

AUSTRALIAN TATTOOISTS GUILD
MEETING WITH
**MINISTER FOR POLICE
& COUNTER TERRORISM**
YASMIN CATLEY

24TH JUNE 2024



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OVERVIEW OF POINTS AND CONTENT FOR MEETING WITH MINISTER FOR POLICE & COUNTER TERRORISM YASMIN CATLEY

INFORMATION SUBMITTED BY THE AUSTRALIAN TATTOOISTS GUILD

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Josh Roelink / Colin Creed

SUMMARY

On behalf of the Australian Tattooists Guild, we thank the Minister for taking the time to meet with us. Our aim is to convey the concerns and impacts of members and the broader tattoo industry in regard to the NSW Tattoo Industry Act. In short, there has been little to no benefit for stakeholders. With its sole focus on criminality, the Act's only impact to industry participants is to burden them with administrative hurdles and costs. From our consultation with industry, it is our organisation's view that there has been no positive impact in terms of protecting the industry from the damaging reputational and commercial effects of non-professional and illegal operators, and has done nothing to protect the consumer interests of clients.

Professional industry participants have worked hard to adhere to laws and regulations over the last eleven years but perceive that in light of the issues highlighted above perceive it is time for a change. We ask that Legislative reform be considered as a matter of urgency and that intensive and broad consultation occur with stakeholders prior to any new legislation being considered.

SUMMARY OF POINTS AND RECOMMENDATIONS

LICENSE ELIGIBILITY CRITERIA

In September 2023 the eligibility criteria for licensure in NSW was changed from "Australian citizen or Australian resident" to "Australian citizen or permanent Australian resident". Consequently, individuals who were previously granted licensure by the previous administrator are now not able to renew their licenses. The result of this change means that there are individuals who have been working within NSW with legal working rights granted to them by the Commonwealth and who have met the probity eligibility criteria and have held it in most cases for a significant amount of time, and who are now barred from working within the profession.

This change impacts not only the individual but also small businesses, some of whom have up to 50% of their contractors who now do not meet the eligibility criteria. Some individuals who are affected by this change have established lives in NSW with partners and families and are now, or soon to be unable to work full time and meet their financial commitments.

Many individuals who have resided in Australia for extended periods of time have been granted visas within the 820/801 (Partner) 309/100 Partner (Provisional and migrant) and/or Bridging Visa's. Some of these individuals may have pending applications for full residency/citizenship which incur extended processing times and a significant financial outlay.

It is the understanding of our organisation that regulators may hold concerns regarding the limited ability of Police agencies to conduct full probity checks on individuals entering NSW from outside Australia.

The Australian Government Department of Immigration and citizenship enforces character requirements for any individual applying for entry into Australia, these requirements being set out under section 50 of the *Migration Act 1958*. As is documented on the Australian immigration home affairs website the checks include, but are not limited to:

- If you have a substantial criminal record
- You have been convicted of, had a charge proven for or found guilty of a sexually based crime
- You are or have been a member of a group or organisation, or had or have an association with a person, group or organisation that the Minister reasonably suspects of being involved in criminal conduct
- your past and present criminal or general conduct shows that you are not of good character

- there is a risk that while you are in Australia you would:
 - engage in criminal conduct
 - harass, molest, intimidate or stalk another person
 - vilify a segment of the Australian community
 - incite discord in the Australian community or in a part of it
 - be a danger to the Australian community or a part of it
- you are subject to an **adverse security assessment** by the Australian Security Intelligence Organisation
- you are subject to an Interpol notice, from which it is reasonable to infer that you are a direct or indirect risk to the Australian community, or a segment of the Australian community

In light of the high benchmark for probity to enter Australia it is reasonable to assume that any individual applying for an NSW license would qualify.

Recommendation:

Individuals who hold Visa's which entitle them to working rights within Australia should be able to use those rights regardless of their chosen profession, and therefore be eligible for licensure as tattoo artists.

GIPA

On 1 August 2023 our organisation received industry related data which had been formally requested under the *Government Information (Public Access) Act 2009*.

Our organisation had previously sought the same data under the same ACT in 2017. The data indicates that since the inception of the regime in 2013 there have been 591 Master license approvals and, 68 Master license denials.

There have been 2761 tattooists license approvals and 132 denials.

109 of the combined 200 license denials were lodged for appeal with NCAT, 46 of those denials were overturned.

It has been the experience of this organisation in assisting numbers of individuals to navigate the NCAT appeals process that many applications were denied by SLED for patterns of criminal offences that were not related to organised crime or crime groups. Due to the undefined nature of the originating fit and proper test individuals have been denied for offences related to property damage – namely graffiti, an art form sometimes related to the tattoo subculture, driving offences and in a few instances, offences relating back to an individual's juvenile record. Due to the use of secret criminal intelligence being permitted within the Act, there are several industry security determinations where our organisation nor the applicant is privy to why the denial occurred.

The GIPA indicates that the level of criminality which was suspected to be prevalent within the tattoo industry in 2013 simply does not exist. In examining tattoo industry licensing regimes in other jurisdictions outside of Australia we find that the NSW and QLD regimes are unique insofar as they are solely probity based. The most common form of industry licensing globally is health focused with requirements to undertake certifications in cross contamination and aseptic techniques.

Our organisation notes that the S.A Tattoo industry registration scheme has had minimal impact on industry participants whilst achieving the policy objectives of removing elements of organised crime.

INTERSTATE LICENSING REQUIREMENTS

The existing three stage application process requires the individual to apply and pay fees online, await notification from SLED to then undertake finger and palm prints in person at a NSW police station, then await postage of the hardcopy license. This means that for out of state tattoo artists seeking to work in NSW, there is an interstate trip required solely for the fingerprinting which cannot be accompanied by work.

This process creates a barrier to entry which acts as a deterrent for interstate talent to practice in NSW.

Recommendation:

It is the understanding of our organisation that criminal background checks which are conducted by SLED during the application process are not initiated until such time as the applicant has submitted their finger and palm prints. We are also aware that the running of these checks comes at a cost to the agency, in which case there appears to be two workable solutions.

- (a) The applicant applies and pay's fees online prior to entering the State and are then permitted to submit prints within a strict time frame once they enter the State to work. SLED absorbs the cost of running initial background checks based on an applicant's identity documents and then runs a second check utilising the applicants prints once they have been submitted.
- (b) The applicant applies and pays online and enters NSW to work with no probity checks having been undertaken until the prints have been submitted, again within a strict time frame.

Our organisation appreciates that option b. requires an element of trust by the NSW Government. We submit that the related GIPA supports the extension of this trust.

MASTER LICENSE RESTRICTIONS

Master license holders are currently unable to work at other licensed businesses within the State without first obtaining a separate tattooists license to do so. Master license holders are also unable to benefit from the Mutual Recognition scheme with QLD without first obtaining a separate tattooists license. This requirement places an unfair financial disadvantage on owner/operator studios (which are currently the majority) and as such creates a barrier to trade for many of the industry's most senior artists.

Recommendation:

- A. As probity has already been met to obtain a Master license the parameters of the license could be extended to allow operators to benefit from the same parameters as a tattooist's license.
- B. A Master license holder can obtain an artist license on request at no charge.

LICENSING FEE STRUCTURE

The current licensing fees are excessive when compared to other industries which fall under the Minister's portfolio. Our organisation has previously raised this issue with both SLED and the Minister for Better Regulation. To date we have not been provided with any justification or reason for the high fees which are being applied to the NSW licensing regime.

Comparatively the Security Industry license fee structure is set at \$160.00 per annum, whereas a tattooist's license is \$744.00 for one year, and a Master license \$2228.00 for one year. The cost of tattoo licensure should take into account the additional financial and time costs

Australian Tattooists Guild meeting with Minister for Police and Counter Terrorism Yasmin Catley, 24th June 2024

associated with council and public health regulations, as well as the negative effect the criminal probity aspect of licensure has on building and contents insurance costs for business owners.

The rising costs associated with foreign supply chains upon which the Australian tattoo industry is reliant should also be considered.

