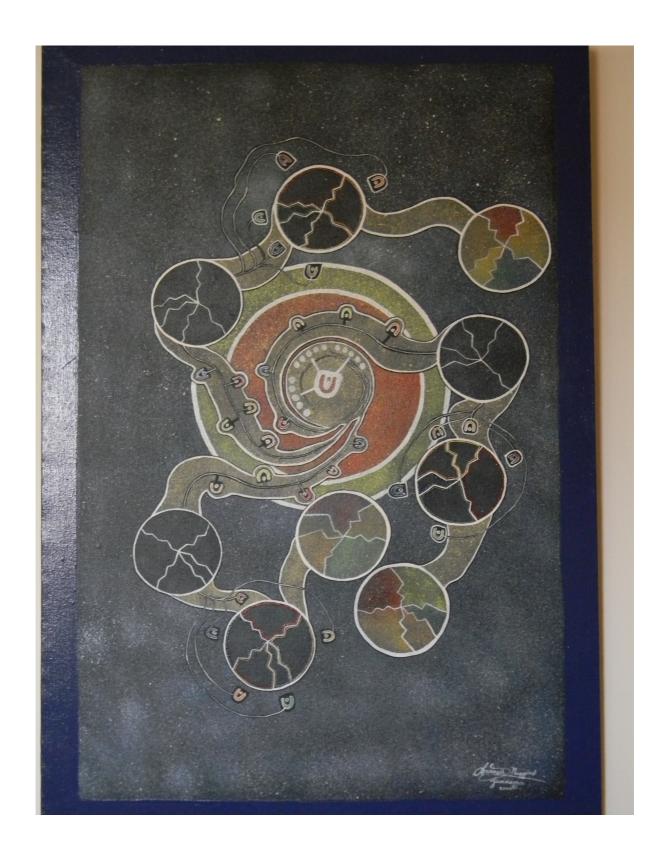
# **Art in Prison**



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## 1. Introduction

This project documents the history of prison art as a genre, exploring the culture of art and artists in and around prisons. A review of literature surrounding art in prisons show some key areas not explored, specifically in the documentation and exploration of participants experience of art projects. Discussing the motivation of formal and informal artistic expression both of the incarcerated and contributions from the justice community, along with the social, political, educational and therapeutic benefits of engaging in art practices and the particular characteristics that are inherent in and a result of the prison environment.

This research is in preparation for poetry, illustrations, paintings and other art produced by prisoners that may be sent through following the posters that have been distributed to all Australian prisons for our upcoming publication of JUST US. In terms of collaborating resources, we are interested in the areas of marketing prisoner art, expressions of culture, graphic design and teaching of art skills. Looking into ways to better understand how art can be used not just by prisoners but also by the justice community to convey messages, ideas and feelings around prisons and their impact on the human experience.

# 2. Entitlements of Prisoners Creative Expression

Under article 19.2 of the Universal Declaration of Human Rights

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

The full development of the human personality is a human right, which then begs the issue of the prisoners right of possession of their creations and their story, along with the ability to be able to profit from such creations. (See <a href="http://justiceaction.org.au/cms/prisons/prison-issues/conditions/item/521-prisoners-right-of-possession">http://justiceaction.org.au/cms/prisons/prison-issues/conditions/item/521-prisoners-right-of-possession</a>)

## 3. Essence of Prison Art

"Art is the process or product of deliberately arranging elements in a way that appeals to the senses or emotions. It encompasses a diverse range of human activities, creations, and modes of expression, including music and literature."<sup>2</sup>

Art is such a rich area that is inextricably linked with the prison experience. Informal artistic expression has been found in the form of art on cell walls, tattoos, quotations from sacred (religious) texts, illustrations and various hand-made crafts created with whatever prisoners are able to make use of. In fact tattoos are one of the earlier forms of expression when there weren't many resources and prisoners did not have many, if any, possessions. Even the graffiti

http://www.un.org/en/documents/udhr/

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<sup>&</sup>lt;sup>1</sup> Universal Declaration of Human Rights, art 19

