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Art and Law

A Hacker Posing as a Venerable
British Art Dealer Bilked a Dutch
Museum Out of \$3.1 Million

The museum sued the dealer in a London court.

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John Constable, *A View of Hampstead Heath: Child's Hill, Harrow in the Distance* (1824).

Hackers infiltrated a sales deal between a Dutch museum and a London art dealer and made off with \$3.1 million.

The Rijksmuseum Twenthe in Enschede, the Netherlands, was in the midst of a months-long email negotiation with dealer Simon C. Dickinson to purchase a prized John Constable painting when hackers hijacked the exchange, posing as Dickinson and convincing the museum to funnel the money into a Hong Kong bank account.

Now the museum is attempting to sue Dickinson, claiming the dealer should have known about the fraud, according to *Bloomberg*.

In a London commercial court this morning, Gideon Shirazi, a lawyer representing the museum, argued that negligence on the part of the dealer's team allowed the thieves to steal the museum's money. Shirazi claimed that Dickinson's negotiators were aware of emails between the museum and the hackers, but did nothing to stop the transaction.

"By saying nothing, they said everything," he said.



The Rijksmuseum Twenthe in Enschede, Netherlands. Courtesy of Wikimedia Commons.

Dickinson's lawyer, Bobby Friedman, said the museum should have independently confirmed the legitimacy of the bank account before wiring the money, adding that his client, a specialist in Old Master paintings, was never aware any fraud was taking place. Each side is accusing the other of having been hacked.

“Instead of accepting the reality of the situation, the museum has reacted by pursuing a series of hopeless claims against [Dickinson], in the hope of pinning the blame for the museum's mistake on [the dealer],” Friedman wrote in a submission to the court.

Meanwhile, the museum is holding onto the painting and preventing Dickinson, who is still unpaid, from selling the work to another buyer. A London judge has thrown out the museum's attempts to sue for negligence, but left open the possibility that the museum could pursue amended claims. The judge is now weighing who will have ownership of the painting. “This unfortunate event highlights the dangers of cybercrime in the art world, which is regrettable for both the museum and Dickinson, especially when

both are victims in this instance,” Emma Ward, Dickinson’s managing director, said in a statement to Artnet.

Arnoud Odding, the museum’s director, first became interested in Constable’s 1824 painting *A View of Hampstead Heath: Child’s Hill, Harrow in the Distance* upon seeing it at Dickinson’s TEFAF booth in Maastricht in 2018. The Rijksmuseum Twenthe did not respond to Artnet News’s request for comment.

Clarification: This article has been amended to clarify that a London court has dismissed the museum’s initial negligence claims.