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Bana Yirriji Art Centre

WUJAL WUJAL QLD 4895

Aboriginal and Torres Strait Islander visual arts and crafts policy.

Why are visual arts and crafts important to you and your community?

Art reflects a community and its surroundings, working to cultivate a cultural identity by setting a community apart and attracting people to its uniqueness. Artwork helps express a community's values and creates an elevated sense of awareness for community members and visitors. Art represents life in many ways.

When you support your local arts centre, you help develop your community's culture, grow the economy by stimulating business, drive tourism and educate customers.

Are existing laws sufficient to protect your art, crafts and culture?

The laws we have are inadequate and need to be strengthened. Whilst comprehensive recognition of Aboriginal and Torres Strait Islander peoples' rights to ownership and control of Indigenous Cultural and Intellectual Property is needed, as a first step, we want the Federal Government to introduce specific laws, similar to laws operating in the US, which prohibit the marketing and sale of Aboriginal and Torres Strait Islander arts and crafts products within Australia unless it is made by Aboriginal and Torres Strait Islander peoples (or licensed with their full authority, which is clearly documented). It would be illegal to offer or display for sale, or sell any art or craft product in a manner that falsely suggests it is an Aboriginal and Torres Strait Islander product, or the product of a particular Aboriginal and Torres Strait Islander community or organisation. There should be civil and criminal penalties attached. The law would cover all Aboriginal and Torres Strait Islander and Aboriginal-style traditional and contemporary arts and craft.

How easy is it to get help if someone uses your art without permission?

Being an Indigenous art centre in Nth Qld and a member of Indigenous Art centre Centre Alliance, there is a lot of help available. Bana Yirriji arts are also members of Artslaw and Copyright agency who are available to answer all your questions. They also have a lot of information on their websites.

How does fake art affect you?

The fake product denies Aboriginal and Torres Strait Islander artists and their communities legitimate income streams which could be earned from selling authentic arts and craft works to the many consumers and tourists wanting to connect with Indigenous Australia.

It also destroys the income streams that could be earned from selling genuine arts and craft works to the many consumers wanting to connect with Indigenous Australia.

The fake product misappropriates or exploits Aboriginal and Torres Strait Islander culture, violating the stories, the imagery, the knowledge and heritage which are embodied in authentic works. Ownership, responsibility and control by Aboriginal and Torres Strait Islander peoples of their cultural heritage is crucial.

What do you think should be done about it?

Bring in a law and make it illegal. Stop importing fake art.

Are there better ways for governments to support the Aboriginal and Torres Strait Islander arts and crafts sector?

Government should commit to a legislation to remove inauthentic Aboriginal and Torres Strait Islander arts and crafts from the Australian market, to better regulation of licensing for Aboriginal and Torres Strait Islander artists or a commitment to protection of Indigenous Cultural and Intellectual Property more broadly.