Recommendation:

The fee structure for the licensing of the NSW tattoo industry be reviewed and set at a comparative reasonable rate. The cost of tattoo licensure should take into account the additional financial and time costs associated with Council and Public Health regulations, as well as the negative effect the criminal probity aspect of licensure has had on building and contents insurance costs for business owners and contractors. The rising costs associated with foreign supply chains of tattoo inks and equipment upon which the Australian tattoo industry is reliant should also be considered.

PUBLIC LICENSE REGISTER

There is currently no publicly accessible register by which members of the public, NGO's or other interested parties can check the validity of a tattoo industry license.

The requirement to display license numbers is set in Section 8a(2) of the *Tattoo Industry Act 2012 NSW*.

In previous correspondence with the NSW Government our organisation was informed that a register does not exist as there were concerns that criminal groups may utilise the register to identify clean skins for use in the obfuscation of crime.

Recent discussions with SLED have revealed that this concern is unfounded due to checks which are made by regulators during the application process.

If there is no public register and enforcement agencies can check a person's license status upon checks within security systems what then is the purpose of industry participants being required to display their license number on all advertising material.

Recommendation:

- A. the requirement to display license numbers on advertising materials be removed; or
- B. a publicly accessible register of license holders be created.

UNLICENSED TATTOOING

There appears to a lack of policing around unlicensed tattooing. The practice of unlicensed tattooing is occurring in the PMU/ cosmetic sector as well as individuals who are operating from their homes. There is a growing frustration within the licensed profession that since the handover of the administration to SLED there has been a renewed interest from the Police in conducting spot checks with fines being issued to legitimate practitioners and yet when individuals attempt to report unlicensed tattooing there no direct authority to do so to, with agencies referring peoples complaints onto to other agencies with no satisfactory outcome.

Recommendation:

The development of a reporting platform or link on SLED's website for the sole purpose of reporting unlicensed tattooing.

INSURANCE

Tattoo businesses across the country are burdened with huge premiums for building insurance policies on their business premises. Insurers claim there is a heightened risk of arson or other criminal damage within the industry, despite there being little evidence to support this, especially over the last decade or more. Even without it being explicitly listed in the negotiated outgoings of a lease agreement, landlords are entitled to pass on to the tenant the full cost increase of their building insurance premiums where the tenant's business causes that cost increase beyond that of a standard policy. To put this into perspective, we are seeing building insurance premiums at a minimum of eight times the cost of a standard policy, and in most cases, the costs passed on to tattoo businesses are \$15,000-\$20,000 per annum. This is a huge running cost to impose on a small business.

We do accept that the Tattoo Industry Act does not deal directly with insurance. But the beginning of these vast increases in building insurance costs for the industry across the country coincides with the introduction of the Act in NSW. According to many brokers we have consulted with, the regulator's view of the industry entirely through a lens of criminality has affected the perception of insurers, causing almost all of them to leave the tattoo market. Many brokers go further, saying that the stats on the industry's claims history does not support the insurer's risk assessment. As evidenced earlier, the Department's own GIPA does not support claims of a high risk industry either.

To put this into perspective, we are seeing building insurance premiums at a minimum of eight times the cost of a standard policy, and in most cases, the costs passed on to tattoo businesses are \$15,000-\$20,000 per annum. We are even seeing quotes as high as \$30,000-\$40,000 where there is strata or common property involved. Any of these figures constitute a huge added running cost to impose on a small business. And this issue of insurance has been solely responsible for the closure of a significant number of tattoo shops in the country.

Recommendation:

We would ask that the NSW Police assist the ATG in some way to convey a realistic picture of the current risk profile of the tattoo industry based on statistics that have been trending in the right direction for years. Our organisation would need to consult further with the insurance sector to see what kind of assurances NSW Police could offer that would assist our case. But we are eager and willing, with the support of industry, to facilitate in this process.

ARTISTS WORK

SHOWCASING AUSTRALIAN TALENT





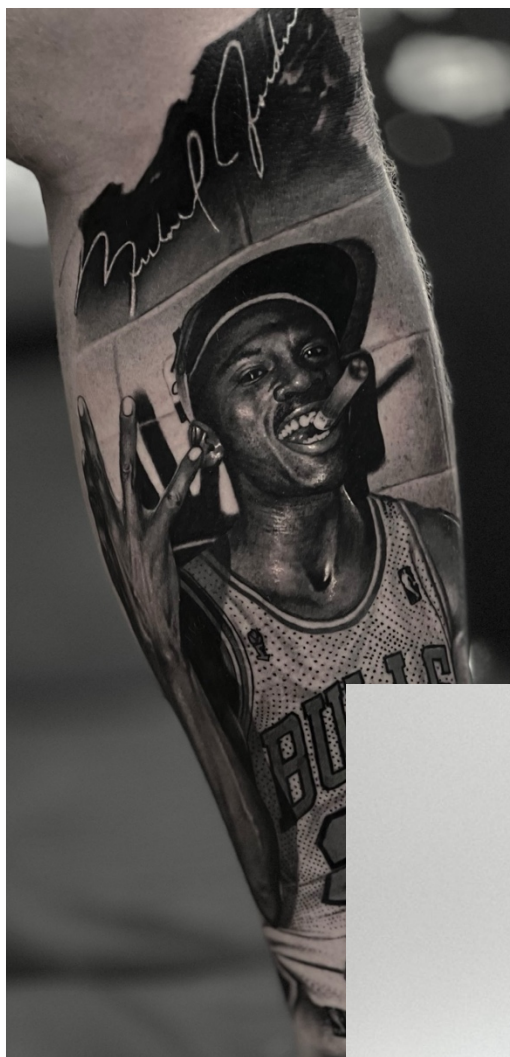
ELLIE CHRISTIANSEN



ALEXANDER CAIRNS



LUKE MANCHE



PHILIP LINDFORS BLADH



RYAN USSHER

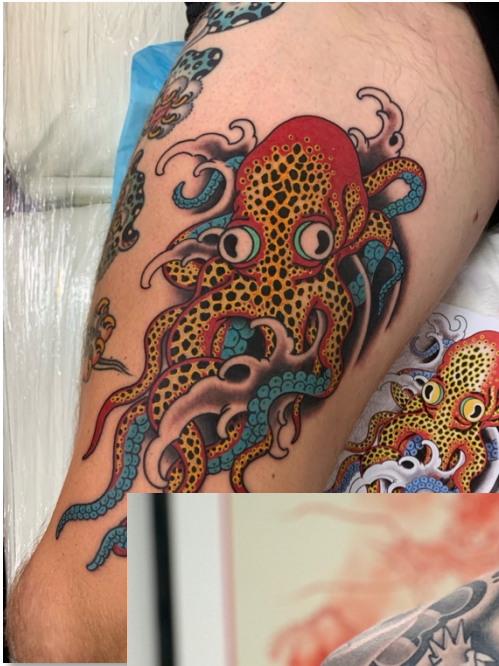


SAM CLARK





ADRIAN DOMINIC







IMPACT STATEMENTS

THE FOLLOWING STATEMENTS HAVE BEEN PROVIDED TO THE ATG FOR THE PURPOSE OF THIS MEETING TO EVIDENCE THE IMPACTS BEING EXPERIENCED BY LICENSED ARTISTS ON THE GROUND

KIAN LAPRADE

8 June 2024

To Whom it may concern

Regarding the change to the Tattoo Industry Regulation that came into effect in 2023 that prohibits non-citizens or non-permanent residents from obtaining a full tattoo artist license in NSW, and the inability of interstate artists to work legally in NSW.

My name is Kian LaPrade, I tattoo under the name Kian Forreal and have been tattooing for 31 years all around the world, Sydney has been my home since 2007 and I have been tattooing here full time since then. I managed and worked at one of the busiest Sydney tattoo shops in Surry Hills for 5 years called Innervision Tattoo, in that time I learned a lot about the tattoo industry in Australia, what Australian tattoo clients are seeking and how to create a diverse and multicultural team and how to manage that team. When I went out on my own in 2013 and opened Authentink Studio I had a vision for a tattoo shop that caters to all styles and all types of clients and would have a team of international artists, and that what I have achieved but now we have a problem.

