

**ARTS LAW
ANNUAL REPORT**

**20
20**

Arts Law acknowledges the Gadigal people of the Eora Nation and all Traditional Owners of the country throughout the lands in which we live and work within Australia.

We recognise Aboriginal and Torres Strait Islander peoples' continuing connection to land, place, waters, and community.

We pay our respects to them, their heritage, and cultures, and to elders past and present.

Aboriginal and Torres Strait Islander readers are advised that this document may contain the images or names of deceased persons.

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PRESIDENT AND CEO REPORT

For all of us, 2020 was a year like no other. Whilst the year started full steam ahead with Arts Law's new purpose statement in place and strategic planning well under way for the next four years, who could have anticipated how COVID-19 would change our lives, the way we work, our relationships with each other, our freedom to travel not just overseas or interstate but across town into the office. As the crisis unfolded, Arts Law decided quickly that all staff should work from home, keeping both our staff and clients safe. Fortunately, we already had adequate digital systems in place allowing everyone to work from home almost immediately. With a little bit of innovation, we were able to deliver a seamless continuation of our services, which had never been more vital for Australia's artists. We delivered legal advice to over 1600 artists in 2020, including artists whose projects and livelihoods were impacted by the pandemic.

We also moved quickly to online delivery for education and developed a suite of free online resources, including our first ever podcasts.

The biggest impact on our clients and services was the inability to deliver our Artists in the Black services through our face-to-face outreach program. Despite our best efforts to engage Aboriginal and Torres Strait Islander clients online and by

telephone there was a decline in service delivery to our many clients in regional and remote communities. This highlighted the work we needed to do to engage Artists in the Black clients as well as our non-Indigenous clients through digital strategies.

The further development of our digital strategy and website are core components of our new Strategic Plan for 2021-2024 which is focused on helping more artists and becoming a more resilient organisation, in our governance, financially and especially through our people.

Arts Law already had a focus on mental health and had an established Wellbeing Committee. The Wellbeing Committee played an important role during the lockdown, helping to keep staff engaged and connected and Arts Law is very appreciative of their efforts in 2020 and ongoing.

In the midst of the pandemic Arts Law had to find new offices and move. We are extremely grateful for the assistance provided by Property NSW who found a new home for us in the Registrar General's Building. After packing up and saying goodbye to The Gunnery after 30 years, we were unable to enjoy our new offices and their CBD location for several months as we were all still working remotely.

Like many other workplaces around the world, Arts Law discovered the benefits of more flexible working arrangements in 2020, especially the time saved on commuting from home to the office. Arts Law had also been trialling a compressed working week, with full time staff working the same weekly hours but over four days. With the easing of COVID-19 restrictions, Arts Law continues to benefit from ongoing flexible working arrangements: with staff spending half their time in the office and the other half working from home, and the four day compressed week giving people an extra day off.

Arts Law continues to rely largely on Government support to deliver our services to Australian artists and arts organisations and in 2020, with the support of the Australia Council, we renegotiated our multipartite multiyear funding agreement with the arts bodies of every state and Territory, the Australia Council and Office for the Arts. However, Government support is not enough to provide the services needed by Australian creative communities especially at this difficult time, so earning more income independent of Government is a hallmark of our Strategic Plan.

Like many artists and performing arts organisations around the world, in 2020 we held our first online event, the Arts Law Allies Launch, with great success, and are excited to have new and old Allies supporting Arts Law's work for artists, especially through our Artists in the Black service.

While we were not able to provide the same level of outreach to Aboriginal and Torres Strait Islander communities, in 2020 we were able to provide new services to First Nations Language centres through a partnership with First Languages Australia. Arts Law was also able to provide increased assistance to Aboriginal and Torres Strait Islander artists needing support with licensing matters through the Licensing the Right Way project funded by the Federal Government. We were also able to develop podcasts and a new wills video through our partnership with Desart.

Of course, we could not have achieved so much without the valuable and ongoing support of the legal community, our donors, government, partners and the Australian arts sector.

We are extremely grateful for the thousands of pro bono hours contributed by the Australian legal community and in particular we note the ongoing assistance provided through secondment of lawyers to Arts Law from Ashurst, Australian Government Solicitor and King & Wood Mallesons.

Last but not least, we thank the Board and our hardworking staff who are all committed to ensuring Australia's artists and creative communities get the legal support they need and are empowered in their creative activities.

Throughout all the challenges we faced in 2020, we have continued to support Australia's artists and work towards our purpose of **strengthening value and respect for arts and culture to make a better world.**

*The Hon Justice John
Robertson Sackar
Arts Law President*

*Robyn Ayres
Arts Law CEO*

Photos by Stephen Oxenbury.



PURPOSE, MISSION, VISION & VALUES

Purpose

Strengthening value and respect for arts and culture to make a better world.

Arts Law's purpose is our reason for existing and inspires us with a call to action. It is aspirational, big picture and long term, and allows our organisation to create value way beyond financial metrics. Our purpose drives our organisational vision, our mission, our operating values and the behaviours that will reflect these values.

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 pre-eminent authority on artist's 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.

"You have been most helpful, in such a professional manner. I will definitely recommend this service. As creatives we're emotional beings. The excitement of being offered a contract often blinds you to the fine print. You're worth a lot more than that. "
- Mohammed Massoud

Author Mohammed Massoud Morsi's book "The Palace of Angels" was published in September 2019 by Wild Dingo Press. Morsi was a journalist and a photographer before becoming a writer in 2015. Morsi wanted to understand if he could sell the book himself into overseas markets through an agent. In this regard, it was important for him to understand the rights he had granted the publisher and what he could do independently with his book.

Arts Law in partnership with the Australian Society of Authors advised Morsi on the possible avenues he could explore, including negotiating a variation to his publishing agreement.

Since providing the advice, the book was short listed for the 2020 NSW Premier's Literary Awards in the fiction category. Unfortunately the COVID-19 virus has meant that literary events have been cancelled for the time being which makes book promotion difficult. But things will stabilise, hopefully in the not too distant future.

Right: Photograph of Mohammed Morsi in Gaza in 2014. Photo by local boy, Mohammed,

CASE STUDY

**What does your publishing contract say about acting independently with your book?
Advising author Mohammed Massoud Morsi**



LOOKING BACK ON THE LAST 20 YEARS

51,206 Legal advices given to clients from 2000-2020.

We've visited over **110** towns, cities and communities across Australia over 20 years.

To celebrate 2020 and the turning of the decade we decided to stop and reflect upon what we have achieved and how far we have come in the last 20 years.

We have taken this opportunity to pull out some images from the archives and share them with you.

Thank you to all our supporters, our Guardian Angels, Arts Law Allies, donors, pro bono lawyers, volunteers, project partners and funders. There are far too many to list you all – but we owe you our sincere gratitude for your years of support and dedication to Australia's artists. A huge congratulations should also go to all our staff and board members over the last 20 years, you have each contributed to our success.



