PRIVATE LEGISLATION PROCEDURE (SCOTLAND) ACT 1936.
THE BURRELL COLLECTION (LENDING) DRAFT
PROVISIONAL ORDER.

REPORT OF PROCEEDINGS

at the

PUBLIC INQUIRY

before

LORD LYELL, D.L., Chairman,
THE EARL OF BALFOUR, D.L.,
THE EARL OF MAR AND KELLIE
and VISCONT DUNROSSIL, C.M.G.,
with
Mr. J. Stuart Bevan, Advocate,
Clerk to the Commissioners.

held within

THE PARISH HALL,
George Street, Glasgow

on

TUESDAY, 14th OCTOBER, 1997.

For the Promoters:

Sir Crispin Agnew of Lochnaw, Bt., Q.C.

For the Petitioners Against:

Mr. S. Neil Brailsford, Q.C., with Mr. Alan R.
Dewar, Advocate, for the Trustees of Sir William
Burrell.

(Shorthand notes by Wm. Hodge & Pollock Ltd, Glasgow)
INDEX.

EVIDENCE FOR THE PROMOTERS CONTINUED.

ROY PATEMAN,
Examined by Sir Crispin Agnew of Lochnaw... 1216
Cross-examined by Mr. Dewar...................... 1241

ROBERT NEIL MacGREGOR,
Examined by Sir Crispin Agnew of Lochnaw... 1270
Cross-examined by Mr. Brailsford............... 1299
Re-examined by Sir Crispin Agnew of Lochnaw. 1307

DAVID THOMSON,
Examined by Sir Crispin Agnew of Lochnaw... 1310
Cross-examined by Mr. Brailsford............... 1332
Re-examined by Sir Crispin Agnew of Lochnaw. 1354
After a short adjournment:

THE CHAIRMAN:  Sir Crispin, I believe
mention has been made -- we had some discussions at
the interval, and certainly we are agreeable -- I
understand various decisions have taken place, and
we will do our best to see that Mr. MacGregor
achieves his travel.............

SIR CRISPIN AGNEW OF LOCHNAW:  I
apologise.  I hadn't appreciated he was under a
time constraint, otherwise I would have taken the
witnesses the other way round.

THE CHAIRMAN:  Certainly we will sit
on.  Mr. MacGregor has to take the oath I think
first?

ROBERT NEIL MacGREGOR, Sworn:

EXAMINED BY SIR CRISPIN AGNEW OF
LOCHNAW:  I have been the Director of the National

You then set out at paragraph 1.2 your
relevant experience in this field, and at the end
you refer to being Chairman of the United Kingdom
Conference of National Museum Directors?  -
Yes.

What I want to ask about is the European
Commission/
Commission Steering Commission for Multimedia Access
-- can you just briefly outline what the European Community is doing in this field? -- Yes. The European Community has a number of ventures and structures to encourage public enjoyment of public Collections across the Community, and the Committee which I chair is to encourage multimedia access to public Collections.

And what about the Raphael programme?
- the Raphael programme is another cultural programme supported by the Commission to encourage co-operation between public Collections in Europe, to promote research on Collections and public access to research in all forms.

So is public access a matter which the European Commission considers important? -- Yes, public access has a very high priority for the Cultural Directorate General of the European Commission, yes.

I think turning to page 2 of your precognition in paragraph 2 you set out that you have been asked to give evidence on the practice of inter-gallery lending in both the domestic and the international context, in terms of its prevalence, its purposes, its effects and its risks, in the hope that/
that this will assist the Commissioners in understanding the issues? - Yes.

You then set out at paragraph 2.2 that you neither support nor oppose this specific proposal? - Yes.

Now, you then turn to the overview, and I wondered if you could start reading from 3.1? - Yes. What has changed very much in the last 40 years, and in particular in the last 25, has been the rhythm of loans among galleries within the UK and abroad as more and more galleries and Collections have sought to organise temporary exhibitions.

