

FAKE ART HARMS CULTURE

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REVIVE NATIONAL CULTURAL POLICY TAKES STEPS TO STAMP OUT FAKE ART

Joint statement – Arts Law Centre of Australia, Indigenous Art Code, Copyright Agency

The Revive National Cultural Policy puts First Nations First and commits to develop legislation to protect First Nations knowledge and cultural expressions, including to address the harm caused by fake art, merchandise and souvenirs.

‘First Nations First’ is the premier pillar of the Government’s newly announced National Cultural Policy – Revive: a place for every story, a story for every place (Revive Policy). Self-determination and truth-telling are key elements of the new policy, and are critical to Aboriginal and Torres Strait Islander artists to sharing their culture and stories on their own terms.

The Fake Art Harms Culture Standing Committee (Arts Law, the Indigenous Art Code and the Copyright Agency) supports the Revive Policy’s approach to Aboriginal and Torres Strait Islander arts and culture. It is part of the nation’s ongoing journey to properly respect and protect the unique cultural heritage of Aboriginal and Torres Strait Islander communities.

Australia urgently needs legislation which recognises the right of Aboriginal and Torres Strait Islander artists and communities to protect their work and culture and ensure it is respected.

The recent Productivity Commission report into Aboriginal and Torres Strait Islander Visual Arts and Crafts provided recognition of the harm caused by fake art. However, the commission’s recommendations, released late 2022, only cover the visual arts and crafts sector.

The new commitment to develop stand-alone legislation to protect First Nations knowledge and cultural expressions in the Revive Policy goes beyond the scope of the Productivity Commission.

The Revive Policy commits to developing ICIP protection across visual arts, writing, music, performance, language, sacred sites, techniques, songlines, stories and more. Recognition of the breadth of Aboriginal and Torres Strait Islander arts and cultural practice is essential to ensure it is properly respected and protected.

The Fake Art Harms Culture (FAHC) campaign has been calling for the development of robust Indigenous Cultural and Intellectual Property (ICIP) laws since its inception in 2016. We are pleased that the voices of Aboriginal and Torres Strait Islander artists who supported the FAHC have been heard by Government through this commitment to ICIP.



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Arts Law, the Indigenous Art Code and the Copyright Agency welcome the commitment from the Government to establish stand-alone legislation to recognise and protect ICIP. We look forward to continuing to work with the Government, Aboriginal and Torres Strait Islander artists, community members and stakeholders to develop and implement this new legislation.

For more information or requests for an interview, please contact:

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