FROM THE ARCHIVES (clockwise from top left)

2003: Arts Law's 20th Birthday Celebration at the Art Gallery of NSW. Photo by Sarah Rogers.

2017: Roxanne Lorenz, Glen Farmer and Bibi Barba at Darwin Aboriginal Art Fair.

2008: The Launch of Arts Law Week Victoria.



HIGHLIGHTS OF 2020



1521

Telephone
Legal Advices

2265 Legal advices to clients

596 Services to Artists in the
Black clients

44 Online education sessions

1946 Education participants

287 Volunteer lawyers on our
pro bono panel

1222 Referrals



744

Document
Review Services

A New Home for Arts Law

After over 30 years at The Gunnery in Woolloomooloo Arts Law found itself a new home, moving into the Registrar General's building in August.

Best Practice Advice

61 Best Practice advices

Best Practice advice supports arts organisations to learn about, implement and embed best practices into their relationships with individual artists. This is an important aspect of Arts Law's work as it helps ensure artists benefit from the arts organisation's fair and equitable agreements and supports our artist-first policy.

Top ten legal problems for artists in Australia in 2020

1. Copyright
2. Contract
3. Moral Rights
4. Defamation
5. Indigenous Cultural & Intellectual Property
6. Consumer protection
7. Estate Planning
8. Direct licensing and PPCA input agreements
9. Trade Marks
10. Business Structures

Right: Robyn Ayres says goodbye to the old Arts Law offices in the Gunnery Building, Woolloomooloo. Photo by Melinda Watson 2020.



“Arts Law is a dependable and important service. I am a great fan of Arts Law. I have used it as an independent artist, I have asked for advice as a Local Government worker to improve our practice, and always refer artists whom Council contracts onto the service. Thanks for your work! ”

- Arts Law Client

Telephone Legal Advice

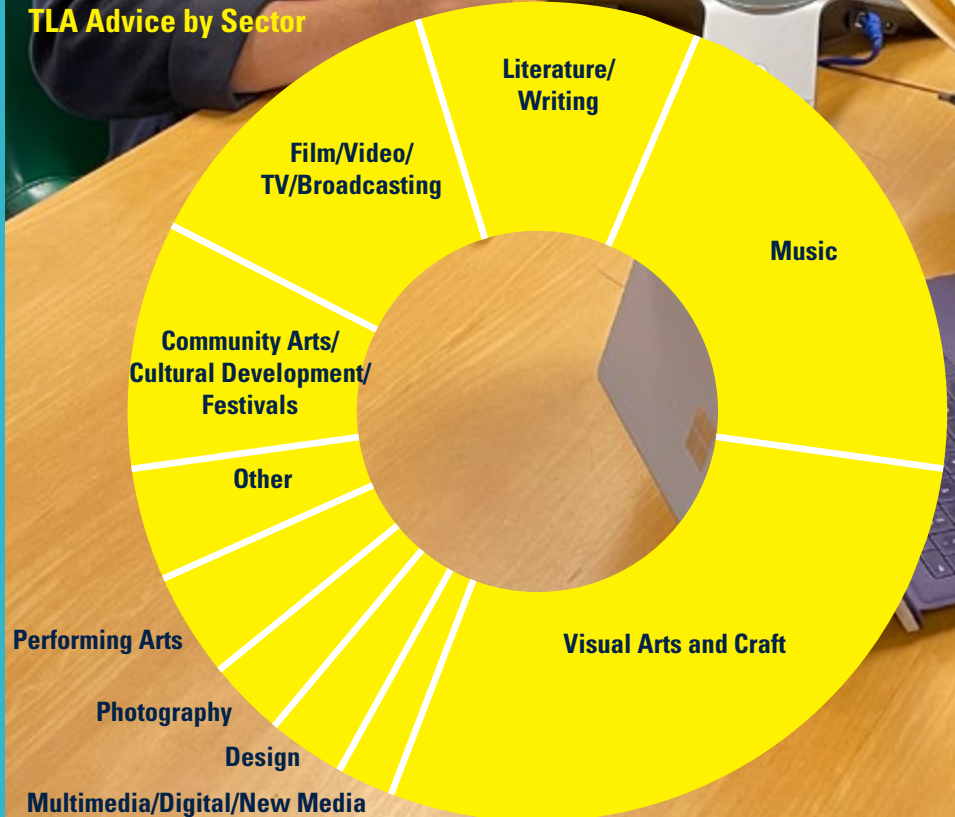
1521 Telephone Legal Advices

The Telephone Legal Advice Service (TLA) provides a standalone legal advice session for clients whose legal query does not involve the review of any documents. Artists who meet our means testing threshold can access this service for free.

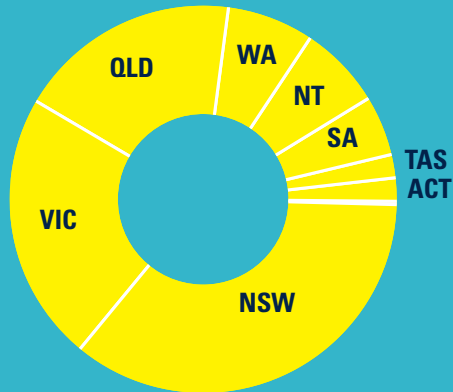
Right: John Waight and Jack Howard in the Arts Law offices. Photo by Emily Phipps 2021.

