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Brett Whiteley fake art: Dealer and conservator guilty of Australia's biggest art fraud

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Art dealer Peter Gant has been found guilty of selling fake Brett Whiteley paintings. *Photo: Dominic Lorrimer*

Two men have been found guilty of Australia's biggest art fraud, after selling forged paintings purported to be by famous Australian artist Brett Whiteley for \$3.6 million.

Art dealer Peter Gant and art conservator Mohamed Aman Siddique had been accused of pursuing a joint criminal enterprise to create three paintings - *Blue Lavender Bay*, *Orange Lavender Bay* and *Through the Window* - in the style of Brett Whiteley, who died from a heroin overdose in 1992.

The Crown claimed Mr Siddique painted the artworks in his Easey Street, Collingwood studio from 2007, and Mr Gant then passed them off to unsuspecting buyers as original 1988 Brett Whiteley paintings.



Blue Lavender Bay, one of the paintings presented as evidence in court. Photo: Jason South

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The Blue Lavender Bay painting was sold for \$2.5 million to Sydney Swans chairman Andrew Pridham in 2007 and the Orange Lavender Bay sold for \$1.1 million to Sydney luxury car dealer Steven Nasteski in 2009.

The Crown claimed a third fake painting, *Through the Window*, was offered for sale by Mr Gant for \$950,000.

The men's defence barristers argued copies of Whiteley paintings were made in a locked storeroom but the sold paintings were Whiteley originals bought from the artist's manager by Mr Gant and kept in storage for nearly 20 years.

No explanation was given as to what happened to the copies Mr Siddique admitted to painting in his studio.

It was claimed the authentic paintings were not Whiteley's best work as he had been a heroin addict past his prime in 1988, creating 'inconsistent' art and selling it out the back door to support his drug habit or avoid tax.

A Supreme Court jury on Thursday found Mr Gant, 60, guilty of two counts of obtaining a financial advantage by deception and one of attempting to obtain a financial advantage by deception involving the three artworks.



Muhammad Aman Siddique Photo: Ken Irwin

Mr Siddique, 67, was found guilty of two counts of obtaining a financial advantage by deception and one count of attempting to obtain a financial advantage by deception.

In her closing address to the jury, Crown prosecutor Susan Borg said the art fraud had its origins after Mr Gant bought an authentic Whiteley painting, *View From The Sitting Room Window, Lavender Bay*, at auction for \$1,650,000 in March 2007.

Ms Borg said this painting was then sent to Mr Siddique's Collingwood studio a short time later and Mr Gant used it as a blueprint to create fake paintings.

The prosecutor said much had been made during the trial of how art dealers from esteemed auction houses were convinced the three paintings were real.

"Auction houses that work on a commission basis, on the sale of such work, you might think they might have a vested interest in saying how terrific something is ..." she said.



Wendy Whiteley, widow of Australian artist Brett Whiteley. *Photo: Jesse Marlow*

Ms Borg said none of the art dealers had the same intimate knowledge of Brett Whiteley's work as his widow, Wendy, who was adamant the paintings were fakes.

What the jury was not told during the trial was how police suspected more forgeries had been created in Siddique's Collingwood studio and sold but there was simply not enough evidence to prove it.

The Crown was also not allowed to introduce evidence from Richard Simon over a conversation he claimed to have had with Mr Siddique when delivering a number of doors to his Collingwood studio. The eccentric Whiteley was known to paint many artworks on doors.

Mr Simon claimed he argued with Mr Siddique over the quality of the door frames in November in front of Mr Gant.

"I said to him (Mr Siddique) that he knew what he was getting, that he was getting oversized doors," Mr Simon told police.

"He (Mr Siddique) then said, 'The artwork to be painted on these doors is worth over a million dollars, I can't have joins'."

Ms Borg argued Mr Simon's evidence was fundamental to the Crown case as it allegedly showed how Mr Gant and Mr Siddique were involved in a joint criminal conspiracy.

Ms Borg said if Mr Simon's evidence was excluded, the Crown case against the two men would be considerably weakened.

Both Mr Siddique and Mr Gant denied the conversation ever took place and their lawyers argued it would be extremely prejudicial if Mr Simon was allowed to tell the jury what he claimed to have heard.

Ruling the evidence inadmissible, Justice Michael Croucher questioned why anyone who was part of an agreement to create paintings in the style of Brett Whiteley would then tell someone that these things might be worth a million dollars?

Ms Borg wanted Gant and Siddique remanded in custody but Justice Croucher agreed to extend their bail until next Tuesday when the case would return to court for a mention.

The pre-sentence hearing for the two men is not expected to be held until June.