Tattooing has a rich history all over the world and is very culturally diverse in its artworks and methods. Tattoo artists routinely travel around the world as guest artists to learn and share their knowledge and make connections in far off countries. It truly is an international art. I specialise in Japanese tattooing, I studied under tattoo masters in Japan and brought that knowledge back to Australia, I regularly invite my mentor to come visit my studio and share that knowledge with my staff. I have artists from China, Thailand, Korea, France, Italy, Argentina, Spain and Afghanistan currently working at my studio, several of them are not permanent residents yet but are on the pathway, as you may or may not know this process can take years to obtain the PR visa once applied for. This means that some of my artists now that have a full license will not be able to renew their license when it expires. Australia is their home now, they have wives, children and children on the way, they are doing everything right to assimilate and obey the law but this legislation is now taking away the ability for them to provides for their families and themselves. Tattooing isn't just something you pick up, at the level that we operate at my shop it's a passion and a craft and takes years to study and a lifetime to master, it's a career.

Other artists come on working holiday visas to learn and share and sometimes they marry and stay like I did, they currently do not have the ability under this legislation to work 12 months of the year, only half the year using a temporary permit. Some Artists come on student visas to study art and work part time... again, there is no opportunity for them to work year round while they study.

Another issue is that PR's or citizens of Australia that reside outside of NSW do not have a pathway to work temporary at a tattoo shop in NSW. Ie: I want to employ a guest artist from Tasmania for two weeks to come work in my studio. There is not currently any mechanism for that to happen within the bounds of the current legislation. A citizen cannot apply for the temporary tattoo permit to work for 3 months. This is truly a hindrance to running a functioning business in New South Wales. These are fellow Australians I can't hire. To get a full tattoo license in NSW takes 6-8 months currently and costs over 700 dollars, no one is going to go through that process to come work for a week or two not to mention having to fly in to get fingerprinted and you may have to actually be a resident of NSW to apply, I am not sure.

Statement continues on next page

I run a big studio, I try to employ Australians when I can, but there are times when the job requires a person from overseas and there is a shortage of good Australian tattoo artists if we're being honest. My studio caters to an older more mature clientele and an international clientele as that is my reputation being from overseas myself. My studio absolutely requires foreign artists to operate and maintain our business, our entire theme is as an international studio with a vast diversity amongst our styles and artists and that's what we have been doing for the past 11 years and only now with this change in the law can I foresee a big problem for us going forward and not to mention upheaval for the artists that have made Authentink home that will not be able to work until their PR visa comes through.

This legislative change seems punitive to us in the industry, it serves no purpose other than to stifle running a business, and the fines for breaking these laws are devastating. You can work any job in Australia from doctor or nurse to engineer to fireman and even police officer as a non-permanent resident or citizen, some of these very important jobs with much more responsibility you can work on a working holiday visa. I believe that if someone has rights to work under the commonwealth they should be afforded the same right to work in tattooing as anyone else. The scourge of the criminal element in tattooing is long behind us, I certainly don't forget why the original law was enacted as I lived through that era but now in 2024 we need to stop seeing tattooing and tattoo artists as anything other than artists plying their trade trying to make a living and practicing their craft and we should be allowed to do that legally and without laws making it difficult for us.

Thank you for your consideration

Sincerely

A handwritten signature in black ink, appearing to read 'Kian LaPrade', written in a cursive style.

Kian LaPrade
Director of ATK Studio Pty Ltd
Authentink Studio
4-14 Buckingham St
Surry Hills, NSW
2010

ADRIAN DOMINIC

17 June 2024

To whom it may concern

My name is Adrian Dominic, I was granted a Distinguished Talent in the Arts Permanent Residency Visa (subclass 124) in 2016. I am a current active member of the Australian Tattooists Guild. I am currently in my 25th year of professional tattooing and have made tattoos in several countries. I have established myself as a specialist and have developed demand and a captive audience due to the specific and exclusive nature of the work I offer to collectors. Stemming from a method of practice rooted in classical art, I have been able to capture the attention of several artists worldwide who have become my primary client base. In short, I am one of many tattoo artist's favourite tattoo artist, I have been able to leverage that into a successful business model. Within the experiences of doing this all over the world, I often run into bureaucratic obligations, since many places have different licensing and certification standards unique within their jurisdictions.

Of all of those places and situations, one thing is clear to me: The cost for licensure in New South Wales is by far the most expensive and in many ways, provides the least amount of information and resources for licensed practitioners. To put it bluntly, other than living in NSW, there is simply too much red tape for a practicing professional to go through the steps required to obtain a license and open a legal pathway for them to work.

Many artists simply cannot find the value that such a high licensing cost provides for them and their small businesses. I myself when living in Victoria was denied opportunity and had to turn down work based on the difficulty of obtaining a NSW tattoo license. This has a compounding effect since top ranking industry professionals are likely to bypass the state altogether, leaving local artists and collectors unable to observe and learn from new and emerging techniques and safety measures. It is my opinion that this is primarily due to a lack of consulting with industry professionals on the impacts of current licensing measures as well as a lack of industry generated educational materials to prepare professionals. Simply put, while the current legislation may have been put in place as a method of helping to insure safety in the tattoo community, it actually can be the source of the opposite effect by cutting off access to several resources and limiting qualified educational modules to third party providers who generalize the methodology of tattooing and have no real idea how it works in practice.

It's no secret that across several small business sectors, business has slowed substantially due to rising costs of living, supplies, and of course operating costs. Tattoo artists are no exception to this, as tattooing is not a necessity for anyone. Being a cash heavy industry, the cash flow injection that tattoo artists have on their local economies is undeniable. Whether that is in the form of their daily coffees and lunches near the places they work, shopping at local shops, or going to local hospitality venues for a drink with friends, the stress of the economic pressures have made these engagements less likely specifically from lack of income suffered by most of the industry currently. Several established and successful artists are resorting seeking supplemental employment and in some sad cases, leaving the field altogether. While this may appear to be a lack of individual's ability to adapt to current circumstances, it is my observation that it is actually a result of poor resource availability. Being a Gold Coast Queensland licensed tattoo artist, the NSW border is within a 30-60 minute drive for myself and most locals.

Statement continues on next page

Being that there are robust communities in Northern NSW, it isn't hard to imagine that in a case where opportunity presents itself, an artist could visit a tattoo studio nearby to tattoo local clients who aren't able to come to them. This is especially prevalent in specialists and artists who are well-known for their specific style. Indeed, this has always been the case for successful tattoo artists worldwide. In its most highly regarded situations, tattooing as a profession is often a nomadic trade.

Tattoo artists need to be free to travel in order to fortify and maintain client base and income. This becomes even more important as artists decide to become studio owners as well, as this has its own set of legislations and expenses to account for. It is these environments that facilitate the capacity for a network robust enough to sustain these types of workers on a long term basis.

I was granted a 3 year NSW tattoo license in 2021, but wasn't able to obtain my license until a year after completing my application due to my lack of ability to enter into NSW because of covid border closures and delays caused by my license being moved to a new facility since the NSW Gov facility I originally was meant to pick it up from closed during those border closures. This impacted not only my ability to enter NSW to tattoo, but for clients to come to the gold coast from NSW to get tattooed locally. This did tremendous damage to not only tattooing but all local economic growth that in any way relied on any interstate tourism or FIFO workers. This could have been mitigated at least to some degree by my not having to do several trips in person to NSW when I had already done all of that for my active Queensland tattoo license. The current measures provided by the NSW licensing regime fail to demonstrate the primary goal of maintaining public safety and well being and distorts the observable principle by simply excluding anyone who doesn't qualify and pay for licensing, despite having no real industry-developed educational material available.

I urge you to reconsider the social and economic impact of limiting tattooing within the current licensing parameters in New South Wales. The fallout of revenue and severing of the capacity for individuals who are creative experts, practice above-standard safety protocols and wish to continue the pursuit of making art for consenting adult individuals who use tattooing as an important benchmark in personal identity has already massively reduced tattooers ability to engage in our normal societal functions that are foundations of pursuing a decent life for ourselves and our families.