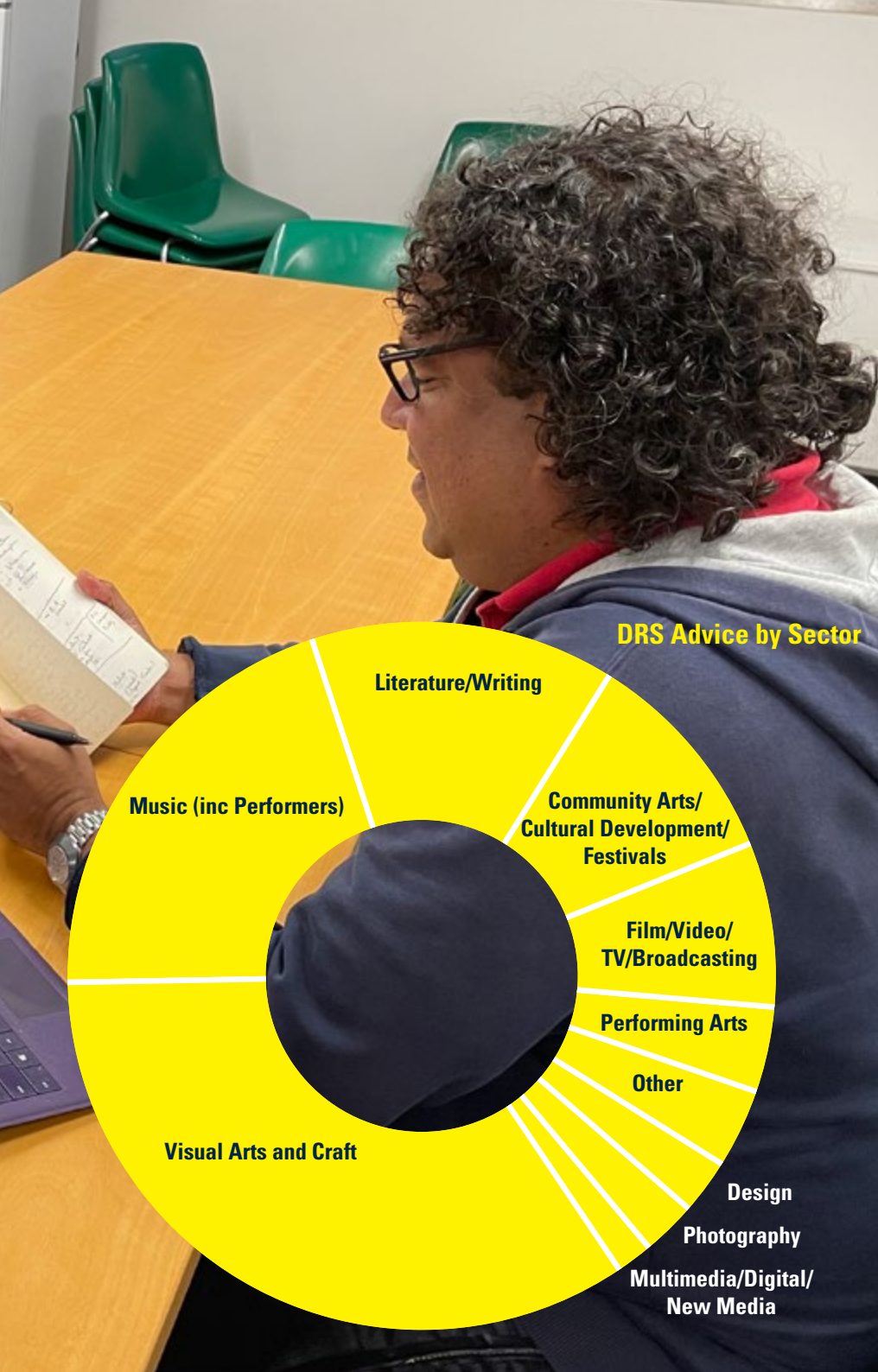


TLA Advice by Sector



TLA Advice by State





Document Review Service

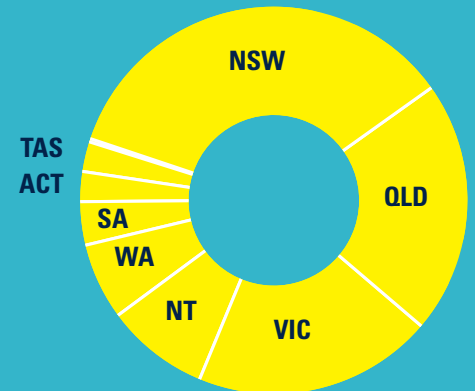
744 Document Review Services

The Document Review Service (DRS) is available to Arts Law subscribers who need advice on documents such as contracts, licensing agreements or letters of demand. Continued growth and demand for this service is indicative of artists' need to be more business savvy and reflects Arts Law's success in educating the arts sector on the importance of using contracts and the benefits of fully understanding and clarifying issues before signing any documents.

DRS Advice by Sector



DRS Advice by State



CASE STUDY

Healthcare choir gets the go ahead for Neil Diamond's "Sweet Caroline"

The COVID-19 crisis has certainly changed the way we all thought 2020 would play out. For the conductor of a community choir of health workers, it meant that in-person rehearsals were halted, prompting the question: what can be done to keep the choir going, and to provide an outlet for the incredible doctors and nurses in this difficult time?

Choir conductor Elizabeth Lecoanet conducts the Sydney Local Health District Feel Good Choir. This is a community choir made up of doctors, nurses, and other healthcare workers at Royal Prince Alfred Hospital in Sydney. Elizabeth had an idea. Each choir member could record themselves individually singing a song, which she could then edit together into a video of the choir all singing together. It was decided that it would be fun to adapt the lyrics of Neil Diamond's "Sweet Caroline" in a way that would encourage people to wash their hands.

Right: The Sydney Local Health District Feel Good Choir (photo taken in 2019 pre-coronavirus). Photo by Isabel Hanson 2019.



Elizabeth knew that using someone else's song (particularly such a famous one) might raise some legal issues – she was right! Not knowing what to do next, Elizabeth contacted APRA AMCOS, a natural first step. The problem was, while APRA AMCOS can issue a licence to record someone else's song, it can't issue a licence to adapt the song (eg. change the lyrics), or to use it on a video (known as a sync licence). APRA AMCOS suggested that Elizabeth contact Arts Law, which she did. Arts Law informed Elizabeth that copyright protection applies to music, lyrics and sound recordings separately, and that she would need to get a licence to adapt the lyrics of "Sweet Caroline", to record it, and to include it on the video for the purpose of sharing online and displaying in the hospital. Arts Law also informed Elizabeth that as the songwriter, Neil Diamond would need to give personal consent for his lyrics to be altered.

It would be fair to say that Elizabeth felt this all might be too hard given the fact that the project was so small and there was no intention to make any money out of the video. The Arts Law lawyer, Lee Elsdon, advised Elizabeth that she

should contact the Sydney office of Neil Diamond's publishing company to see if it has the authority to issue a licence. Elizabeth did so and was told she would hear back. After a short wait, Elizabeth was pleasantly surprised to hear that not only had Neil Diamond consented to the changed lyrics but he, and his wife Katie, had sent a personal message of support that read:

"Please tell them that (we) appreciate all the healthcare workers. We've got lots of friends over there and wish everyone the best during this time."

Neil Diamond's publishing company issued Elizabeth with the licence required, and the choir was able to go ahead and create their video.

"Prior to talking with Arts Law, I wasn't sure if I could even pursue the "handwashing" project. If it wasn't for having had the opportunity to ask you all my questions, and having your professional ear, I probably would have dropped the whole thing. Thank you Arts Law. I have been raving about you to everyone!"

