

**LEONARD JOEL**

Est 1919

A VOLUNTARY POLICY  
FOR THE MANAGEMENT OF AUCTION  
TRADE IN RHINOCEROS HORN AND  
ELEPHANT IVORY

# THE SLAUGHTER- ORIGIN



## *My repressed discomfort, my child's revulsion and IFAW's commitment.*

My journey to become an advocate for change happened in a short space of time, has surprised many and yes, it is like a switch has flicked in me and I too am now repulsed by the trade in ivory, predominantly and Rhino horn, marginally that I have contributed to as an auctioneer.

For me it was an easier decision to cease the trade in un-worked pieces; easier because the distance of time and place we tend to construct between the slaughter-origin, as I describe it, and the object is compressed and immediate and discomfoting.

But as these materials are transformed by cultures, by history, by craftsmanship, by author and description, the objects become distanced from the slaughter-origin. Now it has become a thing of beauty; exquisite, intricate, laden with history and scholarly. And all these embellishments serve to repress the conservationist instinct in us all and instead elevate the cold connoisseur in us.

This is my revelation and it has happened because the International Fund for Animal Welfare (IFAW) quietly and gently explained to

me two inescapable truths. Firstly, that global agreements to date have done nothing to reverse or halt the slaughter and secondly, that as long as auctioneers and their platforms create markets for the materials from these grand animals, value is maintained and therefore supply and thus slaughter is encouraged.

Our decision at Leonard Joel to cease the trade in all but the very minimal pieces that decorate, support or serve a purpose in an object of decoration or utility is not a decision to bow to hysteria and diminish the pursuit of the appreciation of decorative arts. It is simply but profoundly a decision to play our part in disrupting the "value" of these items so that we can be sure in our minds that we no longer contribute to the slaughter-origin and so that our hearts are not of the cold connoisseur but rather that of the conservationist.

**JOHN C R ALBRECHT**

CEO and Proprietor  
Leonard Joel

*“Every 15 minutes, an elephant is killed by poachers in Africa. Yet despite this grim statistic, there is new cause for optimism that shooters can be kept at bay.”*

THE INTERNATIONAL FUND FOR ANIMAL WELFARE (IFAW)

## DEFINITIONS

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**Ivory** means any tooth or tusk composed of ivory from any species of elephant or mammoth, or any piece thereof, whether raw ivory or worked ivory, or made into, or part of, an ivory article.

**Worked ivory** is ivory that has been carved, shaped or processed, either fully or partially.

This expression does not include whole tusks in any form, except where the whole surface has been carved.

**Non-worked** or **raw ivory** includes all whole elephant tusks, polished or unpolished and in any form whatsoever, and all elephant ivory in cut pieces, polished or unpolished and howsoever changed from its original form, except for 'worked ivory'.

**Wholly, primarily** or **partly ivory** means an item made wholly or primarily of ivory whereby:

- I. the ivory component or components account for more than 50% of the item by volume and / or value; and
- II. the ivory is not raw.

**Incidentally ivory** means an ivory item whereby:

- I. the ivory is a fixed or integral component or components of a larger manufactured or handcrafted item and is not in its current form the primary source of the value of the item, that is, the ivory does not account for more than 50% of the value of the item; and
- II. the ivory is not raw; and
- III. the manufactured or handcrafted item is not made wholly or primarily of ivory, that is the ivory component or components do not account for more than 50% of the item by volume; and
- IV. the total weight of the ivory component or components is less than 200 grams.

**Musical instruments** means items including keyboard instruments, with ivory keys, stringed instruments and bows with ivory parts or decorations, and bagpipes, bassoons and other wind instruments with ivory trim, where the ivory component is considered to be **incidentally ivory**.

**Serving ware** and **cutlery** means items including teapots, knives, utensils, servers etc where ivory is a fixed or integral component of a larger item and considered to be **incidentally ivory**.

