

Released under FOI

Vaughan, Sharyn

From: McDonald, Melinda
Sent: Thursday, 15 March 2018 9:55 PM
To: Black, Jane; Vaughan, Sharyn; Godfrey, Emma; Mayall, Deb
Cc: Scott, Christine
Subject: READ ONLY - D18-33210 Enf - Admin Other - Birubi DRAFT Media release 2
[SEC=UNCLASSIFIED]
Attachments: READ ONLY - D18-33210 Enf - Admin Other - Birubi DRAFT Media release 2.DOCX

Security Classification: UNCLASSIFIED

Hi all, pls see attached my comments on the strat comms edit. See what you think – only a bit more markup in the doc re the quote, plus I think both the title and the images need work. See comments. Keen for your views in the am. Thanks, Melinda



MEDIA RELEASE

XX March 2018

ACCC TAKES ACTION AGAINST BIRUBI IN COURT ACTION OVER ~~T~~“ABORIGINAL” ~~FOR~~ ALLEGED MISLEADING INDIGENOUS ART ART PRODUCTS CLAIMS

The ACCC has instituted proceedings in the ~~taken~~ Federal Court ~~action~~ against ~~national~~ Aboriginal art products and Australian souvenirs wholesaler Birubi Art Pty Ltd (Birubi), ~~alleging it misled people about some of its products including where they were made, and their nature and history.~~

~~a national wholesaler of Aboriginal art products and Australian souvenirs. The ACCC alleges Birubi breached the Australian Consumer Law (ACL) by misrepresenting the country of origin, and the nature and history of some of its products.~~

~~The ACCC alleges that, between July 2014 and November 2017, the ACCC alleges Birubi contravened the Australian Consumer Law by made ~~claims~~ claiming on certain ~~making~~ claims on some of its ~~these~~ products ~~they~~ that they were made in Australia, and/or that an Aboriginal persons had hand-painted or made or hand painted the product ~~them~~, when in fact they were made in Indonesia.~~

~~The products at the centre of the ACCC's allegations include Aboriginal cultural objects such as boomerangs, bullroarers, and didgeridoos. The products displayed a combination of words and artwork including 'hand painted', 'handcrafted', 'Aboriginal Art', and 'Australia'.~~

~~The products were instead made in Indonesia.~~

~~However, these products were made in Indonesia. The products include Aboriginal cultural objects such as boomerangs, bullroarers, and didgeridoos. The products displayed a combination of words and artwork that gave rise to the allegations, including 'hand painted', 'handcrafted', 'Aboriginal Art' and 'Australia'.~~

~~"The Birubi's alleged conduct is of serious concern, is damaging as it misleads people who think they are buying genuine hand made Aboriginal art. This ~~it also~~ as it not only harms consumers who may be misled, but it also has the potential to undermine the integrity of Aboriginal art, and negatively impact Indigenous artists, including potentially undervaluing authentic Indigenous Australian artwork, and their artwork who deserve to be paid for their works," ACCC Deputy Chair Delia Rickard Chairman Red Sims said.~~

~~The products at the centre of the ACCC's allegations include Aboriginal cultural objects such as boomerangs, bullroarers, and didgeridoos. The products displayed a combination of words and artwork including 'hand painted', 'handcrafted', 'Aboriginal Art', and 'Australia'.~~

~~"We allege that over 18,000 of these products were sold to shops in key tourist spots around the country throughout Australia. In the lead up to the Commonwealth Games in Australia next month, which will see tens of thousands of tourists visiting Australia, it's particularly important to ensure products being sold as purporting to be Indigenous cultural objects or art are authentic," Ms Rickard said. ACCC Chairman Red Sims said.~~

Commented [MM1]:

Commented [MM2]: I am concerned the formatting the word Aboriginal in quotation marks may be insensitive in a general sense. I prefer earlier version, including ref to indigenous art, as that has been the language of this body of work to date.

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Commented [MM3]: This harm statement aligns with the CS as settled by Senior Counsel

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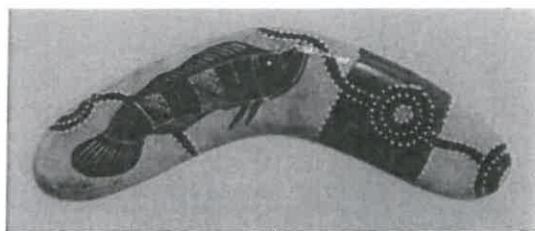
The ACCC is seeking declarations, pecuniary penalties, injunctions, corrective notices, compliance program orders, and costs.

~~These proceedings form part of the ACCC's work addressing conduct impacting Indigenous Australians, which is an enduring priority for the ACCC.~~

Notes to editors

These proceedings form part of the ACCC's work addressing conduct impacting Indigenous Australians, which is an enduring priority for the ACCC.

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Commented [MM4]: See my email team – think use a combo of didgeridoo images and message stone if need a second product.

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Field Code Changed