- Elizabeth Lecoanet, Choir Conductor

FIRST LANGUAGES AUSTRALIA & ARTS LAW

Legal Support for Language Centres

First Languages Australia and Arts Law forged a new partnership in June of 2020. This relationship gives Indigenous language centres across the country access to best practice advice and resources. Language is intrinsically linked to culture and this work helps Arts Law in achieving our purpose. As part of this partnership we have developed a suite of information sheets, contract templates and resources specifically for language centres. These include:

- Commission Agreement – Language Resource
- Copyright Licence – Language Resource
- Copyright Licence between Language Centre and Creator – Language Resource
- Employment Agreement

ARTISTS IN THE BLACK

368 Telephone Legal Advices

228 Document Review Services

34 Pro Bono Referrals

2 Art Centre visits

9 AITB webinars

417 Attendees at AITB webinars

7 Podcasts for art centres



Left: Donna Robinson with artist Syd Bruce Shortjoe at Pormpuraaw Art Centre. Photo by Brienna Anderson 2020.

Right: Donna Robinson recording podcasts in the Arts Law office. Photo by Lee Elsdon 2020.

We started 2020 with an early outreach trip to Pormpuraaw and Mornington Island Arts in Far North Queensland, the first of what was to be a full itinerary of art centre visits for the year. Little did we know that this February trip would be our last for 2020. With border closures, travel restrictions and other public health measures, we were forced to cancel our outreach plans for the remainder of the year.

Despite the suspension of outreach visits, Artists in the Black (AITB) remained open

for business to support Aboriginal and Torres Strait Islander artists, art centres, businesses and organisations, giving our clients the tools they needed to show their resilience and adapt to rapidly changing circumstances.

In addition to continuing our advice services, the AITB team concentrated on connecting with communities through webinars and developing online resources targeted to art and language centres.



Podcasting

In partnership with Desart, the peak body for Central Australian Aboriginal Art Centres, Arts Law developed a series of podcasts. We developed this suite of resources from art centre feedback that identified key legal issues that art centre managers wanted to hear in short bursts that fit around their busy schedules. The series is available on the Arts Law website where it has received over 171 unique page views, and on Spotify, iTunes and Google Play.

The podcasts address some of the most common legal issues for art centres, other arts organisations, artists and arts workers including:

- Digital communications and cyber-security
- Copyright and Moral Rights
- Online Works
- Consignments
- Personal Property Securities Register (PPSR)
- Licensing

Adopt-a-Lawyer

Arts Law's Adopt a Lawyer program continued in 2020, providing vital legal support for Aboriginal and Torres Strait Islander art centres. The program partners art centres with a single law firm for a three-year partnership and is designed to streamline our existing support model by providing continuity and a meaningful relationship between the art centre and the firm. In 2020 we had nine relationships in place and we plan to continue to grow this program in 2021.

Art Centre	Law Firm
Wik & Kugu Art Centre Aurukun, QLD	Hall & Wilcox
Warmun Art Centre Warmun, WA	Lander & Rogers Melbourne, VIC
Waringarri Kununurra, WA	King & Wood Malleison National (Perth)
Moa Arts Moa Island, QLD	King & Wood Malleison National (Sydney)
Jilamara Art Centre Tiwi Islands, NT	King & Wood Malleison National (Brisbane)
Babbarra Womens Centre Maningrida, NT	Allens Linklaters Macquarie Group
Maningrida Art Centre Maningrida NT	Allens Linklaters Macquarie Group
Hermannsburg Potters Hermannsburg NT	Colin Biggers & Paisley
Girringun Cardwell, QLD	Holding Redlich

"[My lawyer] is an exemplary legal practitioner and I would always have positive feedback for her and Arts Law. THANK YOU ARTS LAW you are legends!"
- Arts Law client





FROM THE ARCHIVES (clockwise from left)

2007: Robyn Ayres with artists at during outreach trip to Martumilli Artists.

2005: Arts Law Indigenous liaison officer Kyas Sherriff and artist Kath Tiwi at Manupi Arts Centre. Photo by Delwyn Everard

2018: Robyn Ayres with Kristabell Porter at Warakurna Artists. Photo by Clara Edwards

2004: Robyn Ayres, Gabrielle Sullivan, DCAWA, and Brenda Croft, NGA, stop during an outreach trip in remote WA.

2008: Arts Law Indigenous liaison officer Kyas Sherriff and Indigenous artist Graeme at Oenpeli. Photo by Delwyn Everard.



EDUCATION

53 education sessions

44 sessions delivered online

1946 participants

In 2020 we made the pivot from seminars and workshops to delivering webinars online. Online delivery allowed us to expand our reach for education and we delivered 16 webinars to a national audience, including a suite of free sessions for artists to support their professional development while in lockdown and provide up to date information on the most common and pressing issues that arose for artists as a result of COVID-19. Overall we successfully hosted 53 education sessions, 44 of these online, covering relevant and topical subjects for artists including:

- Navigating arts employment through COVID-19
- Protecting your copyright online
- Moving creative projects online
- Social Media: The pitfalls and potential of online platforms
- Young people and digital engagement

Arts Law lawyer Lee Elsdon delivers education in Dubbo, November 2020. Photo By Mariam Abboud.



*“- easy to understand
- presented in a simple
way - no law jargon so
could understand it! :)”*

- Arts Law Education participant

RESOURCES FOR ARTISTS

Top Ten Contract Templates 2020

1. Copyright Licensing Agreement
2. Commissioning Agreement: Public Visual Artwork
3. Commissioning Agreement: Private or Commercial Visual Artwork
4. Performers Release - Session Musician
5. Image Reproduction Licence for a Publication
6. Photographer's Model Release
7. Video Production Agreement
8. Music Licence for Film
9. Performer's Release – Performer
10. Artwork Consignment for Sale Agreement

Top Ten Info Sheets 2020

1. Filming with a smartphone or hidden camera
2. Street photographers rights
3. Copyright
4. Unauthorised use of your image
5. Moral rights
6. Indigenous Cultural and Intellectual Property (ICIP)
7. Disclaimers, exclusion clauses and risk warnings
8. Filming in public places
9. Protecting your designs
10. Music copyright and publishing for bands and recording artists

290,540 Visits to the Info hub

501,825 Pageviews

In December 2020 we released our updated Copyright License Toolkit. This toolkit includes 10 agreements and 4 policies that organisations can use to implement best practice when dealing with Aboriginal and Torres Strait Islander artists. These resources comply with the Indigenous Art Code and the Australia Council Protocols for Using First Nations Cultural and Intellectual Property in the Arts. They are designed to respect both the economic and moral rights of individual artists, and the Indigenous Cultural and Intellectual Property (ICIP) of the Indigenous communities of the artists.

2020 also saw Arts Law develop our first automated Contract Tool, for copyright licensing agreements. The tool uses new technologies to create bespoke agreements by asking a series of easy to understand questions. We plan to develop more automated contract tools in 2021 as part of our commitment to making our resources as accessible as possible.



FROM THE ARCHIVES (clockwise from top left)

2007: Delegates at the 2007 WIPO conference. Photo by Robyn Ayres.

2018: Bibi Barba and Robyn Ayres at WIPO 2018.

2013: Robyn Ayres with Trish Adjei Copyright Agency, Jennifer Tauli Corpuz Tebtebba Foundation Philippines at WIPO 2013.