<sup>&</sup>lt;sup>2</sup> http://en.wikiquote.org/wiki/Art

of cell walls in American prisons is starting to be viewed as artistic expression rather than graffiti.<sup>3</sup>

It can even be argued that the more simplistic and primitive a culture, the more art is integrated in a way that is inseparable from daily practices.<sup>4</sup> It can become rather abstract, as with the case of Donny Johnson that is discussed later. Art is the remainder of what does not fit, of things that are not classified into categories that are perfectible. Artist Nicholas Wilton explains art in these terms, that everything that isn't perfectible and cannot be categorised goes into the box labelled ART, that is the keeper of our imperfect nature as human beings.<sup>5</sup>

# 4. History of Art in Prison

Prison art can be described as a genre that is able to go beyond the confines of an art room, taking on numerous forms including prison walls and is capable of encapsulating some of the most basic desires of the human experience. Prison art is a reflection and a representation of a culture. Even though this may be a subculture or a counter-culture, the art can be symbolic of common values, attitudes, behavioural practices and knowledge, whilst remaining connected to the theme of 'outside'.6

The common themes that are conveyed through art produced by prisoners

- Connection to the outside world
- Identity
- Escapism/engagement with imagination
- Freedom
- Family
- Country
- Reflection of life; past, present, future
- Transcend their reality/experience

<sup>&</sup>lt;sup>3</sup> Johnson, Lee Michael, *Jail Wall Art and Public Criminology*, Research and Practice in Social Sciences, Vol. 5 (1), 2009, p2

<sup>&</sup>lt;sup>4</sup> Manley, Roger, *Outsider Art: Psychosis or Expression of Folk Art-Making?* <a href="http://www.folkstreams.net/context">http://www.folkstreams.net/context</a>, 151

 $<sup>^{\</sup>rm 5}$  Brown, Brene, Daring Greatly: How the Courage to be Vunerable Transforms the Way We Live, Love, Parent and Lead, Gotham Books, 2012 p135-6

<sup>&</sup>lt;sup>6</sup> Ibid, 3, p17

In terms of escapism art can be described as an escapism that is not unreal, but rather a very real form of creative expression. Art allows the definition of past, present and future of the individual. This engagement with the imagination can be a helpful reflection in a prisoners' life offering broad-brush strokes of their life experience. By participating in art, a prisoner is given the opportunity to change the dynamic of incarceration<sup>7</sup>, using the art to create an entirely separate world to escape to and engage with. This is especially true for the Indigenous populations in prison, as art can be a direct link to their culture and cosmology, connecting them to tribal totems from childhood as well as reinforcing their relationship to land and country.<sup>8</sup>

Some of the earliest forms of expression come from the Penal Colony in the form of convict tattoos, ranging from initials (most likely of loved ones), to animals, mermaids and inanimate objects such as keys and anchors. Their meanings are elusive, though they were used as a form of personal identification, or perhaps 'the only thing related to a loved one that a convict could take with them when transported.'9

"Participating in the arts while in prison helps inmates develop a sense of accomplishment and self-esteem, which are vital for a successful reintegration back into society. It also helps them convey their message through the art they create – an apology, a call for reconciliation, or a cry of innocence." (www.safestreetsarts.org) Art is made for communicating and connecting with an audience, of translating multifaceted content in a simple more readily understood form.