Yes? - What I think has changed is that until the 1960s most of those exhibitions were organised in exhibition centres like the Royal Academy or the Grand Palais, and were rather rare. Since then there has been a great number of exhibitions organised within museums and Collections in order to encourage visits to the Collections, rather than in a separate exhibition space.

Why is visits to the Collection an important aspect? - The main aim of any public Collection is to encourage the public to get to know the Collection, to use the Collection as often as possible/
possible -- to get to know it rather in the way they would use a public library. It is clearly the case that if a Collection remains static many people will come once, maybe twice, and not come again. If you want to encourage people to come often one of the best ways of doing that is by organising exhibitions, and it is important to do that for a number of reasons. First, the educational reason that it encourages people to look at the Collection in a different context, or a part of the Collection in a different context. Secondly, particularly with non-charging Collections, it is one way of bringing people in where they will then spend money in the museum and gallery. So there is both an educational and a commercial reason, both of which I think are more strongly perceived now than they were some years ago.

Can you read from paragraph 3.2? —
Yes. Commonly a gallery will hold an exhibition of relevance to its own permanent Collection, which increases understanding and academic interest in that Collection. This enables an institution to publish and to work on its permanent Collection. Focussed loan exhibitions, therefore, illuminate and encourage research on the permanent Collection.

Now,/
Now, why do you need to have exhibitions to encourage research? Why can't you carry out research in different museums and link it all up?

There are two reasons. First, in carrying out the research, and secondly the communication of the research, when the purpose of the research is close examination of the object and establishing the status of the object in relation to other works by the same artist or other artists, there is I think no substitute at all for having the objects themselves side-by-side. If I can give one example which is directly relevant to this Inquiry, the Late Degas exhibition we had at the National Gallery last year. We borrowed from the Burrell Collection the pastel of the Three Dancers. We were also able to borrow from Cincinnatti in the US the Three Dancers, the same Three Dancers -- and the same work from the Ordrupgaard near Copenhagen, another version by Degas of the same Three Dancers. What is of great interest to scholars -- and as it turned out to the public -- is to see how he worked on the same subject three times -- what is the relationship between the three? Was one done first, then copied? Did he use tracing paper? How did his thinking about the subject evolve -- that kind of examination/
examination of the artist's method, the artist's ideas cannot properly be carried out -- not as well carried out -- by photograph. You can't see which line is on which, what changes were made with the same confidence.

And what about visiting three different museums? You can only see them when they are physically side-by-side. You need to be able to go from one to the other, because the questions change the more you look at them -- it is simply not practical to address the questions other than having the things side-by-side -- or there is a material loss in the quality of the investigation carried out.

And how important are these focussed loans in relation to research in regard to other permanent Collections? Well, this Degas Exhibition was one example, because we have a number of late works by Degas, and we wanted to present these works known to the public in the context of other related works. It allowed us to carry out the research. It also allowed us to publish research; and I think this is an important second one, the communication of the research is clearly more effectively conducted through an exhibition than/
than any other way. It allows the public themselves to see the primary evidence and draw their own conclusions which may differ from the experts. It also allows commercial publication of the research, because at an exhibition people will buy catalogues. You can publish the research on an economic basis.

Does it also give you an opportunity to do research you might otherwise not carry out? -- Oh, it does -- the occasion of an exhibition is very frequently the occasion for a great deal of research to be carried out, not only in the organising institution, but in the lending institutions, and I think there is no doubt that art historical research in the last 25 years has been very largely led, you could almost say, by exhibitions.