Thanks for your time and consideration

A handwritten signature in black ink, appearing to read 'Adrian Dominic', with a stylized, cursive script.

Adrian Dominic

ALEXANDER RUSTY CAIRNS

20 June 2024

To the Honourable Minister Yasmin Catley .

I am writing to outline some of the challenges myself and my business have faced when dealing with the NSW tattoo licensing scheme. But first I will give some background on myself to add context to my comments. I have been tattooing professionally for 19 years and have achieved a degree of international renown performing large scale Japanese tattoos on clients from Australia and abroad. Many of my clients are tattoo artists themselves. I have been standing invitations to multiple elite invite-only tattoo conventions in Europe and the US. And I own an internationally renowned shop called Lighthouse Tattoo with two locations in Sydney. All this is to say that I have had experience with tattooing in Sydney before and after the licensing regime was implemented. And I have had experience tattooing in other states and countries. As an Operator license holder, I am only permitted to work inside the studio that the license is attached to. I can accept that I must hold two operator licenses as there are two locations. However, in order to do guest work in other NSW tattoo shops, I have had to obtain an artist license as well. Having met the high probity checks of the Operator licenses, I feel it is an unnecessary oversight that I am required to obtain an artist license as well. There is a sizeable burden involved, including time and cost.

Inversely, when as a shop owner I want to host willing interstate tattoo artists who have a specific skill set, they must possess a full NSW tattoo license. The physical requirement to come to NSW solely to be fingerprinted, before being able to tattoo in the State at a much later date, in addition to the high cost, creates a significant practical barrier to interstate artists applying for licensure in NSW. As a result, we have far fewer interstate artists coming to NSW for guest work since 2013, limiting the introduction of their specific talents, and the opportunity to host them and do business inside our shops.

We are also seeing issues arising from the change of license eligibility criteria which states that applicants must be citizens or permanent residents. Foreign artists with rights to work in Australia under the conditions of their visas are ineligible to obtain full licenses in NSW, and as a result, we are simply losing this talent to other states. Worse than this, we are seeing a significant number of foreign artists who have previously been granted licensure now facing denials on their renewals. Many of these artists have established clientele in NSW, and a good number of them possess specific skill sets that make them highly sought after, and artists such as these have been an asset to my shops that will now be lost.

Lastly, it needs to be pointed out that the licensing scheme offers no value to stakeholders whatsoever. There is a significant cost to my business in terms of cost, admin, and time. But I see no value to me as a stakeholder arising from it. There appears to be no policing of unlicensed tattooing, even when it is reported. And none of the conditions on licensure relate to the profession and practice of tattooing itself, meaning that anyone who simply passes the criminal checks is eligible for licensure. As a participating stakeholder who now holds two operators' licenses and an artist license, with experience in the industry prior to legislation, and ongoing participation from the beginning of the scheme, I see no value added to the industry itself by the licensing scheme as it currently stands.



Alexander Rusty Cairns

1 Pemberton St, Botany, NSW, 2019

ZACH KACHAD

Wednesday 19th June 2024

FEEDBACK REGARDING TATTOO SHOW PERMIT

Earlier this year, we wanted to have a tattoo flash day and wanted two Melbourne tattoo artists to travel to our tattoo shop for a 3 day flash day tattoo event in our premises.

I emailed SLED to discuss what options I had in terms of permits, they emailed me back four months later reiterating what is written on their website.

I applied for a tattoo show permit as it seemed to be the corresponding permit to be able to receive tattoo artist from Victoria and for them to work for a short period of time and for them to be part of a "show or exhibition that has been organised for the purpose of providing a forum for tattoo industry members to gather to showcase and demonstrate their latest designs, techniques and services to other industry members and customers."

The event was denied a permit on the basis that the flash day did not meet the requirements.

A flash day is an event, it is the same as a tattoo show or convention just on a smaller scale. it serves the same purposes and meets the guidelines stated in the permit.

I then called SLED twice to discuss what my options were for the current situation, and they said that if tattoo artists wanted to come to NSW to work, they would need to apply for a full NSW tattoo license, even if they are just coming to work for three days.

I found this to be absurd and had to let Tattoo industry professionals and clients know the event would not take place.

This impacts our small business as we need "Flash Days" to generate income when business is slow and is a great way to advertise and bring new customers to the area. It brings members of the local community together and helps with tourism in the small town of Terrigal on the Central Coast. It is a great environment for artists to keep up to date with the latest tattooing techniques and showcase their art.

I request that a "Flash Day" be put into the tattoo show permit guidelines as it serves the same purpose, and it technically falls within the same guidelines as the current permit for a tattoo show.

I also request there be a permit for interstate artists coming from unlicensed states to come and work for short periods of time in licensed premises.

Statement continues on next page

FEEDBACK REGARDING OPERATOR LICENSES

I have owned my tattoo shop six years now and have always stayed up to date with industry standards in hygiene, first aid training, bloodborne pathogens certificate, insurances and my business also holds a 5 star customer review rating on google.

I am also an active member of my community and, with my business, have held multiple charity events to support the local community.

In the last six years of holding and renewing my operator license, I have not seen what the \$2,659 license fee provides.

We pay a substantial amount of money every year to our insurances, namely public liability, content and building insurance, the latter being a very high amount as tattoo shops are considered high risk even though we have to maintain an extremely high degree of hygiene, cleanliness and transparency. Our biggest ongoing issue is that our insurance bills continue to increase every year and we are still considered a high risk business. As such, we would like to see any kind of help/action from the licensing committee to alleviate insurance loadings, as part of our operator license fee.

Furthermore, we have noticed more and more small businesses in our area such as nail salons and beauticians/eyebrow technicians undertaking art tattoo procedures without proper tattoo training or licensing. Also, a rise in people tattooing from home without proper tattoo training licensing and a rise in online stores that are not official tattoo equipment suppliers selling "tattoo starter kits" to anyone online. This affects our business as we pay substantial amounts to continue to operate our business with all licensing and insurances in place and yet there are no ramifications for individuals and businesses not abiding by the rules.

The lack of policing in this area endangers people in the spread of bloodborne pathogens and it is disheartening for small businesses that have to pay exorbitant fees to stay open.



Zach Kachad

Director of Louielou Tattoo Pty Ltd ABN 86 620 275 461
License Number 011 023
Suite 2/16 Church St Terrigal NSW 2260

MATHEW HOLLAND

19 June 2024

In the tattoo industry, licensing laws have become more problematic than beneficial. These regulations were introduced to address various concerns, including controlling unlicensed tattoo artists. However, despite these laws, unlicensed tattooists, particularly cosmetic tattoo artists who create "tiny tattoos" and "micro tattoos," continue to operate unprofessionally. These individuals exploit the industry, undermine its standards, and often lack formal training. Consequently, they produce subpar tattoos that harm the industry's reputation. Meanwhile, professionals like myself, who adhere to legal requirements and uphold industry standards, are frequently left to correct these poorly executed tattoos. This not only impacts our workload but also diminishes our business prospects as we spend valuable time fixing others' mistakes instead of focusing on our creative work.

The situation has been exacerbated by recent changes to tattoo licensing laws. As an operator's license holder, I am now prevented from guest spotting at other studios within the same state unless I also obtain a standard license. This additional requirement imposes yet another expense on top of an already costly system. While I understand the intent behind these laws—to maintain high standards and protect public health—they seem to have been implemented without proper consultation with industry professionals who have real-world experience. This lack of consultation has led to regulations that are out of touch with the practical realities of our industry.

Furthermore, the financial burden of complying with these regulations is significant. The costs associated with obtaining and maintaining an operator's license are substantial, often running into the thousands every few years. These expenses add to the already high costs of running a tattoo studio, including rent, equipment, supplies, and marketing. As industry costs continue to rise, the added financial strain from licensing fees makes it increasingly difficult to sustain a profitable business.

In addition to the direct costs, these regulations also create logistical challenges. The requirement to hold multiple licenses to work in different studios within the same state limits our flexibility and ability to collaborate with other artists. This restriction stifles creativity and professional development, as guest spotting is a valuable opportunity for tattoo artists to learn new techniques, gain inspiration, and expand their clientele.

