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## Christie's sued over Australian fake

A Sydney-based barrister says the auction house failed to tell her their concerns over a work purportedly by Albert Tucker

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Louise McBride, left, with her daughter Unity Daniel outside the Australia Supreme Court Photo: John Feder/News Corp

Christie's is in the thick of an ongoing case regarding a work purportedly by the Australian artist Albert Tucker, *Faun and Parrot*, that its owner bought from the auction house but discovered was a forgery when she tried to resell it through Sotheby's ten years after its purchase.

On 1 May 2000, Louise McBride, a barrister, bought the work post sale (it was bought in at Christie's) through her adviser, Vivienne Sharpe, and with external financing for A\$75,000 (\$70,000), plus commissions (A\$10,000 to Christie's; A\$2,000 to Sharpe). McBride is suing Christie's Australia, Sharpe and Alex Holland—the previous owner of the work—and his gallery, in a case that opened in the New South Wales Supreme court in July.

McBride's complaint brought evidence that Christie's "had concerns about the painting and its provenance" and that the auction house had two conflicting provenances on file by the time financing on the work had concluded in early June 2000. Around mid-2000, a Christie's specialist contacted Lauraine Diggins, a Tucker expert, who—together with a panel of other experts—concluded that McBride's work, and another purported Tucker that Christie's subsequently sold, were fake. Diggins' affidavit says that she contacted Christie's with this information after the meeting.

According to the court papers, "Christie's took no steps to alert Ms McBride or Capital Finance [which lent her money] that there was any doubt about the authenticity of the painting." In 2012, the buyer of the second work—Sydney's Australian Club—was compensated for the A\$69,000 it had paid.

Christie's—which closed down its auction rooms in Australia in 2006—is believed to submit that McBride was not the rightful plaintiff, given the structure of her financing, and that her claim is barred by the statute of limitations. McBride's counsel does not accept either defence.

Judge Patricia Bergin reserved her decision, so no conclusion is expected for a few months. A spokeswoman for Christie's says: "this matter is now to be determined by the courts so we are not able to make any comment."