You then refer at paragraph 3.3 to recent examples of temporary loan exhibitions in the National Gallery -- the Wilton Diptych, the Spanish Still Life, and the late Degas, and you say that all required many loans from abroad, and that these have to be negotiated in a spirit of long-term reciprocity. I wondered if you could read on from 3.4? -- Yes. To my knowledge there is no major art collection in the world which is able to lend and/
and to borrow which chooses not to do so. There are a number of permanent Collections which cannot lend at all, or which are restricted in their lending, and the Burrell is obviously one, and other examples of such Collections are the Isabella Stewart Gardner Museum in Boston and the Frick Collection in New York. In the case of the Gardner Museum the Collection has to be displayed as Mrs. Gardner directed, and left in the same position. The Frick Collection may not lend works acquired by Mr. Frick himself. Both of these institutions have moved towards small in-house exhibitions, where they borrow to explore aspects of their Collections, and to increase their attendance figures, and both have sought to interpret the restraints on their lending as flexibly as possible.

Go on? — They are, of course, private house Collections, and there is of course a difference between private house Collections like the Gardner and the Frick, where virtually all the Collection is on display in a particular configuration all the time, and a museum Collection such as the Burrell Collection, which rotates its displays and keeps a substantial proportion of its Collection off show. And unlike a private house Collection,
A Collection, a museum Collection may be able to lend
without necessarily detracting from the experience
of a visitor to the Collection.

Now, pausing you there, do you know of
any other Collection like the Burrell Collection
which is allowed to lend, but the scope of its
lending is restricted -- because the Burrell is
allowed to lend within Great Britain, to any public
gallery?  -- I can't think of any at all -- I
don't know of any other Collection which can lend
but only to certain places.

So it is either "no lending" or........?

-- As far as I know the fashion is either no
lending at all, or unrestricted lending at the
discretion of the trustees or the controlling body.

And you have referred us to the Isabella
Gardner and Frick Collections.  We have heard some
evidence of the Wallace Collection.  Where does the
Wallace Collection fit in?  Is it a private house
Collection or is it something different?  -- Well,
you will, I gather, be hearing from the Director of
the Wallace Collection itself in due course, but the
Wallace Collection is rather between the two -- it
is a private house Collection, but it was conceived
at the time of the Wallaces that it would also be a
public/
public museum, so it rather falls between the two.

Then turning to page 4, you refer to Lending and Reciprocity. Is reciprocity something that goes back to the dawn of lending history, or is it a modern phenomenon? - It has become a major issue in a way that it was not before. In the old sort of exhibition when, for instance, an exhibition was organised at the Royal Academy or the Grand Palais, then neither of these have Collections to lend back, and these exhibitions tended rather not to raise the question of reciprocity. Particularly since the exhibitions have been organised by national Collections like the National Gallery and the Metropolitan Museum, the question of a loan back has been more and more important, and how it is certainly one of the major factors in any institution’s lending is what they will be able to borrow back.

In the post-Second War era were people lending with a view to expecting a benefit back? - As I say, I think absolutely not. One of the things that has changed very very profoundly in exhibitions is the idea of reciprocity, and the idea that if you lend to one place they will lend you something back. I think certainly until 1960s the there/
there wouldn’t have been a context in which to think of reciprocal benefit, because loans were made to those rather few large exhibitions held basically for public academic purposes.

And what reciprocal benefits are you referring to? — The normal benefit is that either over time, or specifically, the people to whom you lend will lend back to you. That will mean that you can organise the exhibition programme, and would like to have, to animate your own exhibition by calling on their pictures; or it is an opportunity to bring particular important single works back which the public will want to come and see. There is an important distinction between the smaller and the larger Collections. If I can come back to the three Degas pastels, one from the Burrell Collection, that we were able to put together in London, it is interesting that this very important juxtaposition could happen only in London.

It couldn’t happen in Cincinatti or in Copenhagen because the Burrell pastel would not have been able to travel. In order to have it in London Cincinatti, which is a public Collection, didn’t ask for anything back from us -- over time they will eventually borrow, but the Copenhagen Collection, which/
which is a small private Collection, rather like the Burrell, insisted on a specific reciprocal loan which we had to make before they would lend. The price of putting those three pastels together was that the National Gallery had to lend a picture to Copenhagen to bring it across.