#### 5. Motivation

The psychological motivation that appears is in the exertion of control over one's environment. It can offer a sense of "freedom, of power, of normalcy." Participation in the arts whilst in prison can assist in building confidence and self-worth, given that their environment is so heavily restricted and regulated, consistently oppressed and being told

<sup>&</sup>lt;sup>7</sup> Sobin, Dennis, *Art on the Inside*, p12

http://www.safestreetsarts.org/uploads/Art on the Inside--PDF.pdf

<sup>&</sup>lt;sup>8</sup> Prison Art Ban Raises Human Rights Concerns

http://www.abc.net.au/radionational/programs/nationalinterest/prison-art-ban-raises-human-rights-concern/3010266

<sup>&</sup>lt;sup>9</sup> Newman, Terry, Extract: *Becoming a Penal Colony, Convict resistance*, <a href="http://www.parliament.tas.gov.au/php/BecomingTasmania/Convictresistance08.pdf">http://www.parliament.tas.gov.au/php/BecomingTasmania/Convictresistance08.pdf</a>
<sup>10</sup> Ibid, 6, p8

what to do, art offers an opportunity for individual expression. Similarly, graffiti can be a tool for marking territory, sometimes even communicating with other inmates. It can be a way of dissipating repression and creating and displaying their unique identity.

Some prisoners are already trained or are established artists on the outside in which case they will use any means necessary to create whilst in prison, which can prove problematic for management. For others the motivation is more based on an unfulfilled dream to be an artist and now having nothing to lose. Also in that respect, art satisfies the need to create with no chance of reaching an audience. Without the intention of art to be viewed by an audience, the art tends to be more organic, raw and honest.

Equally important is the identification with something other than 'prisoner', this is vital for a prisoners state of mind when integrating back into society, if that is the case. Art offers insulation, a buffer protecting the creative inmate from the harsh reality of their existence within the prison environment. It offers illusionary armour. And because art is a right-brained activity, time is invisible.<sup>12</sup>

A voice to communicate their side of the experience, especially considering some of the art is in the way of satirical pieces and cartoons. It is a chance to offer a representation of their experience to the larger community and this is important to create balance and some perspective. It is equally important for the individuals' healthy development and continued connectivity of both left and right brain hemispheres, as these are responsible for the integration of experience affording prisoners a coherent narrative of past and present, perception and action, a unification of their life experiences and reaction to environmental changes. 13 14

Donny Johnson, a prisoner at Pelican Bay, has created his own unique style of using the colours leeched from M&M's and a paintbrush made from his own hair to create abstract

<sup>12</sup> Motivation Jailhouse Art, Prison Art, Pano Arte – AKA Panuelos and Handkerchief Art <a href="http://austinstar.hubpages.com/hub/Jailhouse-Art">http://austinstar.hubpages.com/hub/Jailhouse-Art</a>

<sup>&</sup>lt;sup>11</sup> Ibid, 7, p29

<sup>&</sup>lt;sup>13</sup> Biology of Attachment & Interpersonal Interactions, Interpersonal Neurobiology – Positive Human Development, <a href="http://www.positivehumandevelopment.com/interpersonal-neurobiology.html">http://www.positivehumandevelopment.com/interpersonal-neurobiology.html</a>

<sup>&</sup>lt;sup>14</sup> Lungu, Ovidiu & Stip, Emmanuel, *Agenesis of corpus callosum and emotional information processing in schizophrenia*, Front. Psychiatry, 3rd February, 2012 <a href="http://www.frontiersin.org/neuropsychiatric imaging and stimulation/10.3389/fpsyt.2012.">http://www.frontiersin.org/neuropsychiatric imaging and stimulation/10.3389/fpsyt.2012.</a> <a href="http://www.frontiersin.org/neuropsychiatric">00001/abstract</a>

artworks using blank postcards as canvases. In his own words Donny describes one of the hardest things about being in prison is the "near impossibility of feeling connection to the outside world"<sup>15</sup> and of being useful in some way to others. Living in solitary confinement for some twenty years, Donny has been able to use his imagination to create a space that enlivens his senses. Donny is a fine example of how resourceful an artist can be in fulfilling that intrinsic desire to create.

