

BEHIND CLOSED DOORS

PRIVATE COMMISSIONS

Although we may not hear so much about them on the street, private commissions give artists the chance to make art for an enthusiastic supporter who really wants their work and the security of knowing they will be paid.

Portraits are the most commonly commissioned artworks. Peter Kendall has completed more than 100 private, sporting and corporate portrait commissions. We asked him about portraiture and his commission experiences over the years and Professor Millicent Poole, previous Vice Chancellor of Edith Cowan University, told us what it was like to be in the hot seat.

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Artists work in many different ways. We were intrigued to know if commissions really are golden opportunities, so artsource also asked Stuart Elliott, Lucy O'Dea and Katherine Kalaf about their commission stories. Gallery directors often facilitate commissions for their artists – Doug Sheerer of Galerie Düsseldorf and David Forrest of Gallery East offer their words of caution. See page 8 and 9.



Interview with Peter Kendall

With so many portraits under your belt, do commissions continue to extend your practice?

Peter Kendall: I feel very privileged to be able to paint another's portrait, and consider it not only an honour but a great adventure.

To me portraiture is a game of pushing the boundaries; how to capture that person; how to orchestrate the many facets and communicate as succinctly as possible that person. The portrait commission is a marriage between sitter and artist, the expectations of the sitter can markedly affect how far it can go.

If I have felt constrained by a commission I just set a problem to solve. These days I am given more and more a free hand and encouragement.

Have any portraits turned into something you didn't at first expect?

Many! The E.C.U. commission for a portrait of the Vice Chancellor is an example. When Professor Poole came to my studio she was intrigued by a recently completed portrait "John Ricketts a Twentieth Century Hydra". This painting was purely a 'research' project endeavouring to solve a problem of portraiture that I had posed. Professor Poole asked if I was going to paint her like that. "No", I told her. She then made it very clear that she did not want a conservative portrait and gave me a license to create with a free hand. I was able to explore viewpoints and concepts.

I am interested in the actual person, their goals, aspirations, and considerations etc that make up the whole being. For me the physical body is just a vehicle or a platform onto which these attributes can be communicated.

It was a tough and often a very difficult process of orchestrating all these elements, and many times I thought it wasn't going to make it. It took six months. However, I must say, the end result, and positive response and feedback, vindicated the effort.

Artist: **Peter Kendall**, *Portrait of Professor Millicent Poole*, Vice-Chancellor of Edith Cowan University 1997-2005, Edith Cowan University Art Collection (detail)

You have traveled extensively with your work, have commissions provided these opportunities?

I have had many wonderful commissions, and also artist in residence travel experiences.

In 1996 I received a commission from Minproc Engineers to "capture the colour of Ghana". I was flown to West Africa where for 4 weeks I traveled sketching, painting and photographing. I stayed in isolated villages where I experienced ceremonies and on one occasion a dramatic exorcism. I flew over jungles in ancient helicopters, explored slave castles perched on the rocky shores, mingled with gold miners, went deep into mines, was baled up by machine gun toting militia, saw a jungle suddenly come alive as camouflaged tribesmen armed with machetes and flintlock rifles moved from their positions. The collection has never been shown publicly but can be seen on my website under corporate. (www.kendallart.com.au)

This year I will be flown to London to do the preliminary studies for a very large family portrait, in which I have a free hand to explore a concept I have about group dynamics.

Has anyone not liked the finished work?

Very rarely and this has been resolved with minor changes. When explaining to a client that everyone who sees the portrait will have an opinion, I often quote John Singer Sergeant: "A portrait is a painting with something wrong with the mouth!" If they all comment about the left eye THEN I listen.

I do a type of portrait called 'alla prima'. It means direct painting wet into wet - all done in one session, about three hours. The portraits of Hans Arkeveld and Elizabeth Jolley were done this way. A few people are not initially happy with the result. Funny thing is most return, sometimes years later, to take possession of them.

How do your subjects react on first seeing the finished work?

Even during first sittings, as I work and we chat, some clients have experienced life realisations, sudden tears on the recognition of self worth and often a deeper awareness of self. Many clients have said they found the whole experience extremely rewarding. The most extraordinary reaction was that of Peter Brock. The portrait was accepted into the 2004 Archibald Prize and Peter saw the finished painting for the first time at a

preview at the Art Gallery of NSW.

