

**CHECK YOUR GIFT  
HORSE'S MOUTH- HE  
MAY COME BACK TO  
BITE YOU**

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Only provenance  
matters

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# National Museum to probe \$1.2m donated painting

## Exclusive

Gabriella Coslovich

The National Museum of Australia will investigate the donation of a \$1.2 million painting by leading East Kimberley artist Rover Thomas following expert claims that the painting is overvalued, that it lacks secure provenance and should not have been first accepted.

The painting, *Jabanunga aka Goorialla (Rainbow Serpent)*, created in 1996, two years before Thomas died, was donated to the museum by Melbourne arts patron and dealer Michael Blanche through the federal government's Cultural Gifts Program, which allows a tax benefit that cuts taxable income by the donation's value.

Mr Blanche donated the work in honour of his late wife, gallerist Lauraine Diggins, who died in 2019, and whose eponymous gallery he now directs.

The NMA said that, as required by the Program, two independent valuers assessed the painting at \$1.2 million and \$1.5 million respectively. But Thomas expert Dr Suzanne Spinner, who wrote a doctoral thesis on the artist, told *AFR Weekend* the value was "manifestly excessive", and the painting's provenance "unsafe".

One art dealer, who requested anonymity, said: "How anyone could put a valuation like that ... it's rubbish ... it's so far out of whack it's just bizarre."

The auction record for a work by Thomas is \$778,750, for *All that Big Raining Coming from the Top Side*, 1991, bought by the National Gallery of Australia in 2001. *Jabanunga aka Goorialla (Rainbow Serpent)* has never been tested at auction, but in April 2016 it was offered for sale by art dealer

Adrian Newstead, director of Cooece Arts, for \$450,000, in an exhibition at Australian Galleries in Sydney. The painting was then exhibited at Lauraine Diggins Fine Art Collectors' Exhibition in August 2016.

Four years later, valuers for the Cultural Gifts Program assigned it record-breaking prices, as Melbourne gallerist Vivien Anderson, described the work as Thomas' "magnum opus", the pinnacle of an artist's work.

The second valuer, Brenda Culahan, suggested the painting could be worth as much as \$2 million if based on its size, 180cm by 270cm, which is far larger than the NGA's record-making Thomas. She settled on \$1.5 million.

But anthropologist Kim Akerman, who was deeply involved with the Kimberley artists and recorded Thomas' ceremonial songs, has a radically different view.

"I do not think it is a particularly good Rover," Mr Akerman told *AFR Weekend*.

"It does not have a spontaneity, it does not have the textures of his early and better works and I would like to see stronger provenance."

When it comes to Rover Thomas, who was a free agent, producing paintings for private dealers and art centres, provenance is key in determining authenticity and value. Thomas' oeuvre is haunted by problematic provenance, with possibly a third of works from questionable sources.

Public institutions and auction houses regard the best provenance for Thomas' work to be via his first dealer, Mary Macha, whose scrupulous records are publicly available, and the Waringarri Aboriginal Arts centre. The donated painting hails from Warmun Traditional Arts, a private enterprise



Michael Blanche with *Jabanunga Goorialla (Rainbow Serpent)* at the National Museum. PHOTO: ALEX ELLINGHAUSEN

## It's so far out of whack it's just bizarre.

Art dealer who requested anonymity

that ran as a de facto arts centre.

"We don't know the conditions under which the work was painted. Assuming the painting is by Rover, and it may not be, was he in any way coerced, was he painting 'to order', was his judgment impaired?" said Dr Spinner.

"The market can make up its own mind, however, the gold standard for Rover Thomas provenance was set by Mary Macha and Waringarri Aboriginal Arts and this work does not meet that standard. In my opinion only the best provenanced works should be accepted into publicly funded collections."

The painting has been mysteriously out of the public eye since its 1996 creation.

It has never been exhibited by a major institution and was not illustrated in any publication until 2014, when it appeared in a photograph in Adrian Newstead's book, *The Dealer* is

*the Devil*, which described it as a "magnificent work ... still held in private hands". That year, the painting was offered for sale at Fireworks Gallery in Brisbane. "This time lag of 18 years invites questions and needs to be accounted for in the provenance record," Dr Spinner said.

Kevin Kelly, the executor of the Thomas estate, said he had never seen the work before. "The painting is huge, and I struggle to imagine how Rover could execute such a large work," Mr Kelly said. "By 1996, Rover was a patient at Walumba hostel and was extremely frail."