Jimmy Pike, an internationally acclaimed Aboriginal prison artist, discovered and developed his own unique style of expression in painting whilst serving his sentence in Fremantle Prison. His work has been displayed in more than fifty exhibitions spanning the Asia-Pacific, Europe and the United States. His powerful and sometimes fluorescent use of colour in the timelessly bold patterns he created were used to develop Desert Designs, a textile company aimed at creating a standard of the integration of indigenous and non-indigenous Australians, that has recently been rebirthed by Jedda-Daisey Cullen, an art director. (See <a href="www.desertdesigns.com.au">www.desertdesigns.com.au</a>) This was shortly following the *Desert Psychedelic* exhibition of Jimmy's work at the very prison he had been incarcerated in ten years after his death.

Even celebrated Indigenous artist Gordon Syron attributes the moulding of his future to his artistic expression whilst in prison, "Painting was my escape, when I was painting it's as though I wasn't in prison anymore, I was free and I was part of that painting." Having not taken art seriously until incarcerated, art became a landscape he was able to immerse himself in, transcending and imparting the depth of his experiences and his inextricable bond with his beloved land. Through art, Gordon was able to communicate passionate political views and express anger. <sup>19</sup>

#### 6. Political Prisoners

www.donnyjohnson.net/words.html

http://vrroom.naa.gov.au/print/?ID=19508

http://www.pagesdigital.com/interview-desert-designs/

http://tracker.org.au/2011/05/syron%E2%80%99s-call-a-third-life/

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 $<sup>^{\</sup>rm 15}$  Interview with Donny Johnson

<sup>&</sup>lt;sup>16</sup> Aboriginal artist Jimmy Pike (Kurntikujarra)

<sup>&</sup>lt;sup>17</sup> Interview: Desert Designs, Lillian McKnight, 30<sup>th</sup> October, 2012

<sup>&</sup>lt;sup>18</sup> Syron's call: A third life, 10<sup>th</sup> May, 2011

<sup>19</sup> Ibid

Nelson Mandela created lithographs and the struggle series after revisiting Robben Island where he spent most of his incarceration. A compilation of 21 sketches of the most meaningful images and symbolic representations of his time in prison,<sup>20</sup> the most noteworthy piece was 'the window' with the 'imagined' view of Table Mountain from his cell window where his view was in fact a rather bleak setting.<sup>21</sup>

During the turbulent IRA years, there were many crafts made by prisoners, many from matchsticks and wood made into Celtic crosses and also handkerchief art with drawings of the three Scottish soldiers who were early IRA victims. The theme of country again shines through informal artistic expressions.

## 7. Socio-Political Art – Contributions from the Justice Community

An artist on the outside's interpretation and perspective of prisoners can have an immense impact on justice communities. In America, artist Jackie Sumell asked Herman Wallace, a member of the Black Panther Party who has been held in solitary confinement for nearly 41 years a simple question "What kind of house does a man who has lived in a 6'X9' box for over 30 years dream of?" that went on to be a large scale socio-political art project entitled "The House that Herman Built." Through this, Jackie was able to make it possible for Herman to live outside of the prison through his imagination while simultaneously offering the public a real taste of what it is like on the inside by recreating his current living circumstances in order to educate the people and share Herman's experience. (See

http://www.hermanshouse.org/about.php) The project is aimed at building Herman's house and using it for giving back to his 'home' community.

Artists such as the likes of Jackie offer a valuable contribution to the justice community and a means of transcending narrow perspectives, assisting in the transformational thinking that improves opportunities for minority groups. The intention of socio-political artworks seems to be around the desire to stimulate social cohesion. Art is a unique instrument in this respect, providing an easy way to understand complex issues and in the case of Jackie's project, to participate as a member of the justice community. A valuable contribution to what 'could' be.

