

Written evidence submitted by Rosemary Bandini (IVB07)

1) AUTHORITY TO COMMENT

I am an independent dealer in Japanese antiques and run my limited company, Rosemary Bandini Ltd as a single person. I have worked in this area of business since 1977, when I was employed at Sotheby's as an assistant in their Japanese department. From the 1980s I worked with my late husband at Eskenazi Ltd, where my task was that of preparing catalogues of Japanese netsuke. After I left to work independently in 1998, I was responsible for writing a comprehensive book of the Harriet Szechenyi collection of netsuke. (This fabled collection sold at Bonham's in Bond Street for £4.6million – to date this is a record for a European sale of Japanese art.)

I have written further books and essays on the subject. I am the editor of a European collectors' magazine and am on the editorial board of the *Bulletin de l'Association Franco-Japonaise*.

I am on the board of the International Netsuke Society. In 2010 I organised an international netsuke symposium in London (where one of our speakers was Edmund de Waal, author of *The Hare with Amber Eyes*). Following the great success of this event I organised another very successful international collectors' convention in London in 2013, and curated a loan exhibition at the Embassy of Japan – the most successful exhibition they have ever hosted. (I would be happy to provide copies of the catalogue). I am now in the middle of organising another INS convention in London for May 2019, where we will host collectors from as far away as New Zealand, Japan, Mexico and Australia. At this time I will curate another loan exhibition (strictly not for sale) at the new Japan House that is about to open in Kensington High Street, in the old Derry & Toms building. This Japanese government-sponsored space has been created to showcase Japanese culture and design.

2) SUMMARY

I am in agreement that the world trade in ivory needs very strong regulation in order to protect elephants from illegal poaching (and in my opinion, legal hunting too).

I am in agreement with Michael Gove's recognition that there is worldwide acknowledgement that certain exemptions must be made to reflect past use of ivory where it was deployed for artistic or cultural reasons to create specific artefacts, at specific times, that have a particular value.

To this end, the minister has granted certain exemptions – pre-1975 musical instruments and pre-1947 portrait miniatures, neither of which are bought for their value as ivory.

In line with these specified exemptions. My submission explains why the Government should include an amendment to the 'rare and important' exemption to include an exemption for other pre-1947 worked ivory items that do not contribute to poaching, and which are of important cultural, historical and artistic value, is not collected for their ivory.

- (i) The items (netsuke) that I sell consist of roughly 40 grams of ivory, most often with a hole carved right through them to accommodate a silk cord, meaning that they cannot be re-carved to serve any other purpose. (I would note here that an article by conservationist Rebecca Kessler in May 2018 notes that modern worked ivory retails at \$2-\$4 a gram, my (40gr.) netsuke are far more costly than this, rising from about £1,000 to as high as six figures.) <https://news.mongabay.com/2018/05/will-chinas-new-ban-on-the-ivory-trade-help-or-hurt-commentary/>
(The writer actually concludes that the ban is more likely to increase demand for ivory in China)
- (ii) There is absolutely no evidence that pre-1947 ivory is bought for its ivory content. The value as a work of art far exceeds its value as ivory material
- (iii) The value of netsuke is generally much higher than that of a much larger *okimono* ornamental carving, for example:



Okimono by Sangoku sold for £812, height: 18.5cms. Bonhams London, 2018.



Netsuke of Shaggy dog & pup by Gechu, height: 6.5cms. Sold Bonhams London, 2016 for £221,000.

- (iv) The general consensus for a cut-off date is 1947, was established in Europe to make it tougher than the date proposed by Cites. To me this seems quite sensible as it cuts out all the post-war souvenir nick-nacks that were produced in such great quantity. The aim of suggesting 1918 is intended to make it tougher still, but would then exclude many wonderful and genuine works of art produced in the inter-war period (all Art Deco would be excluded, such as this Paul Philipe figure made circa 1925 (sold Bonham's for £9,000))



Dating has been raised as a problem, but after 40 years in this business I find it quite straightforward to separate the new from the old. One of the most obvious signs that a piece is modern is that it was carved using power tools, rather than the whole battery of carefully crafted sculptors' knives. Staining is also a very easy guide, ivory that has been 'dipped in tea' is readily obvious. My reputation depends on my being able to tell the difference. The requirements to dating a pre-1947 and pre-1918 works are the same. Top specialist dealers and auction specialists who have worked for decades in this field are some of the best judges, as are museum experts. We are exposed to making this kind of judgement every day of our lives.

- (v) It would seem that while we remain within the EU, the harmonized law is that ivory objects must have been crafted pre-1947. Would ignoring this 1947 timeline not be a derogation of EU law?
- (vi) I am very troubled by how this would impact particularly on the small collector, or the person who inherits an ivory item. Not a week passes by when I do not have at least two enquiries from people who have inherited either one, or a small group of ivory netsuke. (often I have to tell them they are postwar souvenirs which cannot be sold). The bill notes that musical instrument are often seen as something to be sold on when a musician retires. A collector who sells when he gets old in order to augment his

pension is no different. There is a perception that only the rich and privileged collect art, but in my field this is very far from true – there are nurses, teachers and even an oil-rig worker amongst our collectors. I fear it is this group that will be most harshly impacted by a ban that seems to exclude so many genuine antiques from being resold.

- (vii) You will have noticed that my illustrated examples have all been sold at Bonham's in London. London is the world leader in the market of Japanese antiques. Christie's have all but abandoned this area of art already because of concerns over the ivory ban. France, which has more generous exemptions based on age and weight, is standing ready to take our place as the leader in this market. The figures of the Szechenyi sale alone are proof of how the most important collections come to the London market. Antiques are the UK's 5th largest export. Banning genuine antique ivory sales will impact us not only in those sectors that include ivory objects, but will also impact the greater trade at a time when businesses are confronted with so many other obstacles and uncertainty. We want to work towards greater regulation, whilst maintaining the bona fide antiques market, and avoiding the inevitable loss of expertise and income from the country. (The internet is the major transgressor and I think a ban of ivory in internet auctions would go a long way to tackling the problem).
- (viii) A quick glance at auctions at the moment will show that people are off-loading their ivory heirlooms in a panic, often for a fraction of what they have paid, or the more organised are shipping their collections to other locations so that they can still enjoy them. Certainly some dealers are planning their exits from the UK.

The Government's proposals already acknowledge that certain exemptions should be made to the proposal, but there is quite a lot of 'grey area'. My evidence is intended to show how clarity can be made to the proposals, allowing the collector to still enjoy his objects and protecting the important art and antiques trade in the UK, without compromising the protection of elephants.

There has been (we are told) a position taken that the antiques trade cannot police itself. This is a very broad brush with which to paint a large sector of the UK economy. Established specialists in the trade are the ones who have the greatest opportunities to study, evaluate and date items. We are frequently consulted by museum curators, who know that our homes are stuffed with specialist books and that we spend our spare time studying. To exclude dealers from specialist panels would be a mistake. We are willing to pay a fee for licenses that would help to separate the wheat from the chaff, the monies collected put towards conservation forces in Africa. We probably want to put an end to fakery more vehemently than anyone else. To that end a system for creating a database has been devised, to enable the genuine trade to continue to contribute to our economy and the genuine collector to keep his collection without fear.

Rosemary Bandini
11th June 2018