

^ Australian Government Solicitor Seconded from Nov 2013 to Nov 2014

Ramya Krishnan

^ Australian Government Solicitor Seconded from May to August 2014

Snezana Vukovic

^ Australian Government Solicitor Seconded from December 2014

**Artists in the Black Coordinator**

Jacqueline Cornforth

**Administration and Finance Manager**

Mary Egan

**Paralegal**

Isabella Street To August 2014

Maiko Sentina From September 2014

**Marketing & Communications**

**Administration Officer**

Fiona Bell To September 2014

**Administration Officers**

Rose Ayres

Gemma Williams

Victoria Wills

RIGHT  
Celestine Doyle  
(QAGOMA), The Hon.  
Justice Margaret  
Beazley AO, Robyn  
Ayres & Paul Spiro  
(Gadens, Brisbane)  
PHOTO | © DEV HASAN, 2015

## Volunteers and Pro Bono Assistance

Volunteers and pro bono lawyers are integral to the provision of Arts Laws services. In order to successfully deliver its Document Review Service to artists and arts organisations nationally, Arts Law relies on a panel of 245 dedicated volunteer lawyers. Without the commitment and generosity of our volunteer lawyers, Arts Law would not be able to provide the same legal assistance to the many artists who approach us for advice every year. In 2014, the pro bono assistance received by Arts Law was valued at more than two million dollars. Legal assistance was provided throughout Australia by large corporate law firms, government and in-house counsel, boutique law firms and sole practitioners.

In addition to the Document Review Service, five firms assisted in the delivery of Arts Law’s telephone legal advice service: Allens Linklaters, Finlaysons, Herbert Smith Freehills, Holding Redlich and Minter Ellison.

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

We also need to acknowledge the amazing contribution made by our law student volunteers who provide front line support on a daily basis in our office. We could not provide the same level of service without them.

## Pro Bono Awards 2014

Arts Law celebrates the enormous contribution that our pro bono supporters make and in recognition of our appreciation we hold our annual Pro Bono awards. For the last 10 years, Arts Law has commissioned a print to award to 30 lawyers celebrating their significant pro bono work in the arts community. This year’s print titled “Body Conglomerate” was created by artist Lotte Smith from the National Art School.

2014 also saw the introduction of ‘The Arts Community Pro Bono Award’, which allows arts organisations to acknowledge the voluntary work done by a lawyer for the arts community and their organisation in particular. Paul Spiro (Gadens, Brisbane) was our inaugural winner for his work with QAGOMA in Brisbane.





Outback landscape, Haasts Bluff

PHOTO | © DELWYN EVERARD





Thank You

ARTS LAW THANKS THE LAW FIRMS AND LEGAL PRACTITIONERS WHO PARTICIPATED IN THE DOCUMENT REVIEW SERVICE PROGRAM IN 2014

ACT

Hugh Chalmers	MEYER VANDENBERG LAWYERS	William McCarthy	BRADLEY ALLEN LOVE
Kristen Porter	MEYER VANDENBERG LAWYERS		