<sup>&</sup>lt;sup>20</sup> Nelson Mandela Art, Original Lithographs by Nelson Mandela, http://www.clocktowergallery.co.za/nelson-mandela-art.php

<sup>&</sup>lt;sup>21</sup> *Nelson Mandela, Lithographs and Photographs,* Belgravia Gallery Brochure, p10,11 <a href="http://www.paperwiz.biz/?brochure=Belgravia-Gallery-Mandela">http://www.paperwiz.biz/?brochure=Belgravia-Gallery-Mandela</a>

Similarly, in an endeavour to educate and gain public support to close Tamms supermax prison in Illinois, "the inmates were invited to request a photograph of anything in the world real or imagined"<sup>22</sup> The requests were quite vast ranging from simple nostalgic photo of a family members' home to an intricate lovesick clown and were a welcome relief to what Amnesty International described as "incompatible with the USA's obligation to provide humane treatment for all prisoners."<sup>23</sup>

In commemoration of 50 years since the Mandela's capture, artist Marco Cianfanelli, has erected a large-scale installation of 50 steel columns, representative of prison bars, creating a portrait of Mandela in hologram fashion amidst a countryside landscape in South Africa.<sup>24</sup> A reflection of the community, solidarity and resistance of the political changes following that resulted from his struggle.

Emory Douglas, as primary artist for the Black Panther Party, created posters in response to the racial issues surrounding the 60's/70's with the abuse of power by police. His sociopolitical art was intended to encapsulate the voice of the people, the voice of a community and offer an opportunity to communicate in a comprehensible way the complex social injustices being faced by the black community.

The book *Prison Landscapes* created by artist Alyse Emdur was inspired by photographs of prisoners in front of visiting room backdrop paintings of 'imagined utopias'<sup>25</sup>. Through her art she was able to reveal the real prison structure, architecture and security measures (bars and cameras) in contrast with the imaginary painted backdrops, offering a balanced rather than masked representation of the prison experience. There is an understood sacredness surrounding prison waiting rooms, Alyse was able to encapsulate this, demonstrating the complexity of the tensions inherent in such settings on an emotional and physical level.

## 8. Art Programs

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 $<sup>^{22}</sup>$  The One Photo a Prisoner Wants to See,  $6^{\rm th}$  May 2013  $\frac{\text{http://www.thedailybeast.com/articles/2013/05/06/prisoners-at-tamms-supermax-prison-get-invited-to-request-a-photo-of-anything-in-the-world.html}$ 

<sup>&</sup>lt;sup>23</sup> Ibid

 <sup>&</sup>lt;sup>24</sup> Czech, Jessica, *Fight for freedom: Commemorating Mandela*, 18th September, 2012
 <a href="http://www.visualnews.com/2012/09/18/fight-for-freedom-commemorating-mandela/">http://www.visualnews.com/2012/09/18/fight-for-freedom-commemorating-mandela/</a>
 <sup>25</sup> 'Prison Landscapes' and the interior world of the incarcerated, 29th January, 2013
 <a href="http://www.kcet.org/arts/artbound/counties/los-angeles/prison-landscapes-alyse-emdur.html">http://www.kcet.org/arts/artbound/counties/los-angeles/prison-landscapes-alyse-emdur.html</a>

The main objectives of organised art programs throughout the prisons revolves around the improvement of self-esteem, rehabilitation, education and providing a trade and tools for artists to use upon release. Giving them an opportunity to be re-educated, to reflect on past experiences and get them thinking on how they're lives will change upon release.

The Boom Gate Gallery and Malabar Art Unit at Long Bay delivers professional training in a wide variety of artistic mediums, offering practical art and marketing skills aimed at educating and contributing to confidence building among students, whilst displaying art in a public gallery. Partaking in art and art programs can make an important contribution to addressing social challenges inherent in prison populations.



In collaboration with teachers from NSW Correctional Centres, The Red Room Company has developed a programme called *Unlocked*, a venture aimed at exploring the creative potential of inmates through poetry and education of the creative writing process. More recent focus on Indigenous populations with Indigenous poet Ali Cobby Eckermann sharing of her personal story proved valuable, eliciting strong poetic works from participants.