Overall, while the intention behind tattoo licensing laws is to protect the industry and its clients, the current implementation falls short. The regulations fail to effectively address the issue of unlicensed tattooists while placing undue burdens on compliant professionals. For the industry to thrive, there needs to be a more balanced approach that includes input from experienced tattoo artists. This would ensure that the laws support professional growth, uphold high standards, and allow legitimate artists to operate without excessive financial and logistical hurdles.



Mathew Holland
9/87 King Street
Warners Bay
NSW, 2282

CHRISTIAN ALEXANDER PARRA CLAVIJO

Contact number: 0403830965

Tattoo Licence number: 104005 - Card number: 0003379044

Valid from: 19/12/2017.

Valid to: 18/12/2023

(Expired and unable to renew it if I am not Australian Citizen or Permanent Resident)

1. Holding a Tattoo License and Working as a Tattoo Artist for the last five (5) years in different Tattoo Shop around Sydney until my license expired.
2. Currently not Tattooing because of this issue - Working as a Freelance Illustrator at the moment and selling my Artworks online.
3. Applied for my renewal license on September 2023. After that, I had to withdraw my renewal application as I was told to do because I was not an Australian citizen or Permanent resident.
But I'm still waiting for my refund or any answer about it.

Thanks so much for your support.

Kind regards,



12 - June - 2024

Christian Alexander Parra Clavijo

DANIEL JOHNSTON

Wednesday 19 June 2024

Statement regarding NSW tattoo licensing scheme

I am an owner operator in Queensland and also have a New South Wales license. I do like to travel interstate and be able to work alongside other artists within the community. We've seen a lot of devastation in our industry over the last couple years licensing has made things more official and given us a professional profile but also has not officially helped businesses grow and share platforms for other artists to enter the community from interstate or even nationally. This was a part of our community that once thrived.

Regarding conventions and showcasing our artwork there's not enough support and too many regulations that are either outdated or uninformed.

This has stopped any other artist coming into Australia or interstate which has an impact on the local community and Tattoo economy. With out conventions and festivities around our industry which brings tens or hundreds of thousands of participants to areas all around the local community it impacts, we can't share the wealth of the attraction these artists would bring to the community.

This then translates into the small businesses that participate in these conventions. As the artists have nowhere, they can continue to work on their short stay or perhaps seek permanent residency.

This is also the problem for interstate travellers, we are a broad community that thrives on art, travel and individual growth.

We all agree that the license should exist, but better licensing regulations would bring benefits to our industry growth and the wider communities and local economies that we service.

A handwritten signature in black ink, consisting of a stylized, cursive 'D' followed by a horizontal line extending to the right.

Daniel Johnston

MATTIA COLOMBO

10 June 2024

To Whom this may concern,

My name is Mattia Colombo, and I have been an Italian tattoo artist for the past 17 years, working across Europe and most recently in Australia since 2018.

I am here on a student visa with plans to marry my Australian fiancé in September 2024 and begin the application process for my PR visa. Unfortunately, the PR application process can take up to 2 years to finalise, which with the new licencing law means I will be unable to continue my career as my current tattoo licence expires in January 2025.

To be in the situation of suddenly being unable to renew my licence, not only does this affect my long-standing career and my clients, but also my plans to build a family here with my soon to be wife. This new law is concerning and confusing, as I have been able to gain this licence and renew it without issue for the past 6 years and now to be told that I am unable to renew again because I am not a permanent resident of Australia.

I ask for the opportunity to renew my tattoo licence in January 2025 so I may continue doing the job that I love; I have strong passion for and in a shop that I am very happy in.

Thank you for your help,

A handwritten signature in black ink that reads "Mattia Colombo". The signature is written in a cursive, flowing style with a long horizontal stroke underneath.

Mattia Colombo

ALLY GLADIGAU

To Whom it may Concern

I would like to add our voices to the group to take to the meeting with the Police Minister.

Our business (Little Frankie's Tattoo) is a small business that aims to create opportunities for artists in the local community and artists from diverse cultural backgrounds and members of the LGBTQI+ community.

We pride ourselves on creating a psychologically 'safe space' for our workers and clients alike.

So far we have been able to employ over 20 artists in full time work, in a thriving and busy shop environment, over two studios in Sydney.

We have taken extreme care and a measured, detailed approach, to make sure all of our administrative, licensing, hygiene and legal obligations are met.

When the licensing enforcement was handed over to SLED, we went to great lengths, and had many long conversations on the phone with the department, to ensure we were doing everything 'by the book'.

I was particularly concerned about three of our artists, who are Foreign Nationals, and have made a career and a home here in Sydney. They have become part of our tattooing family and bring a wealth of knowledge and experience to our business and community.

They are all holders of NSW Tattoo Licenses, and became increasingly concerned about their future based on the legislative changes.

We contacted SLED a few times to try to ascertain what was to happen with these staff members. We were advised that SLED would 'eventually' notify these artists with an order, of some kind, revoking their license and then it was assumed they would need to move on to the 'Visiting Tattoo Artist permit'.

SLED had told us that they would reach out to all the artists concerned, and we assumed that meant an email, or phone call, perhaps to issue the artists with a notice.

So far, none of our artists have been contacted by SLED, in any capacity, in relation to their licenses.

Essentially, SLED has said that because of these laws, there is no legal way that these artists can continue to Tattoo in New South Wales, in a full time capacity.

I just need to repeat that last sentence, because it seems ludicrous when I read it.

Currently, in New South Wales, there is NO legal way that a Qualified Tattoo Artist can do their job, if they are from Overseas (and not a permanent resident.) There is also NO pathway for them to do so.

I cannot underestimate the negative impact these laws are having on our burgeoning and vibrant industry. Tattooing is an industry that, unlike many others, saw a growth period during the COVID lockdowns.

Tattooing provides a livelihood and a sustainable and fulfilling career choice for many creative people.

Our Businesses in New South Wales are being suffocated by the laws, which makes it impossible to recruit or attract talented overseas artists.

Our existing overseas artists are essentially being forced out of an industry that, in many cases, is the only career they have ever known.

The stress and unfair career insecurity this is causing them is enormous.

Our Overseas artists are all on bridging Visa's, which allows them full working rights in Australia. They are expected to be granted Permanent Resident Status at some point.

I have never seen another example of people in any industry being essentially 'forced out' of their trade, for a benign and seemingly unnecessary bureaucratic reason.

Statement continues on next page

Australian Tattooists Guild meeting with Minister for Police and Counter Terrorism Yasmin Catley, 24th June 2024

I would love the opportunity to expand on the 'real life' impacts that these laws are having on our Overseas artists, as well as our business, and further, our Industry.

I welcome you to contact me on 0413 896 508

Kindly

A handwritten signature in black ink, appearing to read 'AG' with a stylized flourish.

Ally Gladigau
Company Operations Manager
Little Frankie's Tattoo Co. (Sydney)

EMA SINAIOVÁ

10 June 2024

I'd like to share my experience with moving to Australia as a tattoo artist. I come from Slovakia, Europe. First thing I did I applied for work & study visa. In my motivation letter I mentioned I'm coming to Australia as a tattoo artist, I want to study business, I want to be inspired and develop my artistic skills in the country. I want to join various studios, work there and contribute with my art. Based on my motivation letter; government gave me visa to enter Australia for 2 years. What I found out when I arrived at Sydney is the licensing scheme only gives me 6 months of licensed work, contradicts with the length of time the Australian government gave me on the working visa, and consequently, I feel like I'm suffering a prejudice in performing my profession, which is unfair and unjust! Also contradicts the idea of diverse society especially in so multicultural city. I wasn't informed in advance. My profession is highly skilled art, not a crime.



Ema Sinaiová

Tattoo Artist, Business student
572 Princes Highway
Rockdale Sydney
NSW 2216

TASHI EDWARDS

22 June 2024

To the Minister for Police and Counter Terrorism, Yasmin Catley,

I am providing my impact statement to you from the perspective of my position as the Vice President of the Australian Tattooists Guild (ATG), a position I have held since 2013.