ADVOCACY

Fake Art Harms Culture Updates

Arts Law in partnership with the Indigenous Art Code (IAC), and Copyright Agency (CA) continues to support the Fake Art Harms Culture campaign. In April 2020 the report of the Senate's Environment and Communications Legislation Committee on the Competition and Consumer Amendment (Prevention of Exploitation of Indigenous Cultural Expressions) Bill 2019 was tabled in Parliament. Its key recommendation was *"that the Commonwealth consult Indigenous artists, organisations and communities to develop legislation to prohibit the sale of inauthentic Indigenous products sold as souvenirs, either through amendment of the Competition and Consumer Act 2010 or through another mechanism."* We consider this outcome to be directly linked to the Fake Art Harms Culture campaign and the campaign's broad community support.

Arts Law continues to stand with Aboriginal and Torres Strait Islander artists and communities. We continue to advocate for strong action and a commitment to banning the sale of inauthentic and culturally inappropriate products. In 2020 we developed a campaign to give members of the public tools and advice on how they can help support Aboriginal and Torres Strait Islander artists and communities in this action.

Areas of advocacy in 2020:

- Fake Art Harms Culture
- Using plants and animals in artwork
- Prizes and competitions
- Artists' employment rights
- Rights for artists with disability
- Copyright reform
- Defamation reform of uniform laws

Submissions to government in 2020:

- Review of model defamation provisions
- State inquiry into the Aboriginal Flag
- Senate Inquiry into destruction of Juukan Gorge
- Senate inquiry into Australia's cultural industry and institutions
- Privacy Act Review

11 reviews of art prizes and competitions published

Arts prizes and competitions are an important way that artists can raise their profile and make a living from their practice. Too often the terms of prizes are not favourable to artists.

Arts Law regularly reviews the terms and conditions of competitions and rates them out of five stars. We engage with prize organisers and encourage them to implement changes to better protect the interests of artists entering their competitions.

Advocacy in this area has a direct and tangible impact on the rights of artists entering prizes and is an extension of our work to educate arts organisations on best practice.

12 new case studies published

5 submissions to government

31 media mentions

PRO BONO SUPPORT

NSW

Alexandra George
Andrew Cameron
Bridie Egan
Caroline A Verge
Christopher Chow
Christopher Forbes
Claire Roberts
Damian Rinaldi
Daniel Roe
Derek Baigent
Elaine Leong
Elizabeth Burrows
Emilie Blake
Emily Martin
Emma Cameron
Guy Donovan
Harry Knight
Howard Adams
Ian James McDonald
Ishan Karunanayake
Jake Blundell
James Ellsmore
Jason Qian
Jennifer Arnup
Jennifer Goh
Jeremy Storer

UNSW
Brett Oaten Solicitors
King & Wood Mallesons
Verge Whitford and Co
Chris Chow Creative Lawyers
BNP Paribas Wealth Management
Eight Selborne
Sonic Lawyers
ABC
Griffith Hack
LawScope
Influence Legal
Marque Lawyers
Martin Law for Creators
Bird & Bird
Holding Redlich
PwC
CornerSoul
Simpsons Solicitors
IshanLaw
Banki Haddock Fiora
Dentons
Simpsons Solicitors
ABC
Lander & Rogers
ABC

Jo Teng
Jules Munro
Julian Hewitt
Juliet Evans
Karen Litherland
Kate Thompson
Katherine Giles
Katie Warner
Kellie O'Flynn
Kim Waygood
Liz Rogers
Luke Hawthorne
Lynette Ladhams
Lyn Kemmis
Mandy Chapman
Mandy van den Elshout
Mark L W Matulich
Mark Williamson
Michael Easton
Michael Martin
Nicholas Smith
Nicole Winton
Olivia Lanchester
Patricia Monemvasitis
Rachel Chua
Rebecca Slater
Rebekah O'Sullivan
Richard Potter SC
Rob Glass

SBS
Simpsons Solicitors
Media Arts Lawyers
Griffith Hack
King & Wood Mallesons
Macquarie Group
MinterEllison
King & Wood Mallesons
Bird & Bird
HBA Legal
Brett Oaten Solicitors
King & Wood Mallesons
Macquarie Group
SBS
CJZ
Australian Copyright Council
Matulich Lawyers
Quest Legal
Easton Legal
Sole Practitioner
Nicholas Smith IP and Litigation
Sole Practitioner
Australian Society of Authors
Carroll & O'Dea Lawyers
Australian Government Solicitors
King & Wood Mallesons
Tribeth Group Pty Ltd
153 Phillip Barristers
Media Arts Lawyers

THANK YOU

TO ALL THE LAWYERS AND PROFESSIONALS WHO GENEROUSLY
GAVE THEIR EXPERTISE AND TIME TO ARTS LAW IN 2020

Ruthanna Klawansky
Samantha Walker
Sam Berry
Savitha Swami
Seb Tonkin
Shariqa Mestroni
Siao Sun Hoon
Sophie Ciufu
Stephanie Scott
Stephen Boyle
Stephen Dodd
Tegan Camm
Thomas Lynch
Tom Bridges
Valiant Warzecha
Vincent Floro

QLD

Jack Collings
Jaimie Wolbers
Jamie Doran
Mark Plunkett

SA

Emma Riggs
Nicholas Linke

Kay & Hughes
Nova Entertainment
Chris Chow Creative Lawyers
Frederick Jordan Chambers
Simpsons Solicitors
Bird & Bird
ABC
Marque Lawyers
Von Muenster Legal
Stephen Boyle Media and Entertainment Law
Dentons
King & Wood Mallesons
Kay & Hughes
Webb Henderson
DLA Piper
ABC

Griffith Hack
MinterEllison
Clayton Utz
Inns of Court

Camatta Lempens
Dentons

VIC

Alana Kushnir
Alexandra Vanguard
Andrew Chan
Bianca D'Angelo
Darren Sanicki
Emma Berry
Georgina O'Farrell
Harry Croft
Jeff Bergmann
Jesse Gordes
Kelsey Montgomery
Lisa Archbold
Lisa Struthers
Marco Angele
Marcus Walkom
Moiria McKenzie
Paul Cenoz
Tony Grujovski
Yasmin Naghavi
Kristin Churley

WA

Delwyn Everard
Marie Wong
Melissa Wroe
Michael Tucak

Guest Work Agency
Solubility
Dentons
K&L Gates
Sanicki Lawyers
Macpherson Kelley Lawyers
By George Legal
Hall & Wilcox
Solubility
Solubility
Dentons
Lightbox Legal
AGL
Marshalls & Dent & Wilmoth
Media Arts Lawyers
Sanicki Lawyers
Lawpath Legal
By George Legal
Media Arts Lawyers
Media Arts Lawyers

Everard Advisory
Wrays Lawyers
HBA Legal
Creative Legal

PRO BONO AWARDS

Each year our Pro Bono awards recognise the contribution of professionals who volunteer their time and expertise to Arts Law and our clients. We rely on our pro bono panel of lawyers to deliver advice to a huge percentage of our clients. Without these valued relationships Arts Law would not have the capacity to assist so many of Australia's artists.