NSW

Anastasia Hardman	ALLENS LINKLATERS	Jake Blundell	SIMPSONS SOLICITORS
Alistair Oakes	ALLENS LINKLATERS	James Elliot	TRUMAN HOYLE LAWYERS
Adrian Goss	BAUER MEDIA GROUP	James Gonczi	ALLENS LINKLATERS
Alexandra George	UNSW FACULTY OF LAW	Jenny Smith	NORTON ROSE FULBRIGHT
Amanda Hempel	GILBERT + TOBIN	Jeremy Storer	STORERS LAWYERS
Amanda Meehan	DIGBY LAW	Jim Lennon	NORTON ROSE FULBRIGHT
Anthony Walsh	GADENS	Jin Hong (Kenneth) Ti	PHANG LEGAL
Benjamin Kim	GADENS	Jo Bayes	GILBERT + TOBIN
Ben Kay	KAY & HUGHES	Jodie Wauchope	GADENS
Bora Kaplan	SIXTH FLOOR SELBORNE/WENTWORTH CHAMBERS	Jonathan Adamopoulos	ALLENS/LINKLATERS
	VERGE WHITFORD AND CO	Joseph Consalvi	GILBERT + TOBIN
Caroline A Verge	CHRIS CHOW CREATIVE LAWYERS	Josh Cavaleri	INTERACTIVE GAMES & ENTERTAINMENT ASSOCIATION
Christopher Chow	ALLENS LINKLATERS	Jules Munro	SIMPSONS SOLICITORS
Clare Young	LANDER & ROGERS	Kate Harrison	GILBERT + TOBIN
Craig Higginbotham	NORTON ROSE FULBRIGHT	Kate Hughes	KAY & HUGHES
David Cross	GRIFFITH HACK LAWYERS	Katherine Giles	ABC LEGAL SERVICES
Derek Baigent	GILBERT + TOBIN	Kristin Stammer	HERBERT SMITH FREEHILLS
Dianne Banks	INFLUENCE LEGAL	Lishan Ang	FREDERICK JORDAN CHAMBERS
Elizabeth Burrows	TRUMAN HOYLE LAWYERS	Lucinda Edwards	TERRI JANKE & COMPANY
Emma Cameron	HENRY DAVIS YORK	Mandy Chapman	BEYOND INTERNATIONAL LTD
Eric Herman	NORTON ROSE FULBRIGHT	Mandy van den Elshout	ABC LEGAL SERVICES
Frances Drummond	GARY PENNY LAWYERS	Marie Foyle	SCREENRIGHTS
Gary Penny	ABC LEGAL SERVICES	Mark L W Matulich	MATULICH LAWYERS
Grant McAvaney	HENRY DAVIS YORK	Mark McLennan	HERBERT SMITH FREEHILLS
Greg Reinhardt	HERBERT SMITH FREEHILLS	Matthew Geary	GADENS
Guy Narburgh	TRUMAN HOYLE LAWYERS	Matthew Hall	SWAAB ATTORNEYS
Hamish Fraser	HENRY DAVIS YORK	Matthew Hall	TRUMAN HOYLE LAWYERS
Hannah Stewart-Weeks	HENRY DAVIS YORK	Megan Edwards	MINTER ELLISON
Haley McEwan	TIFFANY & CO.	Megan Evetts	
Huong Nguyen	SIMPSONS SOLICITORS	Megan West	
Ian James McDonald	ALLION LEGAL	Melanie Bouton	HERBERT SMITH FREEHILLS
Isabella Bosworth	ISHANLAW	Melissa Goode	HERBERT SMITH FREEHILLS
Ishan Karunanayake	MCCABES LAWYERS	Melody Ng	TELSTRA CORPORATION LTD
Jacqueline Winters		Michael Easton Michael	EASTON LEGAL

Michael Montgomery	TRUMAN HOYLE LAWYERS	Sally McCausland	SBS
Michael Thornton	HENRY DAVIS YORK	Sandy Dawson	BANCO CHAMBERS
Michelle Bakhos		Sarah Cunynghame	HOLDING REDLICH
Nicholas Melville	ITV STUDIOS AUSTRALIA PTY LTD	Sarah McCarthy	TRUMAN HOYLE LAWYERS
Nicholas Smith	BLACKSTONE CHAMBERS	Seema Mishra	HENRY DAVIS YORK
Peter Karcher	CLARKEKANN LAWYERS	Sheree Hollender	GRIFFITH HACK LAWYERS
Pip Jones	ALLENS LINKLATERS	Simone Flanigan	CSC GROUP LIMITED
Priscilla Blackadder	SIMPSONS SOLICITORS	Sonia Borella	HOLDING REDLICH
Raena Lea-Shannon	ENTERTAINMENT MEDIA TECHNOLOGY	Sophie Clark	CLARKEKANN LAWYERS
Rebecca Dimardis		Stephen Boyle	STEPHEN BOYLE MEDIA AND ENTERTAINMENT LAW
Rebecca Mason	SOUTHERN CROSS AUSTERO	Stephen Digby	DIGBY LAW
Rebekah O'Sullivan	CHRIS CHOW CREATIVE LAWYERS		BIRCHALL LEGAL
Renu Menon	GADENS	Sydney Birchall	ALLENS LINKLATERS
Rob Glass	MEDIA ARTS LAWYERS	Tom Tian	ALLENS LINKLATERS
Roderick Smith	EVESCOURT LEGAL	Tracy Lu	ABC LEGAL SERVICES
Rohan Higgins		Vincent Floro	WORTHY OF THE NAME
Rommo Pandit	HERBERT SMITH FREEHILLS	Wayne Covell	