A Warmun Traditional Arts certificate that included photos of Thomas standing next to the painting was presented to the NMA as evidence, and has been sighted by *AFR Weekend* and shown to Mr Kelly.

"Rover is pictured standing with a walking stick in the document, but at this time he couldn't walk with it, he needed another person or wheelchair to be mobile," Mr Kelly said.

"It is not uncommon, however, that senior artists enlist help to complete large works, but these artists should be recognised in the provenance."

Mr Blanche stood by the work and said he was "desperately disappointed" the painting he had donated to the NMA was questioned in this way.

"I am stunned," Mr Blanche said. "Lauraine knew Rover Thomas very well. She knew Rover's work and where Rover's work came from. Your wannabe experts only understand the name Mary Macha."

He also said, "I didn't buy the painting, by the way."  
NMA director Mathew Trinca said the museum had followed proper process "to verify the provenance and authenticity of the work, which included conducting additional research, consulting legal, photographic and archival records, and holding discussions with those involved in the painting's history".

"The museum takes its responsibility to Indigenous artists and communities very seriously and follows long-established policies in these matters," Dr Trinca said.

"We are concerned that claims have surfaced regarding this work and all evidence relating to these issues will be investigated and thoroughly examined," Dr Trinca added.

# The Australian Financial Review March 2022

article by Gabriella Coslovich

# The follow up – December 2023

After an eight month investigation



Rover Thomas with the Jabanunga painting at Warrum and (below) his signature on the back. PHOTOS: T. BROOKS, NMA

## Museum clears disputed \$1.3m Rover Thomas donation

**Exclusive**  
Gabriella Coslovich

After an eight-month investigation, the National Museum of Australia has given the all-clear to a contentious \$1.3 million painting attributed to East Kimberley artist Rover Thomas and donated to the institution in 2020 through the federal government's Cultural Gifts Program, which offers a tax incentive to donors.



"contested approaches" in the art sector regarding what constitutes "correctly provenanced" artworks, and will

Traditional Artists sold the painting to a West Australian private collector. The museum would not reveal the name of the private collector, again citing privacy obligations. The WA collector kept the work in storage for 18 years, the museum states. With the owner's agreement, the painting was then displayed for sale in Brisbane, Sydney and Melbourne from around 2014 and a prospectus published.

Warmun Floods  
2011 – Art  
Centre flooded  
– paintings  
being  
evacuated by  
helicopter

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# AIATSIS grant 2009 to secure archives at art centres in the East Kimberley

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Waringarri  
Arts,  
Kununurra

Warmun Art  
Centre Turkey  
Creek

Jirrawun Arts,  
Derby

Grad.Cert.Art Auth.

Grimwade Centre for  
Cultural Materials  
Conservation

University of  
Melbourne

Prof.Robyn Sloggett.

Expert witness

Rover Thomas v Libertos,  
Forgery Case, County Court of  
Victoria, Melbourne,2007