**Rhinoceros horn** means the horn, or any piece thereof, of any species of rhinoceros.

# POLICY

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1. Implement a complete ban on trade in any **rhino horn** regardless of age, effective immediately.
2. Implement a complete ban on trade in any **un-worked ivory** regardless of age, effective immediately.
3. From 1<sup>st</sup> January 2017 implement a ban on trade in any **worked ivory**, such that trade in worked ivory shall only consist of items that are:
  - a) **"Wholly, primarily or partly ivory"** and which meet the trade criteria set out in **Part A** of the policy criteria (for trade in "Wholly, primarily or partly ivory"); or
  - b) **"incidentally ivory"** and which meet the trade criteria set out in **Part B** of the policy criteria (for trade in "Incidentally ivory"); or
  - c) **"musical instruments"** or **"serving ware and cutlery"** and which meet the trade criteria set out in **Part C** of the policy criteria (for trade in "Musical Instruments" and "serving ware and cutlery").
4. Agree to a complete phasing out of trade in ivory considered **"Wholly, primarily or partly ivory"** by 1<sup>st</sup> January 2019. This 24 month period will enable harmonisation of this new policy with the commercial and human resource issues facing Leonard Joel;
5. From 1<sup>st</sup> January 2019, trade only in **worked ivory** that is:
  - a) **"incidentally ivory"** and which meet the trade criteria set out in **Part B** of the policy criteria (for trade in "incidentally ivory"); or
  - b) **"musical instruments"** or **"serving ware and cutlery"** and which meet the trade criteria set out in **Part C** of the policy criteria (for trade in "Musical Instruments" or "serving ware and cutlery").

6. Leonard Joel will embrace best-practice processes around communication of general information, provenance and public education. To satisfy this we will agree with IFAW standard permanent information on our website easily accessed via a link, a standard protocol with sellers when receiving items, clear presentation of relevant information of items prior to auction and a standard approach to satisfying regulatory authorities / statutes.
7. Best practice processes will include making available relevant documents pertaining to provenance of all items offered for sale, ensuring we apply a professional and expert filter to all consignments to eliminate non-compliant items and make available via our communication platforms our agreed policy which will include educational material on the subject of protection of endangered species.
8. For single collections we are offered where a component is ivory or horn that does not comply with our policy we will not offer these items for sale. We may direct these clients to a third party and not for Leonard Joel profit.
9. We are happy to sit down and review our policy and its implementation every December with IFAW for 2017 and 2018.
10. We are committed to positioning ourselves as a market leader in Australia and working with IFAW in Australia to inspire change within our industry and private client thinking.

# POLICY CRITERIA

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## **Part A: Trade in “Wholly, primarily or partly ivory”**

Trade in “Wholly, primarily or partly ivory” shall only occur where the following criteria are met:

- I. The item is deemed by a competent expert or authority to have been manufactured or produced prior to 1921; and
- II. statutory declarations are obtained from the owner prior to viewing and / or date of the auction. These are to be submitted to the Federal Department of Environment and Energy prior to the auction and approval from the Federal Department of Environment and Energy is received by Leonard Joel prior to the auction date for the item to be sold otherwise it is to be withdrawn from sale; and
- III. supporting documentation is provided at time of consignment which may include (but is not limited to) letters, dateable photos, original receipts, wills, certificates of authenticity, CITES permits, radio-carbon dating (to determine age); and
- IV. supporting documentation and statutory declarations are listed / referenced in auction catalogues and made available for inspection prior to auction.

## **Part B: Trade in “incidentally ivory”**

Trade in “incidentally ivory” shall only occur where the following criteria are met:

- I. The item was manufactured or handcrafted prior to 1921; and
- II. statutory declarations are obtained from the owner prior to viewing and / or date of the auction. These are to be submitted to the Federal Department of Environment and Energy prior to the auction and approval from the Federal Department of Environment and Energy is received by Leonard Joel prior to the auction date for the item to be sold otherwise it is to be withdrawn from sale; and
- III. supporting documentation is provided at time of consignment, which may include (but is not limited to) letters, dateable photos, original receipts, wills, certificates of authenticity, CITES permits, radio-carbon dating (to determine age); and
- IV. supporting documentation and statutory declarations are listed / referenced in auction catalogues and made available for inspection prior to auction.