From my position I have gained a unique insight into the myriad of issues which have arisen from the implementation of the regime, having worked closely with industry participants and Government officials and agencies. I have worked as a campaign and freelance writer for numbers of NGO's and NFP's over the last decade with a personal interest in policy development and implementation.

I am a professional tattooer with twenty years' experience and owner/operator of the Green Lotus Tattoo Studio in Brunswick, Melbourne. I have had the privilege of working with some of my profession's finest artists, hailing from both Australia and Internationally during this time.

The introduction of the Tattoo Parlours Act 2013 NSW raised a number of serious concerns and attracted criticism from Human Rights Groups, Law Society's, Civil Liberties Groups and perhaps most importantly industry participants Nationally.

These concerns primarily being focused on what appeared to be oversights and/or overreach within the Act(s) such as restraints to trade, disproportionate regulatory burden, a gross lack of industry consultation during the drafting of the Bill, the abrogation of natural justice and a blatant disregard for the existing culture and practice within the art form.

During my time on the Committee of the ATG I have witnessed an incremental increase in the bar of probity in NSW which has been accompanied by an increase in police powers that sit outside the normal function of laws and rights. This increase does not however appear to be supported nor justified when the Government data for entry or denial into the industry is examined. The procedural requirements of the Act continue to be onerous, resource-intensive and involve difficulties that ultimately have a negative impact on the very people it pertains to protect.

Between 2013 and 2018 I personally assisted numbers of professional tattooers to navigate the appeals process after being denied licensure based on an undefined fit and proper test. I found it deeply concerning that under the regulations any evidence gleaned from secret intelligence was an exemption to the usual disclosure rules. Within the application process there is no pathway to allow potential licensees to address their probity behaviors or past convictions, or to permit their history to be placed into some kind of explanatory context.

In allowing the use of such evidence the NSW Parliament has allowed public interest and political expediency to override fairness and basic rights, in accordance with Article 10 of the Universal Declaration of Human Rights of being entitled to a "fair and public hearing by an independent and impartial tribunal". Whilst I appreciate that the issues highlighted here are visible in May renditions of modern law and that regulation through licensing is an acceptable way of seeking to ensure high standards within an industry, it is internationally accepted across all areas of law that no one should be excluded from their chosen occupation on the basis of information which has not been disclosed to them.

Statement continues on next page

Artists and Business who did initially qualify have remained disadvantaged by the regime, having to apply for sperate licenses to work across jurisdictions or, in _the case of Master License holders' multiple licenses to work within their own State or to utilise mutual recognition agreements.

Unworkable barriers for out of State artists, exorbitant fees and recent changes to definitions to qualify for /icensure for individuals from overseas who hold working rights provided to them by the Commonwealth have burdened and damaged the working lives of legitimate members of the profession.

These issues being compounded by previously willing insurers who have now withdrawn on the basis of the negative public discourse the Legislation has wrought thus pushing the obtainable policy premiums for the industry through the roof

Whilst the initial attendant problems in discerning who should be licensed, considerable delays of up to several years in some cases to determine probity and multiple administrative oversights which took significant time and resources in campaigning by the ATG to see amended, the fact remains that in 2024 the regime is in desperate need of Legislative reform.

Today there exists a swathe of evidence by which Governments may inform their position on the extent of organised crime and, where and to what degree it exists. Notably the Wilson Report 2019 which examined the extent to which OMCG were present in licensed industries and which supported the findings of the 2018 Taskforce into Organised Crime Legislation OLD which concluded that the provisions within the then Tattoo Parlours Act 2014 QLD were excessive, disproportionate and unnecessary. The 2015 Byrne Report on Organised Crime set overall OMCG crime at 0.52%. In respect of this report acclaimed Criminologist Terry Goldsmith publicly stated that the figures were "far less than 0.52% of crime". There exists an extensive list of Reports, Taskforce findings, Government reviews and academic research papers which support the notion that organised crime does not exist to a large extent within the tattoo industry and that the current regulatory burden is disproportionate and excessive.

The tattoo industry in Australia has a unique regulatory opportunity with the potential to see appropriate health-based requirements implemented and the development of industry resources that support our small but thriving community. The overwhelming majority of NSW tattooists have and continue to adhere to the outdated requirements and have borne the burden of a regulatory regime that is not fit for purpose. I perceive that the profession has proven itself insofar as the policy objectives of the primary Act have been resolved.

Policy makers have an obligation to reflect on how regulation affects individuals and businesses and its broader economic and competition impacts. Regulation can have benefits, but poor, unnecessary or excessive regulation can a/so lead to obstacles that slow down, hinder and even stop business investment and new job creation. Where regulation is demonstrated to be necessary, policy makers must seek practical solutions and ensure that they are well-designed, well-targeted and fit-for-purpose.

Statement continues on next page

I would urge the Minister to examine whether existing laws are sufficient to deal with the perceived problem, or whether there has been a distortion of perceptions about what constitutes organised crime, and to what degree it actually exists within the profession, without the support of any empirical evidence.

Regards,

A handwritten signature in black ink, appearing to be 'Tashi Edwards', written in a cursive style.

Tashi Edwards
Vice President ATG

MIKE VAN OIRSCHOT

19th June 2024

To the Minister of Police,

I am providing this statement to evidence my experience and to document my observations of the impacts on my profession of the NSW licensing regime since it rolled out in 2013.

My name is Mike Van Oirschot and I have been practicing as a professional tattooer since 2006, I currently work in Melbourne, Australia where I specialise in large scale black work pieces. I am a member of the Australian Tattooists Guild.

Prior to 2013 I regularly worked in NSW, traveling to reputable established studios to work alongside senior tattooers to expand my skill set. This was common practice for artists of my generation and provided me with invaluable skills and knowledge.

The introduction of the NSW licensing in 2013, and then its adoption in QLD in 2014 came as a shock to the profession Nationally leaving many tattooers feeling resentful towards Government's that the culture and practice of the art form had simply been overlooked and that we were being treated as criminals. This being reinforced through the use of secret criminal intelligence, finger and palm prints, restrictions on trade and fit and proper tests that were undefined.

I was and still am in regular contact with numbers of tattooers in NSW and the ongoing overwhelming response to the license, and its sole focus on crime continues to baffle most. Yes, there were elements of crime within the industry, but they had been on the way out for some time prior to 2013, licensing the entire NSW profession and restricting the entry of artists with unworkable and costly barriers was totally disproportionate to the actual threat on the ground. I am aware that little to no consultation occurred with industry during the drafting of these laws.

In the ensuing years I have watched as my colleagues in NSW have had the important cultural practice of guest artists, both interstate and international ripped from them by legislation which does not support or reflect the working practice of the profession. They continue to be burdened by an empty license that holds very little to no value for the profession on the ground and which has ultimately damaged the integrity of the art form by handing out licenses to anyone and everyone with the public being given the false impression that if someone holds a license, they must be competent to do so.

I personally do not have the time to travel up to NSW for the sole purpose of providing my prints. I have a young family and heavy workload and if I were to accept one of the many offers, I have had from NSW studios to work there I would want the license approved before I arrived, in 2024 with all the resources and technologies available to regulators and the outrageous fee's attached this does not seem like a big ask.

Statement continues on next page

I have recently been informed that permits for shows are now also being denied to individual studios who intend to host flash days. This is nothing short of mind blowing that regulators would sever the only line for artists to travel to work in NSW for a few days without a full license. I have also been informed that only large conventions, which are predominantly run by non-tattooers will be the sole recipients of these permits....The NSW Government is now serving another blow to our small but thriving industry, the impact of this particularly on young artists who are yearning to learn and network and potentially cannot afford the extra \$700+ on top of flights and accommodation to travel to NSW to give prints simply to gain a full license just to work a few days in the State is nothing short of outrageous.

What do these excessive restrictions have to do with keeping crime, which largely does not exist out of the industry?

I am aware that the ATG are working with regulators to streamline the process. I perceive that if this was changed, and the ridiculous fee structure addressed many more artists would return to NSW. Thank you for your time in considering my statement.