(http://redroomcompany.org/projects/unlocked/)

J Block Women of the Art Project was conducted at the Darwin Corrections Centre where it was noted that artistic activities are incredibly useful to channel emotion into 'manageable'

places, giving them an external form and providing a simple and practical form of self-expression; proving a valuable form of rehabilitation.<sup>26</sup>

#### 9. Prison Art Exhibitions

## 9.1 International

The Koestler Award has been running in the UK for more than 50 years by the Koestler Trust. It attracts upwards of 6,000 entries in 52 categories, offering regional and national exhibitions for artwork with the opportunity to sell and recognition of their participation. This successful awards program is advertised via the INSIDE TIME *the* National Newspaper for Prisoners, providing all the information necessary along with the application form. This is a great opportunity for prisoners to see that positive achievements are worth the time and effort and a great encouragement for prisoners to engage with the arts.

In 2010, victims of crime were given the opportunity to be the curators of the exhibition for the Koestler Award. A powerful form of restorative justice, this allowed an opportunity for forgiveness and also conveyed the collective archetypal experience that there are victims inside and outside of prisons.

In Washington, the Prisons Foundation publishes books written by prisoners including fiction, non-fiction, plays, poetry, art books, screenplays, music books, memoirs and comics. (<a href="www.prisonsfoundation.org">www.prisonsfoundation.org</a>) There is no censorship of the material created by prisoners, it is scanned 'as is' and published on the website. Prison playwrights' works are even performed at the Kennedy centre in Washington. Most recently including creative pieces by a probation officer and a police band, continuing the thread of inclusion of the whole of the justice community.

#### 9.2 Australia

Prison Fellowship is an annual exhibition and art prize called Art from Inside with a theme and a scriptural reference point. It also has an international art prize every four years. The exhibition acknowledges and commends participants works.

A postgraduate student at Flinders Law School, Jeremy Ryder, has pioneered a study into prisoner art within and beyond prison, modelled off of the Koestler Trust where Ryder spent

<sup>&</sup>lt;sup>26</sup> Djurichkovic, Alexandra, 'Art in Prisons', UTS Shopfront in the Student Series, 2011, pp17-19

time volunteering in 2011. Working in conjunction with Corrective Services, the Adelaide Festival Centre and the Commissioner of Victims' Rights, the program was run in seven facilities, producing 32 artworks for display. A second exhibition has just been launched in an effort to continue to connect prisoners with the broader community. "Their ability to have an emotional impact on the public had a resonance for the prisoners," reinforcing the constructive use of their time on creative pursuits. "Creating art was not an activity officially embedded in the prison system – where it is available, access to material and space remains a privilege rather than the norm." 28

# 10. Art Therapy

Art as therapy can be an effective tool for 'unresponsive' prisoners or prisoners unwilling to engage in verbal communication. It can be a valuable way for expression of things that are ineffable. By engaging with the imagination in a physical way, it allows room for individuals to create new paradigms from which to view their world. "Always open and receptive to new possibilities, imagination is the conductor of creative action, forging fresh links between previously separate entities." <sup>29</sup>

Art therapy processes can offer participants a map to view where they are in their life and circumstances from a much wider perspective, which can contribute to clarity of mind. Intrinsically therapeutic, art unlocks the primary landscape of the psyche, symbolism. This is achieved through the use of imagery and metaphor, which is why the use of story can be so powerful because people meet it "through the filter of their worldview, the knowledge and experience conditioning their mind"<sup>30</sup>, meaning they each take something different from it. As is demonstrated in the *Unlocked* art program.

Albert Einstein is famously quoted saying "We cannot solve problems by using the same kind of thinking we used when we created them." This is very much in line with the notion of the therapeutic value of art by creating something physically it is then possible for an individual

<sup>&</sup>lt;sup>27</sup>Prisoner Art Earns Praise and a Second Exhibition, 3<sup>rd</sup> May 2013

http://blogs.flinders.edu.au/flinders-news/2013/05/03/prisoner-art-earns-praise-and-a-second-exhibition/?utm source=rss&utm medium=rss&utm campaign=prisoner-art-earns-praise-and-a-second-exhibition

<sup>&</sup>lt;sup>28</sup> Ibid

<sup>&</sup>lt;sup>29</sup> McNiff, Shaun, *Art Heals: How Creativity Cures the Soul*, Shambhala, 2004, p223

<sup>&</sup>lt;sup>30</sup> Grey, Alex, *The Mission of Art*, Shambhala, 1998, p102

to engage with their creation thereby offering many levels of self awareness and understanding. An opportunity to find what makes life worth living and preserving.