# Provenance Rating

A – well-provenanced

B – strongly substantiated

C - weakly substantiated

D - problematic

E – under examination

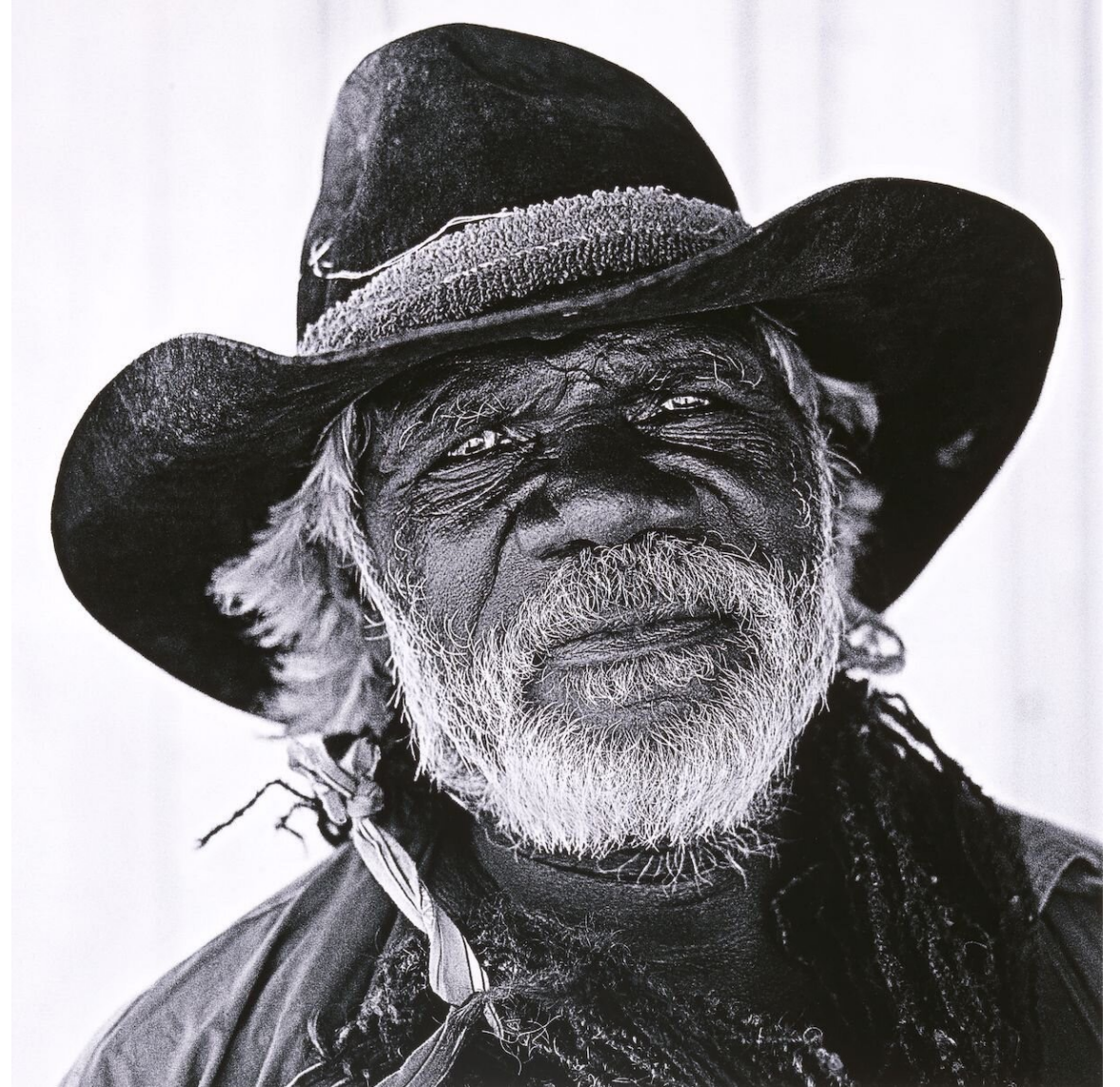
F – proven to be fraudulent

# Primary sources for Rover Thomas work

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Mary Macha  
based in Perth

Waringarri  
Aboriginal Arts in  
Kununurra





# Good, Bad, and Ugly of art centres

YES

Warmun Art Centre

NO

Warmun Art Inc.

Warmun Traditional Arts

Narangunny Art Traders



## SOTHEBY'S in Australia

Sotheby's Australia

Director: Robert Bleakley

Aboriginal Art department

Art specialist: Tim Klingender

# LAWSON MENZIES

Adrian Newstead  
Managing Director Lawson Menzies  
Cooee Art



## THE DEALER IS THE DEVIL

AN INSIDER'S HISTORY OF THE ABORIGINAL ART TRADE



# EKAM

## EKAM

- East
- Kimberley
- Art
- Matters



# With apologies to Richard Bell

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**If Aboriginal Art is a White thing  
And Aboriginal Art is a Real thing  
Then FAKE Aboriginal Art is a White Thing.**



# SEE: NMA Submission & Timeline

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written by Dr Suzanne Spunner 2022

Co- signed by Assoc.Prof Lyndon Ormond-Parker  
& Dr Jacky Healy

Website: [suzannespunner.com/art-authentication](http://suzannespunner.com/art-authentication)





# Concluding remarks

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## The National Cultural Policy Revive

- Findings and Actions

## Productivity Commission report

- Relevant key findings and recommendations

## Review of the Cultural Gifts program (Indigenous Art)

## **Aboriginal and Torres Strait Islander visual arts and crafts**

### Study report