Mike Van Oirschot
Green Lotus Tattoo
300 Sydney rd.
Brunswick
Melbourne VIC 3056

ROXANNE WADE

To whom it may concern:

Re: Impact Statement regarding NSW Tattoo Licensing

My name is Roxanne Wade. I operate a tattoo studio in Adelaide. I perform body tattooing, cosmetic tattooing and paramedical tattooing.

I am writing to express my concerns regarding the current tattoo licensing process in NSW as it applies to interstate guest artists. The majority of my work is body tattooing, and I have specialty skills in tattooing scarred and damaged skin. Unfortunately, while I would love to share my skill set with fellow NSW artists, and their clientele, through the process of guest spots, I cannot. I have found the licensing economically unfeasible for me.

I am a sole trader, and as such, the costs do not justify the rewards. By comparison, if I were travelling to NSW to perform a cosmetic tattoo guest spot, I would not need to undertake this same licensing process or pay these fees. This process is restrictive, prejudicial and impractical.

I believe that the licensing process does not take into consideration the culture of guest spots, skill sharing and training opportunities, and the industry networking that is an important aspect of tattooing and tattoo artistry development. As an artist, I feel like I have missed out on opportunities to learn from other artists with specific skill sets and expertise, just as I am unable to share my skills and acquired professional knowledge.

It is disappointing that my registration in South Australia is not sufficient to allow me to operate as a guest artist in NSW without having to pay such a huge licensing fee.

I hope that changes are considered that improve and facilitate greater opportunities for out-of- state Australian guest artists to participate in the NSW tattoo industry in a way that reduces the economic and practical obstacles that currently exist.

Yours sincerely,



Roxanne Wade

PO Box 620, Stepney, South Australia, 5069
Studio: Level 5, 19 North Terrace, Hackney, South Australia 5067

KELLIE ANNE DESIREE FIELDING

Impact statement from Master Licence holder

19 June 2024

Issue

Granting of licences to unskilled, unsupervised tattoo artists:

Since the implementation of licencing which removed any controls of who enters our industry from the shareholders who built said industry, this has resulted in an oversupply with no quality control.

Originally a person could only become a tattoo artist if they were accepted by an experienced artist in a reputable studio but now because of the introduction of tattoo licencing they fill out a form, buy a kit off eBay and they are empowered to do something that previously took respect and years to master.

Granting a government licence to unskilled, untrained and unsupervised people leaves the general public believing these people have experience, and a proven skill set. Allowing untrained people to tattoo the unsuspecting public is a dangerous situation.

Solution

Master licences should only be granted to operators who have proven years and experience in the industry.

Tattoo licence applications must be co-signed by a valid master licence, who then will support and vet the training of a new artist coming into the industry.

Issue

Equipment available freely to purchase online:

It has become a free for all, with anyone who wants to purchase equipment online easily through eBay, Amazon, Catch of the Day and Marketplace sellers for as little as \$80 for a full kit. Thousands of people tattooing from home across the state. Considering the inks alone are under scrutiny by our government how are they freely imported within these kits.

Solution

Put restrictions on such equipment being sold through these sellers and introduce harsh penalties for the platforms selling them to unlicensed people. Note: Please refer to licence transparency.

Issue

Undue pressure and cost on licenced tattoo studios with backyarders facing no opposition:

We have all seen backyard tattooers that are reported facing no consequences, whereas a licenced business faces costly fees, licence checks, record keeping controls and heavy fines but if a person tattoos from home it seems too hard for the authorities to police.

A licenced premises must have a DA granted by council, they must undergo stringent inspections, record keeping checks, skin penetration checks, monitoring of inks used and all cross-contamination practices but others tattooing from home are left wholly unmonitored.

Statement continues on next page

The pressure on people managing licenced premises is enormous ensuring that you do everything exactly as legislated, and a simple thing such as not declaring your weekend counter person's identity resulting in a \$500 fine does not seem reasonable. If your daily record keeping is not spot on that's another \$2,200, there are so many additional aspects that are applicable to a licenced premises that a person working under the radar can circumvent.

Solution

Reduce the fines and pressures on licenced operators, instead offer warnings and guidance rather than harsh penalties especially on first offences. Go after the backyarders shut them down and fine them harshly instead of the legitimate licenced operators.

Issue

Licence transparency:

The checking of licences is currently difficult, it seems highly inefficient for a master licence holder to be unable to check whether an artist licence attached to their master licence is valid. We are unable to enquire as to the validity and now there are no safeguards such as photographs it becomes even harder ensure everything is in order.

The public can openly check whether their plumber is licenced but when it comes to tattoo licencing, we are clandestine. If our licences were openly legitimised along with other trades on the NSW Services site it would allow advertisers and social platforms such as Facebook, Gumtree etc, to only advertise licenced operators. Even when advertising a puppy for sale on Gumtree a valid breeders licence is requested.

Solution

Legitimise the tattoo licencing structure to be in line with all other recognised trade licencing to not only stamp out illegal operators advertising but allow the public to check that your business is legitimate. Allow conversation with holders of master licences to allow checking the validity and identity of tattoo licences.

Issue

International Artists:

Freeing up the restrictions further to international artists cannot be beneficial to our industry at this point in time. Our industry is already struggling with an oversupply of artists and not enough work for Australian tattoo artists. How will making it easier to import additional competition to an industry already struggling to stay afloat.

Yes, being able to have artists come for limited visits is beneficial for the richness and sharing of the craft but lengthening time and allowing multiple visits per year is just adding to the oversupply problem. We already have international artists freely renting hotel rooms and warehouse spaces, advertising on Facebook, Instagram and WhatsApp groups for cliental, all underneath the radar.

Solution

Introduce the "sponsoring" of only qualified artists by master licences with a cap on how many per year they can sponsor.

Restrict the time frames apart from artists who are wanting to make Australia their permanent home after going through the immigration process.

Statement continues on next page

Tattooing should be added to the visa classification to be able to allow legitimate artists to resettle here. The government has chosen to licence, control and legitimise our industry. It makes perfect sense for this to happen now.

Monitor and introduce hefty fines to those who have entered the country and are doing the wrong thing.

A handwritten signature in black ink, appearing to read 'K. Fielding'. The signature is stylized with a large 'K' and a long horizontal stroke for the 'Fielding' part.

Kellie Anne Desirée Fielding
Director of Wicked Ink Pty Ltd
394 High Street
Penrith NSW 2750

NATALIE MASLIN

RE: NSW MASTER LICENCE APPLICATION PROCESS

20 June 2024

Due to the requirement of a shop address to apply for the masters license, my business partner and I were put in the unreasonable position of paying rent and an egregious insurance sum in a shop that cannot operate from without one.

We submitted our application for a masters license in August last year, and we were told it would be finalised and likely approved by the 1st of September as fair trading had confirmed with us everything was fine on their end, and it was just police check that was needed.

All documentation we had submitted at least twice, and they already had our fingerprints from our individual tattoo licenses. (My business partner has done his twice as they 'lost' the first time. I and my business partner Dylan Van Den Berg, of whom now holds the master license for our shop, were met with unresponsive, unhelpful and disinterested 'communication' throughout the application process. We enquired numerous times, however they neglected to ask any personal details or an application number, and the response was always the same that "we'll get to it in a few weeks'. Mid September I asked a detective from the northern beaches command if he could enquire on my behalf, which he did again on multiple occasions, but they were no more helpful, they did however take an application number but that was all.

It was not until Dylan reached out to James Griffin MP that any helpful communication and progress on the application was made. We were sent an apology email from SLED for the wait before approving the license in Mid October. Days later I was told by the detective that three months before SLED took over from fair trading, they were told they would be doing so and ceased all work on tattoo licenses until this changed over, and thus were three months behind. This was the only explanation and justification we were given for the months we were out of work and unable to open.



Natalie Maslin

Tattoo Artist and Co-Owner Snake & Dagger Tattoo
Shop 1, 301-303 Condamine St
Manly Vale 2093

GREEN LOTUS TATTOO STUDIO

20 June 2024

To whom it may concern,

We, the tattooers of the Green Lotus Tattoo Studio, Melbourne Australia are providing a group statement to the Australian Tattooists Guild for use in their presentation to the NSW Minister of Police.

