

# Review of International Best Practice literature in the Visual Arts and Craft Sector

## Overview

Best practice, industry standards and ethical guidelines in the Visual Arts sectors across the globe are all developed exclusively, informed by the specific policies and practice of where they are located. But more and more, we are informed by international practice and research, that we hope will strengthen the support for our artists and our art industry right here in Saskatchewan. This short literature review highlights this other work, some academic, some independent, some commissioned by government or arts agencies, which has contributed to the development of our Best Practice project. Have a look, the electronic documents are posted on our website:

[www.bestpracticestandards.ca](http://www.bestpracticestandards.ca)

## THE NATIONAL ASSOCIATION OF VISUAL ARTS

[www.visualarts.net.au](http://www.visualarts.net.au)

is the peak body representing and advancing the professional interests of the Australian visual arts, craft and design sector. The Code of Practice for the Australian Visual Arts and Craft Sector Edition 2, developed, commissioned and published by the National Association for the Visual Arts (NAVA) includes the following sections: Exhibiting, Selling and Collecting; Commissioning Residencies and Workshops; Competitions, Prizes, Awards and Fundraising; Fees and Wages; Tax, and Insurance and Occupational Health and Safety. NAVA is currently undertaking the development of the 3<sup>rd</sup> Code and working extensively on the consultation for the **Indigenous Australian Art Commercial Code of Conduct**, aiming to promote fair trade and practice in the Industry and to provide a detailed list of the terms that should be incorporated into agreements that relate to the trade in Indigenous artwork.

## THE AUSTRALIA COUNCIL FOR THE ARTS

[www.australiacouncil.gov.au](http://www.australiacouncil.gov.au)

also works towards regulating industry standards in the visual arts, specifically in regards to cultural development work like community murals and when working with children. They have also released a fully revised second edition of their Indigenous Visual arts protocol guide to help Australians better understand

the use of Indigenous cultural material. The nine principles include secrecy and confidentiality; communication, consultation and consent; and attribution and copyright. The principles are accompanied by case studies from the arts that help both artists to know their rights, and anyone working with Indigenous heritage and culture to do the right thing.

## ARTSLAW (AUS)

[www.artslaw.com.au](http://www.artslaw.com.au)

is the national community legal centre for the arts, providing specialised legal and business advice and referral services, professional development resources and advocacy for artists and arts organisations. They provide preliminary advice and information to artists and arts organisations across all artforms on a wide range of arts related legal and business matters including contracts, copyright, business names and structures, defamation, insurance and employment. They have produced a host of resources for members and for purchase through their website including: Best Practice Guidelines: Displaying Visual Art on the Internet, Business Partnership Checklist, Artist Gallery Checklist, Sale of Artwork, Consignment, Image reproduction Licence for a Publication, and Artist-Gallery Agreement (long term). As well, they have developed an innovative series entitled "Artists in the Black" providing accessible advice on copyright, moral rights, indigenous cultural rights and intellectual property, and contracts, illustrated by colourful graphic covers.

### THE CITY OF MELBOURNE (AUS)

[www.melbourne.vic.gov.au/AboutMelbourne/ArtsandEvents/Indigenousarts/Pages/Codeofpractice.aspx](http://www.melbourne.vic.gov.au/AboutMelbourne/ArtsandEvents/Indigenousarts/Pages/Codeofpractice.aspx)

has developed a **Code of Practice for galleries and retailers of Indigenous Art**. The Code is a guide to appropriate ways to sell and display Indigenous art and work with Indigenous artists, developed as a statement of principles. The Code covers industry issues and specifics relating to the sale of Indigenous arts and crafts in Victoria, but may also be useful for retailers and galleries outside of Melbourne.

### ARTSQUEST (LONDON)

[www.artquest.org.uk](http://www.artquest.org.uk)

is an extensive web based resource that provides practical support to visual artists and craftspeople, funded by Arts Council England with over 800 pages of London based resources, accompanied by detailed and accurate research on arts law topics including: copyright, contracts, money, artists resale right, ways of working, studios, public policies and Commissions, censorship, art after death, and art law history.

### THE VISUAL ARTS AND GALLERIES ASSOCIATION (UK)

[www.vaga.co.uk](http://www.vaga.co.uk)

is a leading independent body and UK-wide professional network promoting the visual arts and representing the interests of organisations and individuals working in all aspects of the presentation and development of the visual arts.

### THE ARTISTS INFORMATION COMPANY (UK)

[www.a-n.co.uk/knowledge\\_bank/article/92660](http://www.a-n.co.uk/knowledge_bank/article/92660)

(a-n) has published **The Code of Practice for the Visual Arts** written by Lee Corner, draws from the experiences of practising artists along with those of commissioners, curators and others with whom artists work. It looks at the principles that underpin good practice, and makes connections with examples to show how they work in practice.

### PUBLIC ART ONLINE (UK)

[www.publicartonline.org.uk/resources/practicaladvice/contracts/goodpractice.php](http://www.publicartonline.org.uk/resources/practicaladvice/contracts/goodpractice.php)

this unique public art site provides guidance and some examples of public art from the UK and internationally. It also provides a paper that explores key lessons learned from artists, commissioners and art lawyers who have experience of these matters over many years. The paper warns against the ill-considered use and over-reliance on the use of so-called 'model' contracts, and gives reasons for this.

### THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

[www.wipo.int](http://www.wipo.int)

is a specialized agency of the United Nations. It is dedicated to developing a balanced and accessible international intellectual property system (IP), which regards creativity, stimulates innovation, and contributes to economic development while safeguarding the public interest. Their recent work includes an extensive publication regarding *The Relationship between Intellectual Property and the Protection of Traditional Knowledge and Cultural Expressions*.

### THE GRAPHIC ARTIST GUILD (USA)

[www.graphicartistsguild.org](http://www.graphicartistsguild.org)

is committed to improving conditions for all graphic artists (including, but not limited to: animators, cartoonists, designers, illustrators, and digital artists) and raising standards for the entire industry. They provide guidelines in a few areas: art competitions and contests, negotiating contracts, copyright, and provide an excellent on line glossary for contract terms.

### THE CREATORS' RIGHTS ALLIANCE (CAN)

[www.cra-adc.ca](http://www.cra-adc.ca)

is a coalition of national artists' associations and collectives responsible for managing authors' rights, which is devoted to the defense, the promotion and the protection of the interests of Canadian creators in relation to intellectual property. Of particular interest to this project are two papers hosted on their site: *Handbook on creators' rights.* written by Caldwell Taylor, Susan Crean and Greg Young-Ing and *Traditional knowledge: A Challenge to the International Intellectual Property System*, by Daniel J. Gervais.