Can you perhaps read paragraph 4.1? Inter-gallery loans are usually made free of charge, although some countries such as Korea and Japan can afford to buy in exhibitions. There is, however, little incentive to lend from a Collection unless there is some expectation of a real gain in understanding, or some reciprocal benefit. In the case of trustees of public Collections, the trustees will usually lend only when they believe it is in the public interest to do so. This will normally be the case only where a return benefit or gain in scholarship is anticipated.

Is that part of the reciprocity? —

Yes.

Would lenders in the forties, fifties and early sixties have been concerned to see a reciprocal benefit when they lent? — As I have explained, there was no habit of exhibition-organising in which reciprocal benefit would easily have/
have been imagined.

Yes? — And it is hard to think what kind of reciprocal benefit at that stage would have been envisaged.

Well, perhaps you would then read on from "The Burrell Collection"? — The Burrell Collection may, therefore, be seriously handicapped in seeking to borrow from public Collections abroad by its inability to reciprocate for the benefit of that gallery's public. The case I had in mind is precisely the Copenhagen pastel. That could not come to Glasgow because the Burrell would not have been able to lend back.

How serious do you consider the handicap will be to a Collection like the Burrell, which has some 9000 objects? — That depends entirely on the kind of exhibitions being organised. I think it is important to bear in mind that the competition to borrow has got much heavier. Almost every public Collection, as I say, in the world is trying to organise exhibitions. Every major Collection therefore is asked to lend and every major Collection has to decide which will ultimately confer the most benefits on its own public from the lending, and therefore I think it puts the Burrell Collection/
Collection at a serious disadvantage.

You then refer at 4.2 to directly reciprocal loans are the exception rather than the rule, and you refer to the concept of reciprocity in the museum world being more an assumption of long term exchanges and benefits? — Yes.

And I think you have explained the Cincinnati was the long term and the Copenhagen required a specific exchange? — Yes.

Paragraph 4.3 --- would you read that to us? — One of the main benefits of such lending and borrowing is increased public attendance, both through the local population’s visiting the temporary exhibition at the borrowing museum and through increased exposure for the lending Collection further afield. People abroad are very conscious -- become conscious of the existence of the Collection. The obvious example in this field would be Dulwich Gallery in the suburbs of London -- a small Collection of great distinction which has actively pursued a foreign lending policy, in a sense to advertise the Collection abroad.
I think that is the other benefit, as well as your own local attendance being increased.

And you aim to increase your local attendance at any time of the year, or is it just a matter of trying to increase your local attendance at any time of the year? - The aim always is to maximise the use of the art collection by the local population for any part of the year. Clearly in London the summer period is the heavy tourist season, so there is less need to try to encourage attendance; but it is basically all the year round.

Why do you want the public to come and see the collection? - The purpose of a public collection is to be used by the public, for the public to know their pictures and to enjoy them, and that can only happen if they come and see them. This is a central part of the education process, as in a book, which has to be read, so a collection has to be visited.

Yes? - There is a second point, as I have already said, that economic pressure is now very great, and we have to earn as much money as we can from our shops and restaurant, and one of the ways to bring people in to spend that money is to hold/
hold a regular programme of exhibitions, as we
don't charge an entrance fee.

Can you read paragraph 5 in relation to
joint exhibitions? - Yes. "Where two or more
institutions organise an exhibition comprised
predominantly of works from each, that exhibition
will generally be hosted by those institutions only
and will not go elsewhere". For instance, the
Rembrandt Exhibition of 1991-92 drew most heavily
on pictures from Berlin, Amsterdam and London and
was therefore shown in those three galleries. This
is the fairly basic and obvious fact that in the
exhibition world the people who have the pictures
that can travel will organise the travelling for
their own benefit.

