

Black Chicks artist wins court battle for return of paintings

By **Louise Hall**

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THE actor Leah Purcell and her partner, Bain Stewart, have been ordered to return a series of portraits worth more than \$200,000 to the artist Robert Hannaford more than 10 years after he painted them for Ms Purcell's Black Chicks Talking project.

The 10 large portraits of well-known indigenous women, including Ms Purcell, the actor Deborah Mailman and the filmmaker Rachel Perkins, will be taken from a gallery where they have been "impounded" under a court order since March, and delivered to Mr Hannaford.



Ownership dispute ... Bain Stewart, left, and artist Robert Hannaford. DALLAS KILPONEN; DEAN SEWELL

Ms Purcell used images of the portraits in her successful 2002 book *Black Chicks Talking*. The paintings were exhibited to promote the book and an associated stage play and documentary film.

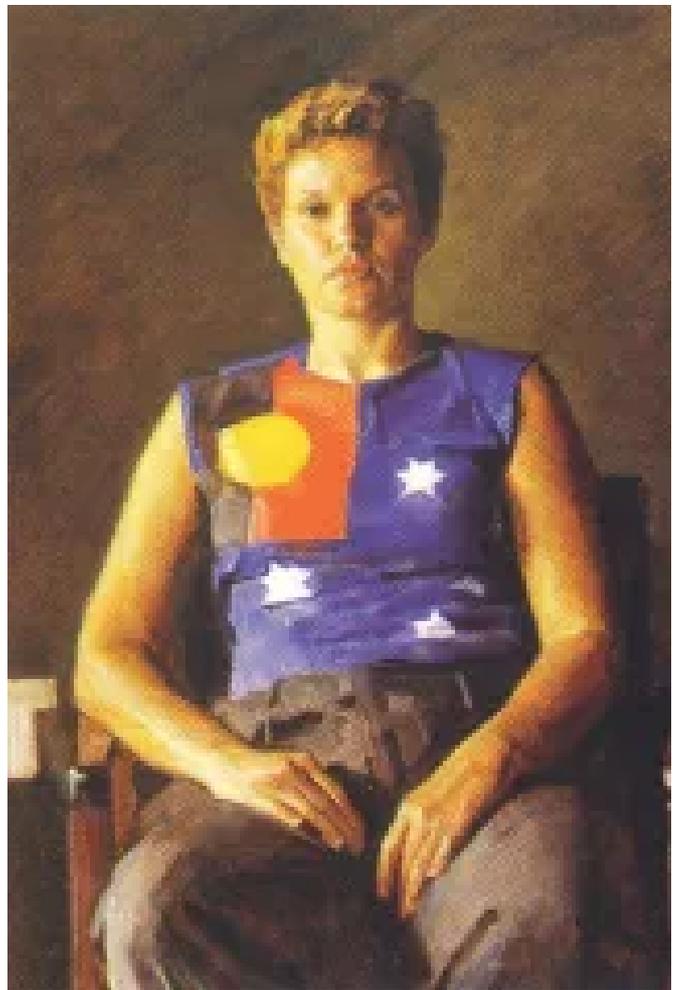
Mr Hannaford, a multiple Archibald Prize finalist and winner of the 1990 Doug Moran Portrait Prize, said he agreed to create the works free, on the basis that he would remain their owner.

During a hearing in the NSW Supreme Court earlier this year, he said he also came on board because Mr Stewart told him the proceeds of the project would go towards a mentoring scheme for young indigenous women.

When Mr Hannaford tried to recover the portraits in 2005, 2006 and 2007, Mr Stewart agreed to send them back, but never did. Mr Stewart then stopped taking Mr Hannaford's calls, forcing the artist to take legal action.

Mr Stewart argued that his company Bungabura Productions, which he co-directs with Ms Purcell, owned the paintings. He told the court he never mentioned an indigenous mentoring scheme, but was forced to change his evidence when Mr Hannaford produced a letter, written in 1999, where Mr Stewart talked about such a project.

He then argued that he and Bungabura were "the guardians", not only of the "girls' stories" but also the paintings.



Robert Hannaford's portrait of Leah Purcell.

But in a judgment handed down yesterday, Justice Peter Hall said this claim was contradicted by a 2000 letter in which Mr Stewart offered to pay Mr Hannaford \$10,000 for the portraits and 10 to 15 per cent of the proceeds of their sale at auction.

Justice Hall rejected Mr Stewart's claim that Mr Hannaford agreed to pass ownership of the portraits to Bungabura in return for the "kudos and accreditation from being associated with the project".

"The inherent improbability of Mr Hannaford, by then a renowned artist, agreeing to give to a perfect stranger not one but 10 valuable portraits for nil remuneration is self-evident," Justice Hall said, adding that such an offer to an established professional artist "would have been effectively devoid of substance".

He said Mr Stewart was "an unreliable witness" and ordered him to return the paintings and their frames and to pay Mr Hannaford's costs.

Outside the court, Mr Stewart said he was disappointed at the result. "I'm a bit dizzy at the moment thinking about what's just happened," he said.