2020 Pro Bono award winners received a specially commissioned print by emerging artist Amber Miller (far right).



FROM THE ARCHIVES (clockwise from top)

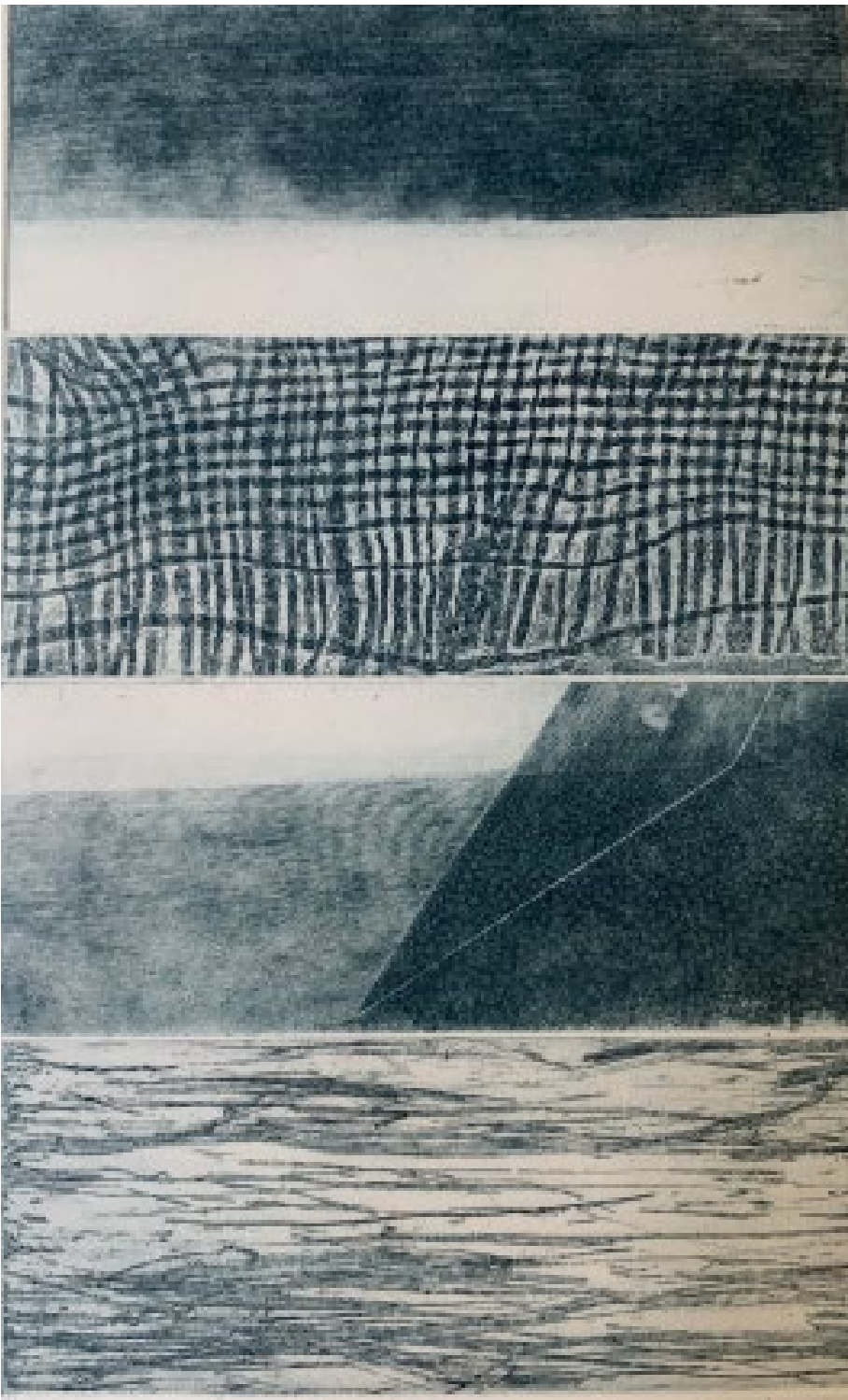
2017 All My Exes Live in Texas perform at the 2017 Pro Bono Awards. Photo By Jay La.

2010 The Crowd at the 2010 Pro Bono Awards at Artspace.

2014: Former Arts Law President The Hon Margaret Beazley AC QC presents awards at the 2014 Pro Bono Awards.

Far Right: Amber Miller, All Things Merge, 2020.
Copper plate etching. Printed on Dutch Etching Paper
100% cotton rag 250gsm. 31 x 25 cm.





2020 INDIVIDUAL WINNERS

Damian Rinaldi - Sonic Lawyers
Delwyn Everard - Everard Advisory
Derek Baigent - Griffith Hack
Eli Fisher - Baker McKenzie
Elizabeth Burrows - Influence Legal
Emily Edington - Sanicki Lawyers
Harry Croft - Hall & Wilcox
Ian McDonald - Simpsons Solicitors
Jennifer Arnup - ABC
Jodie Wauchope - Dentons
Jules Munro - Simpsons Solicitors
Julian Hewitt - Media Arts Lawyers
Kate Gould - Hall & Wilcox
Katherine Giles - MinterEllison
Luke Hawthorne - King & Wood Mallesons
Mandy van den Elshout
Mandy Chapman - CJZ
Michael Easton - Michael Easton Legal
Mike Gonski - Herbert Smith Freehills
Moira McKenzie - Sanicki Lawyers
Nora Faulua - 6 St James Chambers
Peter Allsopp - Allsopp & Allsopp
Rachel Chua - Australian Government Solicitor
Richard Potter SC - 153 Phillip Chambers
Rob Glass - Media Arts Lawyers
Ross McLean - Baker McKenzie
Ruthanna Klawansky - Kay & Hughes

2020 AWARDS FOR FIRMS

Australian Government Solicitor
Hall & Wilcox
Holding Redlich
K&L Gates
King & Wood Mallesons
Lander & Rogers
Sparke Helmore

LICENSING THE RIGHT WAY

Building best practice in licensing

Through the Federal Government's Indigenous Visual Arts Industry Support (IVAIS) program Arts Law received funding to support our new Licensing the Right Way project.

Licensing the Right Way will improve licensing outcomes for Aboriginal and Torres Strait Islander artists and build best practice within the Indigenous visual arts industry across Australia.

The initial stage of this program saw us release our first automated contract tool in late 2020. The tool is available on our website and creates custom copyright licenses by asking users to answer a few simple questions. We are also developing a video campaign to be rolled out on social media in 2021 to educate artists on their rights when it comes to licensing.