It is important for strong emotions to be felt and not fixed<sup>31</sup>, art provides this opportunity, offering a safe outlet for expressing violent emotions such as anger and fear, both secondary emotional responses to shame. Art therapy affords inmates favourable conditions to work through issues without the omission of specifics that could well lead to vulnerability<sup>32</sup>; shame is one of these emotions. "Shame corrodes the very part of us that believes we can change and do better."<sup>33</sup> "Remembering that shame is the fear of disconnection – the fear that we are unlovable and don't belong..."<sup>34</sup>

Art therapy provides a constructive tool for the redirection of primitive impulses that are prominent in correctional settings, themes around aggression, sexuality and escape. Engaging the imagination with these strong emotions can be powerful and regenerative. It is also a unique tool in that it bypasses not only "unconscious and conscious defences, including pervasive dishonesty,"<sup>35</sup> but is capable of bypassing learning difficulties, disabilities and "other obstacles to verbal communication and cognitive development."<sup>36</sup>

"Art can diminish pathological symptoms without verbal interpretation"<sup>37</sup> though the imposition of diagnosis and interpretation of a person's inner condition based on the observations of created imagery can create additional tension for individuals as these interpretations may not resonate with their experience.<sup>38</sup> Lastly, art and creative processes are an acceptable medium of expression to both internal and external cultures.<sup>39</sup>

## 11. Management relations/issues

As mentioned earlier, an already established artist in prison is desperate for a creative outlet and this can become problematic when their circumstances do not allow for it. Furthermore there is "a contradiction inherent in prison art: that the prison is punitive, but creative

<sup>&</sup>lt;sup>31</sup> Ibid, 29, p102

<sup>&</sup>lt;sup>32</sup> Gussak, David, *Drawing time: Art Therapy in Prisons*, Magnolia Street, 1997, p5

<sup>33</sup> Ibid, 5 p72

<sup>&</sup>lt;sup>34</sup> Ibid, p109

<sup>35</sup> Ibid, 20

<sup>36</sup> Ibid. 20

<sup>&</sup>lt;sup>37</sup> Ibid, 20

<sup>&</sup>lt;sup>38</sup> Ibid, 29, p78

<sup>39</sup> Ibid. 20

activities are very rewarding. Prison is intended to strip power and deliver pain; art empowers and delivers happiness."40

Another hindrance is the preconceived notion that rehabilitation in the prison setting is not possible. 4142 Such a defeatist attitude towards the effectiveness of programs would have a crippling effect on their implementation.

The issue of censorship of content detracts from the therapeutic nature and transformative potential freedom of expression provides.<sup>43</sup> Likewise the status of offender limits prisoners to creating uncontroversial artworks based on how they might be received by an audience, denying the prison the prospect of transforming suppressed feelings which are searching for an outlet, which could otherwise manifest in counterproductive behaviour such as violence.

## 12. Marketing of Art – Use of Profit

Marketing of art could provide funding for an art program and/or prize. Making materials more readily available for prisoners use. A shop front somewhere could take on serving prisoners on work release and further stimulate discussions around prisons and diminishing stigma and connotations associated with the term prisoner.

A website can be created allowing prisoner art to be marketed via photographs, as is the case with the Queensland Government Prisoner art and craft online gallery.