### **Part C: Trade in “Musical instruments” and / or “Serving ware and cutlery”**

Trade in “**musical instruments**” shall only occur where the following criteria are met:

- I. The musical instrument was manufactured or handcrafted before 1975; and
- II. the ivory component of the item is considered to be incidentally ivory; and
- III. statutory declarations are obtained from the owner prior to viewing and / or date of the auction. These are to be submitted to the Federal Department of Environment and Energy prior to the auction and approval from the Federal Department of Environment and Energy is received by Leonard Joel prior to the auction date for the item to be sold otherwise it is to be withdrawn from sale; and
- IV. supporting documentation is provided at time of consignment, which may include (but is not limited to) letters, dateable photos, original receipts, wills, certificates of authenticity, CITES permits, radio-carbon dating (to determine age); and
- V. supporting documentation and statutory declarations are listed / referenced in auction catalogues and made available for inspection prior to auction.

Trade in “**serving ware and cutlery**” shall only occur where the following criteria are met:

- I. The item in question was manufactured or handcrafted before 1975; and
- II. the ivory component of the item is considered to be incidentally ivory; and
- III. statutory declarations are obtained from the owner prior to viewing and / or date of the auction. These are to be submitted to the Federal Department of Environment and Energy prior to the auction and approval from the Federal Department of Environment and Energy is received by Leonard Joel prior to the auction date for the item to be sold otherwise it is to be withdrawn from sale; and
- IV. supporting documentation is provided at time of consignment, which may include (but is not limited to) letters, dateable photos, original receipts, wills, certificates of authenticity, CITES permits, radio-carbon dating (to determine age); and
- V. supporting documentation and statutory declarations are listed / referenced in auction catalogues and made available for inspection prior to auction.

Leonard Joel  
1<sup>st</sup> January 2017



This gilt bronze sculpture by the artist Chiparus containing incidental ivory elements is an example of an item that would not be affected by the De Minimis principle.

# THE SPIRIT OF DE MINIMIS

On 1st January 2017 Leonard Joel activated its voluntary policy position (VPP) on the cessation of rhinoceros horn and elephant ivory trade. As part of this VPP we agreed to not only immediately cease all trade in rhino horn, regardless of age, but also cease trade on 1st January 2019 in all ivory that did not fall under the De Minimis principle.

This principle's central purpose is to remove from the market place all ivory except those items where the ivory component is so small or insignificant that its presence could not reasonably be seen to be contributing to maintaining value in, or creating a market for, ivory.

This principle follows the recent USA legislation, one of the aims of which is to remove from trade all voluminous ivory from the market place in an effort to disrupt the value of the material and make it much more difficult for new ivory to find its way on to the market place.

The legislation is inspired by the understanding that when the bulk of ivory is removed from market circulation, it disrupts value, which disrupts demand, which in turn will disrupt supply and positively impact on poaching and hopefully, inevitably end the slaughter.

Equally, the principle as interpreted by Leonard Joel, respects the incidental, ancillary or

insignificant use of pre-1975 ivory as decoration within the decorative arts and in the process strikes some balance with the antiques trade and collecting community. In this sense, the parallel aim of the Leonard Joel policy is to enable the continued trade in objects where the ivory component is integral but so insignificant that it cannot be meaningfully contributing to maintaining the value or trade in ivory.

Our definition of De Minimis does not allow the trade in all antique or small ivory objects but we believe in our hearts that our definition optimises the policy to ensure the integrity of the goal is upheld. And that goal is to disrupt the value in ivory while respecting the incidental, ancillary or insignificant use of ivory within the decorative arts.

Our detailed policy position is available for download on our website and if you believe, like we do, that this trade needs to end, please encourage other auctioneers and traders to embrace our position.

This gilt bronze sculpture by the artist Chiparus containing incidental ivory elements is an example of an item that would not be affected by the De Minimis principle.

**JOHN C R ALBRECHT**

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