FROM THE ARCHIVES (above)

2018 Suzanne Derry delivering education at Audiocraft. Photo by Adam Jaffrey from Wavelength Creative.

Right: Aunty Lola Greeno. Photo by Rebecca Hardman.

"I found this to be a very personable service. [My lawyer] has been extremely lovely to deal with, whilst my issue has not been overly complex in legal terms, it has been explained to me in a way I clearly understand all aspects and certainly have more capacity to navigate such things in the future. Many thanks to Arts Law for wonderful service."

- Arts Law client

CASE STUDY

Helping Aunty Lola Greeno protect her rights in her water-carriers

Aunty Lola Greeno is a respected and decorated Tasmanian Aboriginal artist, curator and community leader. Recently, she contacted Arts Law for advice regarding an agreement with the Queensland Art Gallery of Modern Art (QAGOMA), Brisbane for the purchase of two water carriers she had created using traditional knowledge and skills. The water carriers are both artworks

and expressions of Indigenous Cultural and Intellectual Property (ICIP), including traditional techniques and knowledge developed by the Palawa peoples of Tasmania.

Aunty Lola provided us with a copy of the proposed contract after she had provided her works to QAGOMA, keen to understand whether the contract

adequately protected her rights. Arts Law contacted QAGOMA and was very pleased that QAGOMA was willing to work with Arts Law to make changes to the contract to better protect Aunty Lola's rights, and balance her interests with the needs of the QAGOMA.

Regarding Aunty Lola's copyright, Arts Law ensured the sale of Aunty Lola's works did not also include her copyright. This is something we continually impress upon artists. When it came to the copyright licence Aunty Lola was granting to QAGOMA, Arts Law worked in changes to the contract so that the licence was not too broad, but appropriately limited in scope. Other changes Arts Law was able to successfully negotiate for Aunty Lola included ensuring her moral rights were respected, in particular that she would be properly attributed and importantly, Arts Law secured the insertion of a cultural notice protecting the ICIP in the works and stating that the ICIP may not be used without the consent of the traditional Palawa owners. Arts Law worked with QAGOMA to ensure Aunty Lola's rights in her artworks were treated fairly in the contract. It was so rewarding to hear from Aunty Lola when she told us the improvements were implemented and the contract was signed.



FUNDRAISING

Arts Law is very grateful for all our generous supporters and partners who help us to strengthen value and respect for arts and culture to make a better world.

Hearts For Arts Law Committee

The Hearts for Arts Law (HFAL) Committee is a group of young professionals who give their time to help raise money for Arts Law and raise our profile in their communities. Despite the year's challenges the volunteer committee continued regular meetings through the year and successfully delivered an online panel event in November, "Streaming and Digital Platforms: What creators and lawyers needs to know."

HFAL members 2020:

Shariqa Mestroni (chair), Sydney Abba, Jessica Bird, Marie Boulougouris, Max Dalton, Lee Elsdon, Madeleine Gandhi, Amy Grondal, Patrick Hall, Isabelle Hazell, James Kwong, Jessica Norgard, Emily Phipps.





FROM THE ARCHIVES (clockwise from top left)

2017: Colin Biggers & Paisley Top End Trek Fundraising initiative.

2018: Major Fundraising with the Brandenburg Quartet. Photo by Matt Teague from Social Focus.

2017: Robyn Ayres, former Arts Law President The Hon Margaret Beazley AC and at the Art Sale fundraiser hosted by Martin Place Chambers. Photo by Jay La Photography.

2014: Robyn Ayres and staff run the City to Surf.



ARTS LAW ALLIES

42 Foundation Arts Law Allies

\$56,900 raised at Arts Law Allies launch event

132 attendees from **7** countries around the world

In October we launched our new donation program the Arts Law Allies. Like so many things in 2020 it was a new venture into online delivery and we held our first livestream featuring a live drawing performance by Gosia Wlodarczak, Dora Griffith taking us behind the scenes at Waringarri Aboriginal Arts, music from Electric Fields and some passionate speeches from our Vice Regal Patron, Governor of NSW, Her Excellency the Honourable Margaret Beazley AC QC and long-time supporters Dan Creasey, KWM, and Mark Dempsey SC. We were also able to use this opportunity to thank our wonderful pro bono lawyers.

Right: Screenshot of Robyn Ayres, Arts Law CEO MC-ing the Arts Law Allies Launch in October 2020.

GOLD ALLIES

Andrew Wiseman
The Hon David Levine AO RFD QC
King & Wood Mallesons
Norton Rose Fulbright
Simpson-Michel Foundation

SILVER ALLIES

Jeffrey Hilton SC
Colin Biggers & Paisley

BRONZE ALLIES

Her Excellency the Hon Margaret Beazley AC QC, Governor of NSW
Adam Casselden SC
Allan Myers AC QC
Alec Leopold SC
Alison Leslie
Alison Renwick
Dr Andrew Lu OAM
Anthony Crimmings
Ashurst
Carol Webster SC
Charles Alexander
David Marr

Deb Camden
The Hon Elizabeth Evatt AC
Ezekiel Solomon AM
Prof Geoffrey Lancaster AM
The Hon George Palmer AM QC
The Greatorex Fund
Holding Redlich
Jacqueline McGrath
Jason Craig
Jo Renkin
The Hon Justice Francois Kunc SC
The Hon Margaret White AO
& Dr Michael White OAM QC
Landers & Rogers
Margaret Waller
Marion Heathcote
Mark Dempsey SC & Jodi Steele SC
Martin Place Chambers
Nathan Hepple & Sarah Tempest
Navid Bahadori
Noel Hutley SC
Richard Potter SC
Ruth Ritchie
Wendy Brooks



PARTNERSHIPS

Arts Law would not be able to do the work we do without the support of our many valued partners. Our partner organisations offer legal and pro bono support, extend the reach of our services, help deliver our education and outreach programs and help provide financial support.

Thank you to all our wonderful 2020 partners. We look forward to building on these relationships and forging new partnerships in 2021.

FROM THE ARCHIVES

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

2 Rivers
ANKA
APRA AMCOS
Arts Access Victoria
Arts TAS
Australia Council for the Arts
Australian Performing Arts Market
Australian Theatre for Young People
Big hART
Colin Biggers & Paisley
Communications and Media Law Association
Creative Partnerships Australia
Desart
Dubbo Regional Council
First Languages Australia
Gold Coast Council

Guildhouse
Hall & Wilcox
Holding Redlich
Indigenous Art Centre Alliance
Inkey Media
King & Wood Malleson
Ku Arts
Legal Aid TAS
Melbourne University
Multicultural Arts VIC
NAVA
Office for the Arts, Department of Infrastructure, Transport, Regional Development and Communications
PhotoAccess
PICA
Regional Arts NSW





Top: The Arts Law team outside the new Arts Law offices in Registrar General's building. Photo by Stephen Oxenbury 2021.