Apart from getting people through the
door to see the exhibitions are there any financial
savings from jointly holding an exhibition in
comparison to organising it on your own? - Oh, it
clearly is much cheaper to organise an exhibition
with a partner. The idea is to find a partner to
share the exhibition, usually and almost inevitably
a foreign partner.

To what extent would you use joint
exhibitions to get together either works of art by
the/
the same artist or perhaps parts of a work of art which are in different locations? - Both are
done. The normal kind of exhibition is to focus on one artist and one aspect of an artist's work or to
look at a theme like "Spanish Still Life" or to re-unite a work of art which has been dispersed
between different collections, if that can be done.

Does the National Gallery have any what I might describe as pieces of a work of art? - Oh, a lot, yes.

Such as? - Particularly in the earlier part of the collection, where altar pieces from the late Middle Ages, the Renaissance, had been carved up, and some parts are in different museums round the world.

Yes? - A good example would be the great altar piece of Sienna, by Duccil, most of which is in Sienna but parts of which are in London and New York.

How important is it to get all those objects together again in one or more exhibitions? - I think it is a fundamental obligation if one can reconstruct a work of art to try to do that if it can be safely done. The difference is that with early works on a panel they can often not be safely/
safely shown, but where an ensemble can be
reconstructed it seems to me a very important thing
to try to do.

Now, you refer to the measures of the
benefits of lending and borrowing. Then you show
the visitor numbers of some exhibitions, and the
catalogue sales? - Yes.

And you say that visitor figures are
stimulated by lone exhibitions? - Yes.

And that they are also important for
art publishing, as people tend to buy books at
exhibitions in greater numbers than they do at
bookshops without such a stimulus? - Yes.

And you give examples of the publishing
aspect? - Yes. The publishing aspect we believe
is a very important part of our educational role,
to be able to publish studies of all parts of the
collection, and by far the most effective and
cheapest and profitable way of publishing is to do
it in relation to an exhibition.

You refer to catalogue sales? - Yes.

What do you mean by a catalogue in that
context? - A catalogue is the fruit of the
academic research on the pictures exhibited. It
is therefore academic research made available to
the/
the general public, aimed at a general audience. Is it written in academic language or is it written academically for the general public?
- There are differing views on this, but we attempt to write it for the general public. The aim is to communicate the research to the general public through a catalogue.

You refer to overseas lending next? - Yes.

Could you read from 7.1? - "I am not aware of any evidence of a risk differential between domestic and overseas lending, especially when the overseas lending in question is to Western Europe or the United States".

What about Japan? - Or Japan.

Certainly the Trustees of the National Gallery in deciding whether or not to lend make no difference in that part of the decision on the basis of whether it is going to this country, Western Europe, the United States or Japan.

Is there anything else in relation to lending to Japan that you take into consideration?
- The Japanese question is a special one. As I said earlier on, Japan is in a position to buy for exhibitions, and quite often offers very large sums of/
of money to borrow an exhibition. I think otherwise very few exhibitions would go to Japan, because the Japanese Collections of Western European art work at not strong enough to be able to be in a position to lend back. There is very little the Japanese can lend back.

So because they are not in a position to participate in the reciprocal loan arrangement is that why they have to pay? - It is one of the reasons why people lend to Japan, because Japan can pay money, and Japan is not in a position to offer other incentives.

If Japan were not in a position to pay would they be on the international art circuit? - I think it would be much harder for them to be so.

And you then read the second sentence in 7.1? - "The passage of a picture from the wall to the packing case is widely considered to be the most dangerous stage of art transport".

Is that whether it is taking it from the wall to the packing case or from the packing case to the receiving all? - That is correct. That is the moment when there is maximum handling and packaging. It has the greatest chance of it being dropped without being protected.

Could/
Could you read 7.2? - "Some objects are less likely to be fit to travel than others. Pastels and works on wood are examples but there is no category of work, certainly in the National Gallery's Collection, which can never, as a hard and fast rule, be lent. What of course has to be done as standard practice is to assess each individual object separately".