QLD

Harold Littler		Matt McCormick	MCCORMICKS LAW + CONSULTING
Jamie Doran	CLAYTON UTZ	Nicole Murdoch	BENNETT & PHILP LAWYERS
John Lunny	WORKPLACE RESOLVE PTY LTD	Peter Bolam	BROADLEY REES HOGAN LAWYERS
Kate Erman	BRAVURA SOLUTIONS LIMITED	Sophie Bradshaw	CORRS CHAMBERS WESTGARTH
Mark Harley	BOSS LAWYERS		

SA

Paul Gordon	FINLAYSONS
-------------	------------

TAS

Michael O'Farrell	SC MALTHOUSE CHAMBERS
-------------------	-----------------------

VIC

Alice Byrnes	LANDER & ROGERS	Fiona Galbraith	DAVIES COLLISON CAVE LAW
Andrea Allan	WATERMARK INTELLECTUAL ASSET MANAGEMENT	Frankie Alexander	MEDIA ARTS LAWYERS
	PHILLIPS ORMONDE & FITZPATRICK LAWYERS	Georgina O'Farrell	SENSIS PTY LTD
Annette Rubinstein	LANDER & ROGERS	Gillian Wong	
	LANDER & ROGERS	Ian McDonald	SOLUBILITY PTY LTD
Charles Thornley	GI & SANICKI LAWYERS	Jeff Bergmann	STUDIO LEGAL
Claire Campbell	MEDIA ARTS LAWYERS	Jennifer Tutty	MEDIA ARTS LAWYERS
Darren Sanicki		Julian Hewitt	STUDIO LEGAL
David Vodicka		Katie Besgrove	MINTER ELLISON
Edward Heerey		Kelly Griffiths	LANDER & ROGERS
Elizabeth Beal		Lisa Feltz	



Marcus Walkom	MEDIA ARTS LAWYERS	Sarah Gilkes	MDP MCDONALD PARTNERS
Mark Williams	WILLIAMS SOLICITORS	Stephen King	MEDIA ARTS LAWYERS
Michael Tucak	CREATIVE LEGAL	Stephen Rebikoff	-
Moira McKenzie	GI & SANICKI LAWYERS	Tiffany Stephenson	DEPARTMENT OF DEFENCE
Nick Cooper		Tim Guy	K&L GATES
Peter Creighton-Selvay	LIST 6 BARRISTERS	Tony Grujovski	ACTUATE IP
Peter Dominic Ryan		Tracey Wren	ORICA AUSTRALIA
Sally-Ann Rowland	SALLY-ANN ROWLAND - IND-37809	Yasmin Naghavi	MEDIA ARTS LAWYERS

WA

Adam Levin	JACKSON MCDONALD LAWYERS	Jamie Lyford	ELEVATION PARTNERS PTY LTD
Andrew Johnstone	DLA PIPER AUSTRALIA	June Kenny	DWYER DURACK
Andrew Lu OAM	JARMAN MCKENNA	Marie Wong	WRAYS LAWYERS
Carmel Galati	EDWARDS WALLACE LAWYERS	Michael Paterson	MICHAEL PATERSON & ASSOCIATES
Catherine Toal	WRAYS LAWYERS	Stephanie Faulkner	WRAYS LAWYERS

OFFSITE TELEPHONE ADVICE ASSISTANCE PROVIDED BY LAWYERS AND LAW FIRMS IN 2014

ALLENS LINKLATERS

Alistair Oakes	Clare Young	Kaelah Ford	Roseanna Bricknell
Amy Reid	David Harris	Ken Wong	Sibella Matthews
Anastasia Hardman	Georgina Herring	Matt Vitins	Stephanie Essey
Annabelle Williams	Hamish Collings-Begg	Nadia Guadagno	Theodore Souris
Anna Pogson	Isabelle Guyot	Pip Jones	Tom Griffin
Ben Murphy	James Gonczi	Rebecca Kok	Tracy Lu
Brooke Silcox	Joel Barrett	Richard Sawyer	Victoria Eastwood
Brydon Wang	Jonathan Adamopoulos	Rob Clark	Vivien Campbell
Chris Govey	Julia Kovarsky	Robert Munoz	William Coote