(http://www.correctiveservices.qld.gov.au/About Us/The Department/prisoner art/index.s html) The proceeds from the sale and exhibition of prisoner art in Queensland has now been prohibited, along with the transfer/gifting of art to other persons which is contrary to international tendencies toward the embracing of art as a unique rehabilitative tool with benefits extending to the broader community.<sup>44</sup> This has raised the issue of the human rights

<sup>&</sup>lt;sup>40</sup> Johnson, Lee Michael, A Place for Art in Prison: Art as A Tool for Rehabilitation and Management, Southwest Journal of Criminal Justice, Vol. 5(2), 2009, p115

<sup>41</sup> Ibid. 26. p 14

<sup>&</sup>lt;sup>42</sup> Currie, C., Art In Prison: An Evaluation of a New Zealand Prison Programme, ISSN 0113-7042, Institute of Criminology, Victoria University of Wellington, Wellington, 1989, p.112. 43 Ibid

<sup>&</sup>lt;sup>44</sup> Fitzgerald, Ross, *Draconian ban on prisoner art marks a return to the penal dark ages,* Jan 29th, 2011

http://www.theaustralian.com.au/national-affairs/state-politics/draconian-ban-on-prisonerart-marks-a-return-to-the-penal-dark-ages/story-e6frgczx-1225996141916

surrounding art and creative expression and the limitation of exhibiting prisoners' works as a violation of these rights.

With the exception of Queensland, where legislation prohibiting prisoner artworks to be sold, all other Australian States and Territories shows "there are no specific provisions that allow for or prohibit the sale of prisoner artwork." In contrast to the QLD legislative changes of 2009, Victoria has been running exhibitions of Indigenous artists in custody for the past five years, suggesting the feedback supports the creative development of the prisoner. Whilst *Inside Art* has exhibited art in the Wollombi Valley region for its ninth year this year also 47, and with the second exhibition of Art Within and Beyond Prisons in SA, it is troubling to think of the ramifications such a refusal of entitlements can cause.

Examples of the distribution of funds for Koestler trust 25% donated to victims' support, 50% to the prisoners 'private cash' and the remaining to the trust fund. The Boom Gate Gallery returns 83.5% to the artist, with the remaining 16.5% back to cover project costs.

It is important to include those whose lives have been affected by crime. It could be proposed that a predetermined percentage of the sale amount be allocated to charitable organisation(s) decided upon by the prisoner.<sup>48</sup> Here a sliding scale could be used, depending on the amount an artwork fetches as to the percentage donated.

Art consignment with a minimum of 20 pieces of art required to participate – an option if there is a more constant flow of prisoner art to be marketed. 50% to the sale retained by the establishment that displays the art, while the remaining 50% is to be redistributed equally in the predetermined percentages. This can be a viable option if the volume of art increases dramatically.

#### 13. Future Exhibitions

http://www.stkildafestival.com.au/2012/contentPage.php?id=215

http://www.wollombi.org/2013 inside art.html

 $<sup>^{45}</sup>$  Black, Alison & Clare, Elizabeth, *The Regulation of Prisoner's Art An Overview of the Legislature and Policy Position Within Australia*, University of Queensland, ProBono Centre, p20

<sup>46</sup> Confined IV, 2012

<sup>&</sup>lt;sup>47</sup> Inside Art 2013, 2013

<sup>&</sup>lt;sup>48</sup> Ibid, p18

Lets hold our own equivalent of the Koestler Award here, to have an exhibition and a financial incentive as the prize. Offer recognition of individual participation. Perhaps get a prominent artist involved. Art is a rare medium capable of bridging the gap in communication between prisoners and the larger community, this is something that should be embraced and improved upon.

Working with the prison art teachers to get a better grasp of categories of art and how can that be incorporated into a program and/or exhibit to raise greater awareness within the broader community of the realities of the prison system and the challenges inherent within this shadow culture of our society.

"Art is the only way to run away without leaving home." Twyla Tharp

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Aboriginal artist Jimmy Pike (Kurntikujarra)

http://vrroom.naa.gov.au/print/?ID=19508

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