Can you elaborate on the question of pastels? We have had some evidence about the potential dangers from travelling on pastels, yet you seem to have borrowed a Degas pastel from The Burrell and another one from Cincinnati? - Yes. Pastel is a very difficult medium, as you know, because the adhesion of pastel to paper is varying, and in many cases if the paper is shaken the pastel may detach.

Yes? - The pastel therefore has to be very carefully examined before the owning institution agrees whether or not to lend it, and many pastels were refused for the Degas Exhibition on the ground that they were not fit to travel, and they were left.

So why do you say there can never be a hard and fast rule? Is it inappropriate to have a rule/
rule saying no pastels can ever travel? - Yes.

Why is that? - Some pastels -- there are pastels which are fit to travel; there are oil paintings on canvas which are not fit to travel; therefore a hard and fast rule by category would seem on the face of it an unreasonable way to proceed.

Can you just go over the page to 7.3 and read on 7.3 and 7.4? - Yes. "In considering a loan request a gallery must decide whether the piece requested is fit to travel. For example, there was recently a proposed exhibition to re-unite the three "Battles of San Romano" by Paolo Uccello, which had all been painted from the same place in Florence, and it would have been marvellous to put all three together. That turned out to be impossible, because none of the pastels could leave their museums, one in London, one in Paris and one in Florence, for conservation reasons; the pastels were not fit to travel.

Did that arise out of your item by item consideration? - Yes.

Could you go on to 7.4? - Yes.

"There are certain items which Trustees of a collection may consider to be national icons or of such/
such outstanding national importance that they
would not lend them overseas*. The National
Gallery's "The Wilton Diptych" might be thought to
be one of these works of such national importance
that it ought not to leave the country.

Yes? - I cannot think however of a
work in the Burrell Collection to which such
consideration is likely to apply, but that would
always be for the Trustees to decide.

Can you read the next paragraph? -
"The National Gallery would also consider the fact
that certain borrowing institutions are less
reliable institutions than others in terms of their
security, handling record, etc."

How do you find out something like
this? - We find someone to examine the security
of the collection before we lend. There is a
Government security adviser on museums, and they
carry out inspections, so if we are asked to lend
to a museum abroad that we don't know we first ask
the Government's security adviser to comment.

Is there an international network
of...? - Yes. Most of the places we have lent
to we have lent to before and would lend to again.

On the basis of our experience there are two
separate/
separate questions: there is the question of the security of the building in terms of how well the works of art are held when the public is there and when the public is not there. There is also the quality of the local staff in handling the pictures and removing them, and there is certainly a very strong international debate about how pictures are handled, and that is a major fact in deciding whether or not to lend.

You go on that "Political considerations, if they gave rise to greater risks, might also enter into the decision of whether to lend"? - Yes, if they gave rise to greater risks, for obvious reasons. These decisions are taken by the National Gallery’s Trustees on a case by case basis, according to the situation of the day.

You then refer to the National Gallery’s policy with regard to restrictive gifts and/or bequests? - Yes.

Would you expand on paragraph 8.1? - Yes. Parliament has four times in the last 110 years enabled the National Gallery to lend in contradiction to the rules of the bequest. The wording is "inconsistent with". In 1883 it allowed the Gallery to lend works of art to public collections/
collections within the United Kingdom inconsistent with the terms of bequests. The Gallery was empowered to lend works of art to a public gallery within the United Kingdom against the terms of the bequest, provided the works had been in the collection for 25 years; so 25 years after vesting the Gallery was able to lend inconsistent with the terms of the bequest.

Yes? - In 1935 that power was extended to lend works by British artists abroad inconsistent with the terms of the bequest, provided the pictures were vested before 1900; so there was a 35-year rule there.