FINLAYSONS

Bridget Hobbs	John MacPhail	Paul Gordon	Rosalind Miles
Carl White			

HERBERT SMITH FREEHILLS

Aaron Hayward	Claudia Adams	Helen Cousins	Melissa Goode
Alicia Simonds	Daniel Forrest	Joseph Elks	Richard Burgess
Anna Gibson	Daniel Posker	Katherine Gregor	Sarah McKeith
Anna Vandervliet	Grace Pead	Mark McLennan	Shalom Andrews
Ashley Carlstein	Hannah Stevens	Melanie Armsby	Katie Pryor
Chelsea Roche	Hannah Wright	Melanie Bouton	

HOLDING REDLICH

Anna Kutner	Harsha Garikapati	Lesley Ngui	Sarah Butler
Benjamin Hunt	Ian Robertson	Linda Rubinstein	Sarah Cunynghame
Dan Pearce	Leigh Krafchek	Sam Berry	

MINTER ELLISON

Charles Alexander	Gus Skavronskas	Kelly Griffiths	Pinar Ozer
Darshini Nanthakumar	Helen Paterson	Lauren Edge	Robert Cooper
Dennis Schubauer	James Patto	Lucy McGovern	Simon Moses
Emily Hawcroft	John Fairbairn	Paul Jeffreys	
Gilbert Tsang	Jonathan Kelp	Paul McGinness	
Grant Lubofsky	Joseph Cram	Paul Wentworth	

ARTS LAW WOULD LIKE TO THANK THE FOLLOWING DAYTIME VOLUNTEERS AND INTERNS

DAYTIME VOLUNTEERS

Christian Allen	John Fennel	Olivia Kilponen	Joshua Rizk
Simone Black	Kate Fuery	Ruthanna Klawansky	Rachel Roberts
Kristina Cavanna	Samantha Gallagher	Harry Knight	Maiko Sentina
Jeffrey Chan	Bianca Gallifuoco	Lisa Lee	Katherine Sessions
Annella Cox	Pierce Hartigan	Jessica Manthey	Stephen Sharpe
Matthew Dinh	Hanna Hong	Sarah Miles	Marta Smerechuck
Jay Drury	Lucy Hughes	Patricia Nonis	Michael Tran
Lisa Duff	Lucy Jackson	John Oddy	
Kendrea Fang	Neha Kasbekar	Thea Porter	

INTERNS

Elyka Anvari	HARVARD UNIVERSITY	Tom Hakkinen	MACQUARIE UNIVERSITY
Kendall Bass	HARVARD UNIVERSITY	Chelsea Handler	HARVARD UNIVERSITY
Madeline Briscoe	QUT	Sophie Kannemeyer	QUT
Tatiana Fouque	EFB PARIS BAR SCHOOL	Harry Knight	UNIVERSITY OF SYDNEY
Thomas	MCGILL UNIVERSITY	Brian Lee	UNSW
Gagnon-Van Leeuwen		Rebecca Matte	HARVARD UNIVERSITY
Ian Haggis	UNSW		