FROM THE ARCHIVES

2012 Arts Law staff celebrate Robyn Ayres' 10th anniversary as CEO.



Board

President

The Hon Justice John Robertson
Sackar

Vice President

Andrew Wiseman
Michelle Gibbings (Resigned 13/10/2020)
Navid Bahadori
Debra Camden
Dr Andrew Lu OAM
Sarah Kwok Ngating
Dr Emma Hicks
Dr Jarod Thomas
Dan Creasey (Elected 20/10/2020)

Staff

CEO

Robyn Ayres

Director,

National Partnerships & Programs
Suzanne Derry

Principal Solicitor

Trudie Sarks

Senior Solicitor

Donna Robinson

Solicitors

Roxanne Lorenz
Sharna White

Paralegal

Gabrielle Hunter

Artists in the Black Coordinator

John Waight

Artists in the Black Paralegal

Jack Howard

Communications Coordinator

Emily Phipps

Finance and Operations Manager

Melinda Watson

Finance and Administration Coordinator

Michael Bridges

Administration Officers

Latifa Tasipale (until Feb 2020)
Georgia Brigg (from March 2020)

Secondees & Interns

Lee Elsdon
Aidan Hawkes
Jessica Horn
Sam Lee
Georgina Hu
Aaron Irving
Jiyoung Lee
Charlotte Lewis
Art Pitchford
Kelvin Yeung
Karen Zhong

Volunteers

Tabassum Athoey
Tanya Chen
Jakub Grzybowski
Charlotte Smee
Kelvin Yeung
Nerissa Puth
Susan Willie
Alexia Psaltis
Zaki Zeini
Ella Furphy
Leonie Clercic
Darcy St Louis
Hamish Lennon
Annice Savill

OUR PEOPLE

"[My lawyer] was incredibly helpful and polite. He considered my situation and personal circumstances when handling the call. His information was supportive and relevant. I know when to call you again, and am very clear with my way forward. I highly recommend your services. Thanks so much"

- Arts Law Client

FINANCES

"Thank you I am extremely appreciative of the service and it will enable me to continue to complete my book. This may not have been possible without the advice provided."

- Arts Law client

FROM THE ARCHIVES

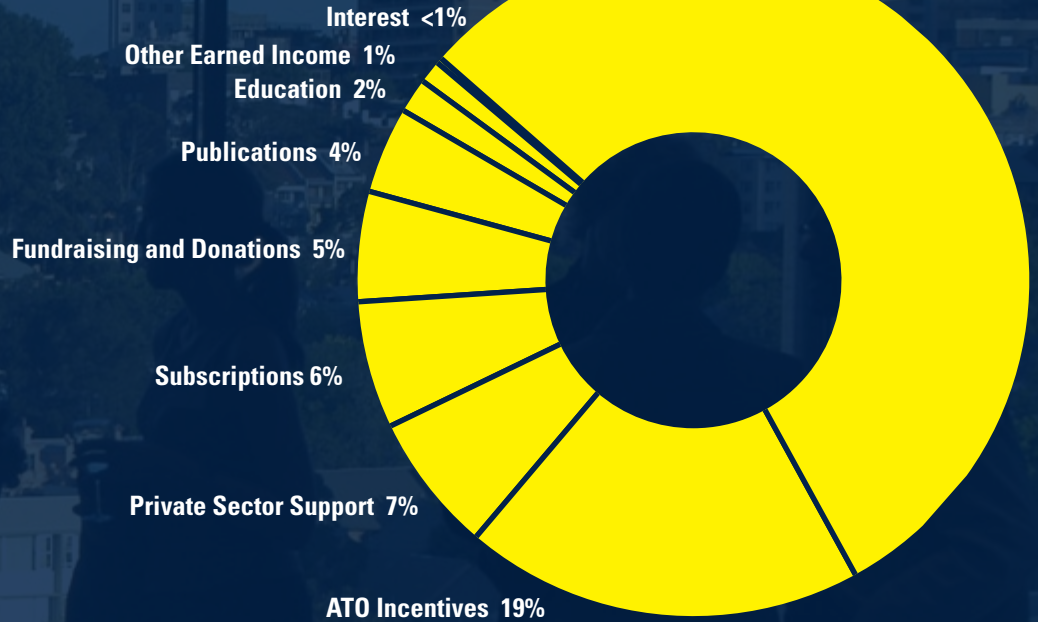
2003: Arts Law's 20th Birthday Celebration at the Art Gallery of NSW. Photo by Sarah Rogers.



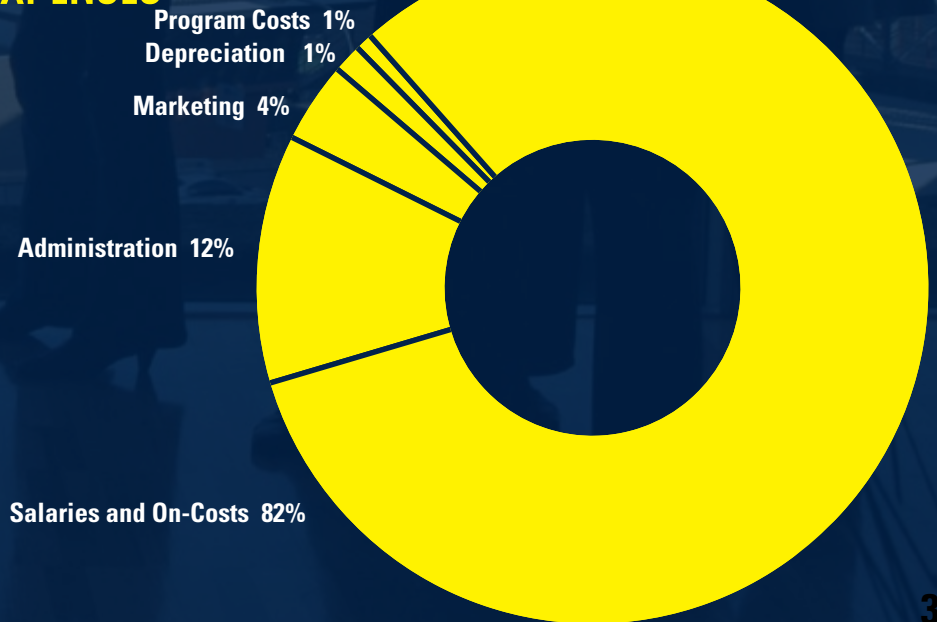


INCOME

Grant and Government Funding 56%



EXPENSES





Australian Government

Department of Communications and the Arts



Australian Government



Australian Government

Indigenous Visual Arts Industry Support



Australian Government

Attorney-General's Department

Supported by



Department of Local Government, Sport and Cultural Industries



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