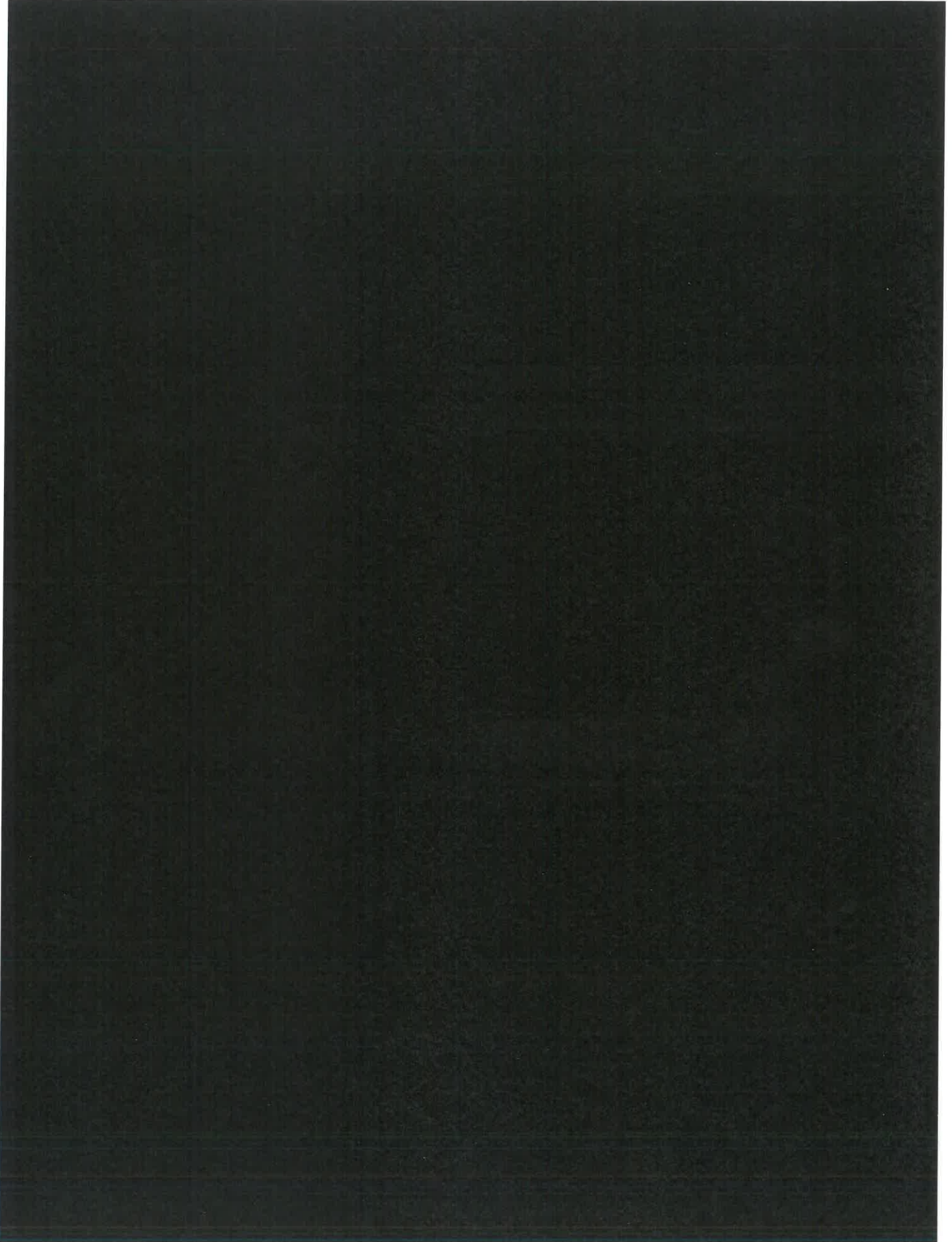


Released under FOI

Vaughan, Sharyn



Released under FOI

From: Dowers, Michael
Sent: Wednesday, 13 June 2018 12:13 PM
To: Eckermann, Kate <katrina.eckermann@acc.gov.au>; Vaughan, Sharyn <sharyn.vaughan@acc.gov.au>; Jennings, Libby <elizabeth.jennings@acc.gov.au>
Subject: RE: Follow up question / Indigenous art [DLM=Sensitive]

Hi Eckers,

A couple of suggestions from me, in red, below.

Second bullet point: I've been told by some Indigenous artists that the reason they choose (some do however) not to print their art onto cheaper souvenirs like stubby coolers and key rings is because they feel that it trivialises their art.

Third bullet point: Just a suggestion to help the sentence flow a bit more.

Regards,

Michael Dowers
Director | Townsville
Enforcement Queensland & Northern Territory
Australian Competition and Consumer Commission
www.accc.gov.au

Level 9 | Suncorp Building | 61 – 73 Sturt St | Townsville QLD 4810

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The ACCC acknowledges the traditional custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

From: Eckermann, Kate
Sent: Wednesday, 13 June 2018 11:42 AM
To: Vaughan, Sharyn <sharyn.vaughan@acc.gov.au>; Dowers, Michael <michael.dowers@acc.gov.au>; Jennings, Libby <elizabeth.jennings@acc.gov.au>
Subject: RE: Follow up question / Indigenous art [DLM=Sensitive]

Hi all

What do you guys think about the below points? I've used Scott's dot points as the base, but have drawn from the Birubi MR and concise statement, the Indigenous Art estimates brief and my chat with Shaz.

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- Dealing with consumer law issues that impact on Indigenous Australians is an enduring priority for the ACCC.
- The ACCC views as serious misleading claims that give the impression that products or art are produced by Indigenous Australians when they are not. Such misleading claims have the potential to impact not just customers, who think they are buying genuine handmade Indigenous art or products, but they also have the potential to undermine the integrity of Indigenous art and negatively impact Indigenous artists, including by undervaluing or **trivialising** their authentic works. Furthermore, passing off for commercial gain artwork or cultural objects as being hand-painted or made by Indigenous Australians may be considered within Indigenous Australian communities to be culturally demeaning.
- The ACCC is able to address **such misleading** conduct involving **misleading both** express or implied **conduct or** representations. Implied representations may arise when the product is painted in a traditional Indigenous style, contains some form of representation as to 'hand painted' or 'hand crafted' or reference to Indigenous Australia, but has no information as to its true country of origin.
- The ACCC has a history of action in this area. [REDACTED]
[REDACTED] we considered several allegations of such conduct and commenced proceedings against one trader. That matter is before the court. We continue to investigate further allegations and may take further action in the second half of this year.
- [REDACTED] and will look to leverage off outcomes in current matters to try to address this kind of conduct in the industry.

Kate Eckermann

Assistant Director | Enforcement Coordination

Australian Competition & Consumer Commission

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The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

em and notify the sender by return email.