Peter was mesmerized, he said, "I know it looks like me but it has all this other stuff in it! Peter; how did YOU know?" Then he kept saying that he was "freaking out". I was getting very concerned! Eventually he looked directly into my eyes and said, "Peter; this is the greatest thing that has happened to me in my life!"

"I have had a fantastic life and had many incredible experiences; I have had many motor racing wins, but right now this is something I have never experienced before. I only wish my parents were alive to see it [the portrait]!" As you can imagine this was a wonderfully rewarding experience for me and is the type of unexpected feedback that validates the adventure that is portraiture.

"Sitting for a portrait was an excruciating experience - up on a stool on a table trying to look full of gravitas and only succeeding in looking like a sour faced middle aged woman. Neither Peter nor I were happy with the result. So he came up with the idea of following me around the work-place, taking digital pictures of me in different contexts e.g. chairing meetings, talking to staff etc. He also watched videos of me opening buildings or presiding at official occasions. It was not what I expected, but when I learnt to relax and be myself in different contexts I was fine.

This is a portrait of a person in action doing the many faceted job of a Vice-Chancellor. It is a fluid portrait - it has life, colour and movement. The faces and hands were brilliant - even if I didn't like all the faces, Peter captured the real me - reflective, encouraging, reaching out to people, driving! I was amazed at the portrait and I think it is a style of portraiture ahead of its time."

Professor Millicent Poole

The idea of a portrait commission came about through the Council Executive of the University. Because ECU has such a fine collection of art it was thought that a move from photography to portraiture would signal the new directions of ECU. The Director of Marketing and Development and Robert Vallis, the ECU collection manager, researched local portrait artists and short listed three. Prof. Poole chose Peter Kendall, on seeing examples of his work.

Connie Petrillo for ECU Art Collection

brass in pocket

When we talked to Lucy O’Dea, Katherine Kalaf and Stuart Elliott by far the most pervasive comment about receiving a commission was the joy of the fact that the commissioner is already devoted to investing in your art.

SE: the combination of politeness and excitement is pretty infectious. In public commissions, this is not often the case.

KK: I love commissions and welcome these opportunities to extend the way I think about the meaning of jewellery and what it can mean to clients.

LO: It has been a relief for me to have some small amount of financial security, as it is so rare.

Commissions mainly reach the artists by word-of-mouth; the client has seen the artists work in exhibitions, in magazines, purchased a piece or perhaps found them via artsource’s Client Services and Artists Database! Lucy’s commissions have all come through one private interior design company.

LO: They commission the artist on behalf of their client, which means I never actually meet the clients; it’s a bit of a strange feeling.

Whereas for Stuart and Katherine the relationship with the client is described as:

KK: a wonderful and very intimate relationship which must develop mutual trust to proceed.

SE: There can be a high level of anxiety in dealing direct with the client. Most private commissions also involve at least one silent partner too. This can mean a bit of manoeuvring as the commissioner tries to negotiate between what they want, what you want and second guessing what the silent partner doesn’t want. Good conversation goes some way to establishing the parameters.

How much freedom does the artist have?

KK: Many clients are very generous in their trust and understand that to get the best it is often best to be led by the artist.

LO: The downside is that the client to a large extent dictated what I produced, I felt restricted artistically as if I was reworking old ground.

SE: None of the commissions have been particularly restrictive. The big paintings I am currently working on have given me the most freedom. The commissioners have several of my works in their collection. These acquisitions are curatorially difficult pieces. This has generated a level of trust that I feel most honoured by - they’re not simply after something that goes with the curtains.



WORDS OF CAUTION

Doug Sheerer (Galerie Düsseldorf)

Sometimes too many compromises are made in the desire to fulfill the client's brief, artists need to be careful about the pricing of work – in a studio environment the work made is part of a continuing art practice, while commissions can tend to take far more time and be subject to changes and the whims of the client. I generally wouldn't recommend an emerging artist taking on a commission without considerable thought – commissions are perhaps best suited to mature practitioners.