Yes? - In 1954 the Gallery, the National Gallery, and the Tate Gallery were allowed to lend anything vested in them either at home or abroad inconsistent with the terms of the bequest, provided 25 years had passed since vesting, subject to certain restrictions about pre-1700 works of art, which needed Treasury approval; and in 1992 the National Gallery, the Tate Gallery and the National Portrait Gallery were all empowered to lend any work of art anywhere inconsistent with the terms of bequest provided 50 years had passed since the vesting.

SIR/
SIR CRISPIN AGNEW OF LOCHNAW: For my lords' interest, the Acts which are referred to are Productions G6, 8, 9 and 10.

EXAMINATION CONTINUED BY SIR CRISPIN AGNEW OF LOCHNAW: To your knowledge does the National Gallery have any items which are subject to non-lending restrictions? - As far as I know, no; not within the last 50 years. As far as I know, we have no works which are restricted in this way.

Are your archives in a position to tell you whether any of the works that you originally required were the subject of restrictions? - Not fully. There was at the end of the 19th Century one major bequest which had to be kept together for 10 years. But I don't know -- my archives have not been able to tell me -- whether there is a specific restriction that these enactments were aimed at lifting.

You then refer in 8.1 -- you set out the terms of the 1992 Act in 8.2, and you have indicated that perhaps the Act does not apply, because you are not aware of any lending restrictions upon certainly donations in the last 50 years or so? - Yes.

You/
You say "The Gallery has sought, particularly in the 19th Century, to ensure that restrictions imposed should not be unduly onerous or exclusively limiting to the Trustees' figure discretion"? - Yes. The National Gallery relies very heavily on benefactors. About two-thirds of the pictures in the Gallery have been given or bequeathed. Throughout the 19th Century the Trustees were very concerned about pictures given having been given on unduly restrictive terms, and a number of bequests refused or did not come to the Gallery because the Trustees wanted their own freedom to re-display the collection as they saw fit.

Are/
Are you a gallery which has a direct obligation on the issuing and accepting of subjects and conditions? - The gallery is...yes, we have been fortunate that people want to give pictures to it and therefore it has been possible to have negotiations, yes.

Turning to a different subject, I wonder if you could outline what the Government policy is as far as your museum, gallery is concerned, what do you understand Government policy to be in relation to your collection and what the Government perceives to be the aims and objectives? - The Government of both parties in recent years have consistently made two priorities. Firstly access, wide public access should be encouraged and secondly educational, that museums and galleries are part of the educational system of the country.

Does the ability to borrow and lend enable you to fulfil these objectives better than if you couldn’t lend or borrow? - We certainly feel that it it is......it allows us to give the public access to works of art that we couldn’t show otherwise and it allows particularly scholarship to be followed better because they can understand it better.

Would/
Would you consider yourself hampered if you couldn’t borrow as freely as you can do? - Yes.

The other thing I want to ask you about is about the financial pressures on museums. Are museums as well funded as they used to be? - No, Government grants to National museums and galleries has fallen in recent times and is set to continue to fall and it is therefore of crucial importance for collections like the National Gallery’s Board of Trustees to decide if they want to charge so that as much money as possible be earned.

You say the Board of Trustees have taken a policy decision not to impose entry charges; is that a course of action adopted by others? - There are many different views on this. Clearly there are a number of museums and galleries where the Trustees wanted to maintain free entry but find themselves financially unable to do so.

Do you know of an example? - Liverpool is an exact one and I believe the Royal Scottish Museum as well.

So if you are under financial pressure does that mean you have to try and increase your income from other sources? - Certainly, yes.

As I understand your evidence the ability/
ability to put on a temporary loan exhibition is a significant way of increasing revenue? - Yes, we see it as both educational and economical benefit.

CROSS-EXAMINED BY MR. BRAILSFORD: Mr. McGregor, it is free public access to the Burrell, is that correct? - I believe so.