This statement is intended to document the issues that we as professional tattooers outside of the State of NSW perceive impact us in regards to the provisions and regulations associated to the *Tattoo Industry Act 2013 NSW*.

The current application criteria for out of State artists to obtain a full tattooists licence to work in the State of NSW requires the applicant to travel to NSW to submit prints at a NSW Police station, this aspect of the application process requires a separate trip into NSW prior to obtaining full licensure. This requirement is a deterrent for artists to work within the State and creates an unfair financial burden on the applicant.

The recent interpretation by SLED of "tattoo show" has seen individual studios denied access to show permits. Previously out of state artists were permitted to travel to NSW and work studio based events for one or two days under this permit system. The new interpretation creates a monopoly on tattoo shows and events which favours big business. It also further restricts the flow of talent into NSW by marginalising those artists who want to work for a short period within the State to having to apply for full licensure or attend a commercial convention, both of which have significant financial outlays.

Our studio hosts a number of international artists who hold visas granted to them by the Australian Commonwealth Government which entitles them to full working rights. We are aware that due to a recent change in the definition of eligibility for full licensure that many NSW artists who hold the requisite visa(s) to work in Australia are now being denied licensure, their only option now being a combined six month permit. It is difficult to understand how this decision supports the policy objectives of the primary Act. If it is the position of NSW regulators that individuals entering NSW from overseas may be involved in some form of criminality the questions of how they were permitted entry into Australia in the first place and, if criminal intentions are present, how does limiting an individual's stay combat this position?

It is the position of our group that individuals entering Australia with working rights granted to them by the Commonwealth should be entitled to those rights in all States and Territories.

It is the position of our group that the Tattoo Industry Act 2013 is hopelessly flawed and requires a full review and that consultation with industry must occur prior to and during the drafting of any new legislation which impacts the tattooing profession in Australia.

We are Members of the Australian Tattooists Guild.

300 Sydney Road Brunswick, VIC 3056

03 9388 2855

Info@greenlotustattoo.com.au

Signatures follow on next page

Rhami Edwards



Shane Coley



Richard Blackheart



Jeff Segundo



Savannah Ray



Jonatan Cordoni



Isaac Lopez



Daniel Castle



Alexander Mackellar



Olivia Davison



Bevan Bowman



SASH TRAJKOVSKI

20 June 2024

There are a few main areas of concern for the tattoo industry and artists that are having a detrimental affect

1. Backyard Tattoo artists and no monitoring or policing.

There has been an explosion of back-yarders tattooing at home. There is nothing being done about this. When contacting Fair Trading, they advise it is a council problem, the council say it is a police problem and the police are not taking any action. A lot of passing the buck and no action taken to stop the exploding problem. I can see that it is affecting all the artists in professional studios. Artists are struggling to keep appointments filled as they cannot compete with the cutthroat prices back-yarders are offering. All while studios get slugged with so many operating expenses. Not to mention there is substandard hygiene practices, no regulations adhered to and no police record checks. We have seen an increase in people coming into the studio asking for either laser removal or wanting to cover up the tattoos that someone has done in their garage. Professional studios are forced to adhere to the tattoo regulations and suffer all the consequences of the regulations whereas back-yarders don't adhere to any regulations, avoid everything and there are no consequences. There needs to be controls and policing to get rid of this practice.

2. International artists working for up to 6 months.

There is no policing or monitoring of artists working with permits or without permits. There is no way to verify if an international artist has a valid international permit. People are abusing this scheme and there is no controls in place to deter or stop the illegal work. People are openly advertising their intent to work in Sydney on Instagram and Facebook regardless of whether they have an approved permit or not. Bookings are done through their private social media profiles, we chat and WhatsApp groups and artists are illegally tattooing from hotel rooms, apartments, garages and warehouses. There is nothing in place to prevent this or deter. With substandard or no hygiene practices at all and not having to adhere to any type of tattoo regulations. The international artists pay a nominal fee for a permit which allows them to tattoo for up to 6 months at 3 month intervals. While professional studios and artists pay extremely high operating costs and license fees. This is detrimental to our industry. The industry is already struggling with work and over the last 6 months there has been a massive influx of international artists both with and without permits. International artists do not have to undergo the same scrutiny NSW Tattoo Artists go through. I have seen countless international artists advertising their intention to work in Sydney for 3 months even before getting here. They arrange their work through private messages and the locations are not disclosed until closer to the appointment. There is no disclosure of the studio they are supposed to be working from and only private messages are used to arrange work. Needless to say the majority of these artists do not have an international permit but they are exploiting the scheme as there are no controls or policing in place. There are no benefits with these arrangements, this is not a knowledge exchange, an enrichment or cultural or educational exchange, nor a reciprocated program for the industry. This is killing the industry and making it extremely difficult for professional studios and artists to compete and operate. This kind of program is not reciprocated in any of the countries where international artists are coming from in abundance. The industry and artists are being exploited. The industry needs to be looking out for the tattoo artists within NSW and Australia first. This needs to be addressed as a matter of urgency.

Statement continues on next page

3. Insurance.

This is an ongoing issue for operators. Insurance companies are using the tattoo regulations as an opportunity to increase the insurance premiums. The insurances are using the regulations and unfairly associating the businesses with criminality and classifying the industry as high risk so that they can increase the insurance. This is unnecessary and overkill. The previous person in my building was paying \$2,500/year, my insurance has increased to \$15,000/year. This type of increase is absurd and unjustified. The increases can be seen more so since the tattoo regulations were introduced.

The insurance costs are escalating and there is nothing being done to combat this. The old stigma around the tattoo industry has given free rein to the one insurance company so that they can rip off the tattoo industry. This needs to be addressed urgently.

4. Tattoo supplies.

Tattoo supplies should have some regulation. People should not be able to buy tattoo supplies online from retailers like BigW or eBay. Tattoo supplies should only be available for purchase to registered businesses from tattoo suppliers. This will also reduce the number of back-yarders.

5. Tattoo and alcoholic drink parties.

There has been an increase in Tattooing and drinking parties being hosted for people to learn how to tattoo while drinking alcohol. I understand that the loophole in this is that the people are not doing skin penetration as such as they are using fake skin, so there are technically no laws being broken. This practice being allowed to continue is an insult to the artists and all the regulations the artists are forced to adhere to. The artists and the industry need to be protected against being exploited in this manner.



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SAMUEL COE

How has the current NSW tattoo licensing impacted my ability to tattoo in the state?

To give some background I am a 13-year tattooist originally from the UK but having moved to Australia in 2018 and primarily tattooing within the state of Victoria for the large part of that time.

During the time I have been in Australia I have had an increasing demand from potential clients to be able to come and work in Sydney and other parts of NSW. Unfortunately, due to the high price and the very time inducive process that is required to acquire a NSW tattoo license I have been unable to work within the state. This has impacted my ability to be able to tattoo a large selection of clients that are unable to travel down to Melbourne to get tattooed, for various reasons and I have therefore lost out on a considerable amount of business. I feel that the price artists are asked to pay for a NSW license doesn't reflect equally compared to other industries such as security which in comparison is around a quarter of the price, and in this case, there is a far higher potential for risks and complications compared to the tattoo industry.

It is not only the price that has stopped me from getting a NSW license but the requirement that I would have to fly up to Sydney to give certain information for the appropriate authorities that would then enable them to grant the license, means yet more expense with cost of travel and accommodation. Not only that but the loss of wages due to time spent away from my business because of having to travel to the state and give this information which surely could be given at a local police station and then communicated to the correct officials in NSW.

Recently myself and another tattooist were meant to attend and work at a charity flash day in NSW but due to the recent changes in legislation from SLED around tattoo event licenses that meant to shop putting the event on were unable to acquire a temporary license for myself and the other artists to be able to work at the event and therefore we were unable to attend the event and it was unfortunately cancelled.

In the past I have only been able to tattoo within NSW because of attending one of the tattoo conventions in Sydney, which although is an easier route to attain a 30-day license, it is quickly becoming a very costly and limiting way to be able to come and work within the state. It also gives a monopoly to the organisers of these events that out of state and international artists are then victim to if they want to be able to tattoo in the state.



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