PRO BONO LAWYERS FROM THE 2014 WILLS TRIPS

BROOME, FITZROY CROSSING, DERBY - 30/03/14 – 5/04/14

Matthew Geary	GADENS	Eleanor Wheelhouse	GADENS
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DARWIN, GARDEN POINT (PIRLANGIMPI COMMUNITY), JILAMARA, ELCHO ISLAND - 25/05/14 – 1/06/14			
Carrie Follas	DLA PIPER		
DARWIN, KATHERINE, BESWICK - 11/05/14 – 16/05/14			
Patricia Adjei	COPYRIGHT AGENCY LIMITED	Robert Tobias	DLA PIPER
ALICE SPRINGS, TAPATJATJAKA - 10/06/14 - 14/06/14			
Nadine Courmadias	TELSTRA		
DARWIN - 7/08/14 – 11/08/14			
Adrienne Lyle	TELSTRA		
WEIPA, AURUKUN - 29/09/14 – 3/10/14			
Emily Christie	DLA PIPER	Patricia Adjei	COPYRIGHT AGENCY LIMITED
HEARTS FOR ARTS LAW COMMITTEE			
Lishan Ang	Sarah Cunynhame	Alexandra Gilbert	Nita Rao
Jennifer Arnup	Allegra Day	Heather Huddleston	May Samali
Kathryn Barnes	Azita Doudman	Lyndal Keevers	Isabella Street
Alice Byrnes	Haydn Flack	Faraz Maghami	Annabelle Williams

## Finances

Goal

Maintain long term viability of the organisation through increasing income independent of government.

About

Arts Law’s service and expertise is unique and vital to the sustainability of the Australian artistic community. While government funding is essential to that sustainability, allowing us to offer affordable legal advice, education and resources to Australia’s artists, we acknowledge the limitations of government funding and we are focusing on generating income through the services we offer as well as increasing philanthropic support. In 2014 both publication sales and education income showed a significant increase. Fundraising events proved very successful in both raising the profile of Arts Law and financially, giving us a net income from events and donations of \$135,000. While funding for Artists in the Black has been particularly vulnerable, the Attorney-General’s Department has now committed funds till June 2017 ensuring the security of the service in the short term.

In 2014 Arts Law was fortunate to be the recipient of additional funding from the Australia Council for the Arts through their ‘Unfunded Excellence’ fund. This fund was distributed to organisations demonstrating excellence despite lack of funding. This gave us an extra \$200,000 for 2014 and allowed us to rebuild our websites, creating an ‘information hub’ with greatly improved search functionality. We also worked on developing our education program, increased the number of document reviews we were able to offer and funded much needed travel for our Artists in the Black program.

Arts Law continues to work with the Australia Council, and all States and Territories on a National Funding Agreement (NFA) for Arts Law. In 2014 all States and Territories together with the Australia Council contributed to Arts Law’s funding base with 5 States/Territories and the Australia Council signing the NFA thus providing the groundwork for a more sustainable funding base.

In 2014 Arts Law also received continued support from Department of Aboriginal Affairs WA, Copyright Agency, Phonographic Performance Company Australia (PPCA) and Film Victoria. Screen Territory & Arts Access Australia also contributed.

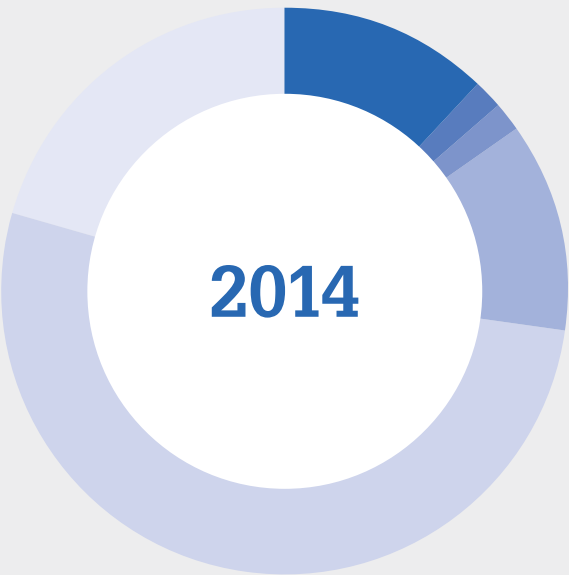
What’s Next

In 2015 and beyond Arts Law’s highest financial priority will be working to increase income from a range of sources in order to employ additional staff to meet the demand for Arts Law’s services. Importantly Arts Law must maintain a level of funding for Artists in the Black to ensure a sustainable program of activities on a national basis in order to meet the ongoing needs of Aboriginal and Torres Strait Islander artists and the organisations which support them. Arts Law will continue its fund-raising activities through events and work to increase donations and philanthropic income to support the work of Arts Law, especially Artists in the Black, to supplement vital Government support. 2015 also sees the introduction of Australia Council for the Arts new funding regime with 6 year funding being on offer for the first time. Arts Law will be applying for an increase in its funding base to maintain existing staff levels and services. Current funding levels are insufficient to maintain current staffing levels on an ongoing basis.