David Forrest (Gallery East)

Commissions generally arise because, the client wants a work identical/similar to one that is sold; or by an artist whose work they believe will suit a particular space. (But) artists, by definition, are not production line artisans. The trick is to produce a work of artistic integrity which meets both the artist's and client's needs, while not being a carbon copy.

It can never be guaranteed that a client will accept the finished product. There are horror stories. One WA collector of note (now deceased) commissioned an exact copy of a painting, only in different colours. When faced with the result, he merely noted that it didn't work and walked off.

We were amazed that many artists preferred verbal agreements which kept the arrangement fresh and unhampered. Artsource recommends a written agreement nonetheless, no matter how simple! Non-refundable deposits are the norm to secure commitment and to go towards materials.

SE: A formal agreement would be the protective thing to do. But I rarely use one. The scary mix of finance and disappointment has not happened. When it is verbal it's like selling some art that you really like to someone that really wants it. It's tough if it feels like a job. If the communication has been good then the chances of misunderstandings are played down.

Peter Kendall believes in an informal agreement, outlined on the deposit receipt:

I always have something in writing now as I have been caught out with my 'trust' system. On one commission for \$6000 when the client took possession he then challenged me to prove he hadn't already paid. I lost!

How do your clients react to the finished artwork?

KK: Some have kissed me with joy!

LO: Works have never been rejected so I assume that the client is very happy.

SE: The first eye contact directly after the metaphoric unveiling has taken place is pretty charged.

Has anyone not liked the final outcome?

SE: A client contacted me to explain that it wasn't what they had expected. I was supposed to be a mad, angry artist and what they got was not illustrative of this. The commission was brokered by some one else who, unbeknownst to me, told them they may be shocked by the work. The client was thus expecting to be shocked and was shocked that they weren't shocked. After the shock of the non shock passed, they looked at it objectively and were re shocked that they actually liked it. It evoked rather than provoked. They were pretty happy about that. Me? I really liked that work too and still do after 15 years so, for me, that was a worthwhile commission.

Tips for Artists + Prospective Commissioners

Making art on commission

Producing art on commission is about entering into a collaborative relationship. The more successfully the artist and the commissioner communicate with each other, the more closely expectations will be met on both sides.

Be sure to have a signed written agreement for the commission. Each party should keep a copy. The artist is usually commissioned as an independent contractor not as an employee. The agreement should describe the artwork as fully as possible (whilst still leaving the artist sufficient creative freedom) by reference to description, materials, dimensions including the extent the commissioner may request changes to the work in progress. Other details regarding preliminary designs, payment schedule, completion date, insurance, installation, termination clauses, and maintenance, copyright and contact information should also be included.

Resources:

Artsource provides professional Art Consultancy, Advice and Co-ordination, suitable for small or large commissions. Contact Jenny Kerr 08 9226 2122. See www.artsource.net.au

NAVA Code of Practice, Chapter 2 – Commissions, provides a step by step guide. See www.visualarts.net.au/practicaladvice

Arts Law Centre of Australia has sample contracts to follow, once you have drafted the agreement it is advisable to get advice from a solicitor with expertise in visual arts contracts. Arts Law can advise and refer you to an appropriate lawyer. Contact (02) 9356 2566 or 1800 221 457 or www.artslaw.com.au

Artsource highly recommends that the artist retain ownership of copyright in the design and the work. (This right is separate from the title to the model or drawing which contains the design, and the title to the work.) If the commissioner needs the copyright in the design or the work for a particular purpose an extra fee should be paid for the licence of it.

Artists may wish to use their representing gallery or agent to facilitate the process, for which a fee will be paid. The commissioner should be made aware that these budgeted funds will therefore not go towards the artwork.

ACCESS

Subscription to quarterly newsletter; access to resources, programs, studios and residencies, as well as discounts on workshops, publications and art supplies.

PLUS

Giving you all the benefits of ACCESS plus real income earning opportunities, continual profile on our online database and a web address.

MAX

A full package of benefits, adding \$10m public liability insurance and free workshops to both the ACCESS + PLUS memberships.

CLIENT SUBSCRIPTION

Subscription to quarterly newsletter; direct access to artists, consultancy services and invitations to events