

# Released under FOI

Vaughan, Sharyn

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**From:** Davidson, Elise  
**Sent:** Friday, 29 June 2018 9:13 AM  
**To:** Vaughan, Sharyn  
**Cc:** Herron, Will  
**Subject:** FW: Follow up question / Indigenous art [SEC=UNCLASSIFIED]

**Categories:** Green Category  
**Security Classification:** UNCLASSIFIED

**From:** Tobin, Grace <GTobin@nine.com.au>  
**Sent:** Friday, 15 June 2018 9:40 AM  
**To:** Davidson, Elise <elise.davidson@accc.gov.au>  
**Subject:** RE: Follow up question / Indigenous art [SEC=UNCLASSIFIED]

Hi Elise!

So sorry I missed you yesterday – I was off work sick.

Back in the office today if you want to run through the statement but that all makes perfect sense thank you.

We'll put it on our website so that viewers can also read in full.

The story will definitely air this coming Sunday. The promo is already running on air and also on our social media – facebook and twitter.

We should – post-story – catch up for a coffee to chat about a potential follow up piece depending on the direction of the current investigations?

Kind Regards,

Grace

## Grace Tobin

Producer



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**From:** Davidson, Elise [<mailto:elise.davidson@accc.gov.au>]  
**Sent:** Friday, June 15, 2018 9:35 AM  
**To:** Tobin, Grace  
**Subject:** RE: Follow up question / Indigenous art [SEC=UNCLASSIFIED]

Just a minor edit Grace, for clarity. Please let me know when you do when the program will air so we can tune in – and thanks.

Best  
Elise

**From:** Davidson, Elise  
**Sent:** Thursday, 14 June 2018 4:47 PM

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To: 'Tobin, Grace' <[GTobin@nine.com.au](mailto:GTobin@nine.com.au)>

Subject: RE: Follow up question / Indigenous art [SEC=UNCLASSIFIED]

Hi Grace

Sorry for delay.

The ACCC conducts investigations when we have a reason to believe misleading claims are being made about products or art being produced by Indigenous Australians when they are not. This work is important to the ACCC because misleading claims have the potential to undermine the integrity of Indigenous art and negatively impact Indigenous artists, including by undervaluing or trivialising their authentic works. People who buy handmade Indigenous art or products should also have the assurance that the claims being made are genuine.

The ACCC is able to address two types of misleading conduct involving both express and implied representations. Express representations may include a label or a statement by the seller direct to the consumer stating that it is authentic Indigenous art. 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. Recently, we investigated several allegations of such conduct referred to us under the Indigenous Art Code and took court action against one trader. That matter is before the court. We are currently investigating further allegations and may take further action this year.

Enforcing the consumer law in relation to issues like these that negatively impact Indigenous Australians is an enduring priority for the ACCC. We hope our continued vigilance in this area will send a strong deterrent message to other traders who seek to mislead or deceive.

Best  
Elise

From: Tobin, Grace <[GTobin@nine.com.au](mailto:GTobin@nine.com.au)>  
Sent: Thursday, 7 June 2018 2:18 PM  
To: Davidson, Elise <[elise.davidson@accg.gov.au](mailto:elise.davidson@accg.gov.au)>  
Subject: FW: Follow up question / Indigenous art

Hi Elise,

So sorry I missed your call yesterday (and I've somehow misplaced your number sorry!)

Just to clarify, I'm only hoping to use the information about the ongoing investigations by the ACCC, rather than an actual sit-down interview. However, that is something we would be interested in exploring down the track – particularly if you see any benefit in us following this up from a stronger ACCC point of view next time round.

This first story is more about putting the issue of fake indigenous art on the agenda and I'm keen to keep going from there.

Many thanks,

Grace

**Grace Tobin**  
Producer

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**From:** Tobin, Grace  
**Sent:** Tuesday, June 05, 2018 11:55 AM  
**To:** 'elise.davidson@acc.gov.au'  
**Subject:** Follow up question / Indigenous art

Hello Elise,

Thanks so much for lining up the chat yesterday with Scott Gregson. Really appreciate it.

Given it was only for background purposes, [REDACTED]

I was hoping to include a line about it in our story.

No problem if not.

Many thanks,

**Grace Tobin**

Producer



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