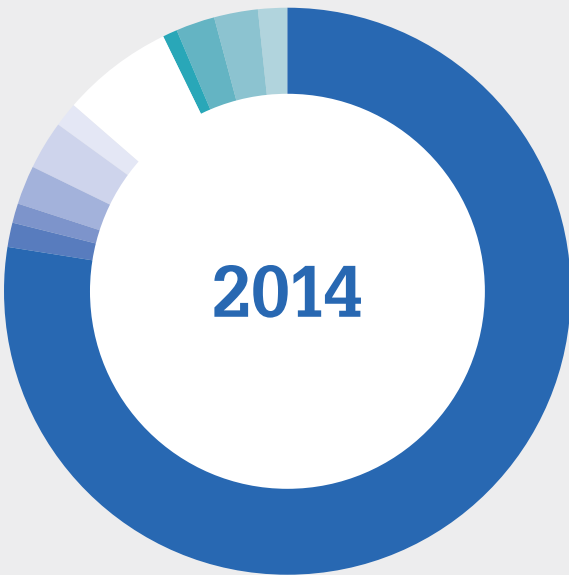
Income

INCOME	
■ Earned Income	166,274
■ Other Activities	23,251
■ Interest Received	20,737
Private Sector Income	
Donations & Fundraising Income	135,335
Copyright Agency	12,000
Phonographic performance Company of Australia (PPCA)	15,000
Arts Access Australia	2,000
■ Total Private Sector Income	164,335
Operational Grants	
Australia Council for the Arts	242,622
Attorney-Generals Dept	180,000
Screen Australia	25,000
Arts ACT	10,000
Arts NSW	125,214
DoAM NT	25,000
Arts QLD	30,000
Arts SA	4,443
Arts TAS	7,000
Arts VIC	50,000
DCA WA	15,000
Film Victoria	5,000
■ Total Operational Grants	719,279
Project Funding	
Australia Council Unfunded Excellence	200,000
Ministry for the Arts (AITB)	30,000
Arts QLD (AITB)	20,000
Dept of Aboriginal Affairs WA (AITB)	26,400
Screen Territory	4,000
■ Total Project Funding	280,400
Total Income	1,374,275



Expenditure

EXPENSES	
■ Salaries and On-Costs	903,075
■ Education & Publication Expenses	17,707
■ Marketing & Promotion	12,273
■ Office Rent and Running Costs	26,948
■ Office Consumables & Resources	32,629
■ Communications	17,198
■ Travel	71,805
■ Insurance	10,632
■ Legal, Finance & Governance Costs	27,618
■ Depreciation & Amortisation	27,018
■ Sundries	18,331
Total EXPENSES	
Net Profit/(Loss)	209,043





# Supporters & Funders

## Guardian Angels

Arts Law receives generous donations from many of our supporters, who may be clients, legal professionals, arts organisations or people who are just passionate about justice for artists. These donations help us to continue to empower artists and stand up for their rights. Our supporters who make significant donations of a thousand dollars or more, per annum, become an Arts Law ‘Guardian Angel’.

Arts Law’s Guardian Angels are an elite group of individuals and businesses committed to ensuring artists and organisations receive correct and excellent information and advice about their rights, responsibilities and importantly how to secure an income from their creative work.

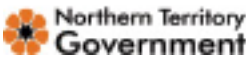
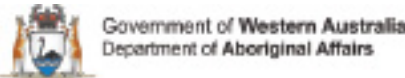
## Our 2014 Guardian Angels

### \$5,000 or more

- The Hon David Levine AO RFD QC
- Arts Law Centre of Queensland
- Adam Casselden
- Campbell Hudson
- Shane Simpson AM
- The Hon George Palmer AM QC
- Jeremy Eccles
- Jane Needham SC

### \$1,000 - \$4,999

- Irene Moss AO
- Alison Leslie
- The Hon Justice Margaret Beazley AO
- The Hon Peter Heerey AM QC







**ARTS LAW CENTRE OF AUSTRALIA**

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