You indicated in your evidence that the Isabella Stewart Art Museum in Boston and the Frick Museum have moved towards small in-house loan exhibitions; there is nothing to prevent the Burrell Collection from showing small in-house exhibitions, is that correct? - Not as far as I know.

You indicated that the Degas Exhibition was able to show three differing versions of Degas Pastels; I think you expressed a somewhat Metropolitan view that that part of the exhibition could only have taken place in London? - When I said in London I meant to say in the United Kingdom.

But they could have taken place in Glasgow? - Yes, but they could have taken place in Glasgow.

It could also have taken place in the Burrell? - I don't know whether.....I don't know what the conditions of the terms of lending required would/
would be.

On the assumption that the Burrell could have at least in part of the gallery shown works from other collections it could have taken place in the Burrell? - Yes.

Glasgow museums have, as I understand it, a large collection of art works? - Yes.
And many of these works are of the highest quality? - Yes.

And therefore am I right that those form the basis for a reciprocal loan? - I don't know who makes the decision in Glasgow but certainly it is the controller of the Glasgow Collection to decide....

Certainly there is ample repositories of artwork to form the core of a lending pool, is that not correct? - Yes, certainly.

Is cataloguing important for museums? - Yes, very.

Is photographing of objects within the museum collection important? - Yes.

Is it good practice for a museum or a gallery to have a photographic catalogue or index of its work? - Yes.

Would most internationally renowned galleries/
galleries and museums keep photographic cataloguing of their work? - That is a difficult question, it depends entirely on the financial resources of the institution. There are many Collections that do have complete photographic catalogues and certainly every one of them would regard it as a high priority.

Can I ask you please, perhaps this is an unfair question since it is based on personal experience, but does the sale of catalogues associated with exhibitions always generate profit for the gallery concerned? - No, not always -- clearly some catalogues do not sell well.

The reason I asked is that I happened to be in the Scottish Gallery of Modern Art in Edinburgh on Saturday when they were having a sale of a large number of catalogues which I take it were copies that didn’t sell during the exhibition. Does that sort of thing happen? - Even catalogues that sell at a profit are later remaindered.

THE CHAIRMAN: Thank you very much. Lord Mar, do you have any queries.

THE EARL OF MAR AND KELLIJE: None.

BY VISCOUNT DUNROSSIL: Two quick questions, one is a historical question. We have heard/
heard a lot of talk from time to time about the conditions pertaining in 1944, happily a little before you assumed the job of Director but I wonder whether the artwork of the National Gallery was one that stayed there? - No, they were evacuated to a slate mine in Wales. One picture came back every month.

Would you say therefore that because London and a number of cities were at risk from aerial bombardment there was the dispersal of artistic work outside city centres? - Yes, and it was a very deliberate move as far as practical away from the risk of bombs.

The other point is storage. I have been told so many times by people who are much better qualified than me that the Burrell only show a certain proportion of their work, I believe the figure is a third but how does that in your general experience, how does that measure up, do you think; is it an above average showing of the proportion of its work or a below average or do you have any general feel for that? - It is a question that can be answered only by starting from what kind of objects are in the Collection. It is not safe to show paper and textiles for very long periods so it would/
would be perfectly irresponsible to have a whole paper and textile Collection on show at any one time. Clearly there are a large number of items in the Burrell Collection which ought not to be permanently displayed for conservation reasons so it is very hard to comment on the global figures, it is not possible. What I would need to know is really the number of paintings, sculptures that can safely be put on permanent display that are not on permanent display.

BY THE EARL OF BALFOUR: Mr. MacGregor, I think you mentioned the Wallace Collection I understand. Have you any idea why there was such a very severe restriction on that Collection? - Yes, it is a very peculiar formulation in the Wallace Collection. It says the Collection must be exhibited entire and unmixed with other work of art.

It is more like an in-house gallery? - Yes, the reason for the restriction, I think one can be fairly clear, the reason for the restriction on the Wallace Collection in these words "Unmixed with other work of art" was that Lady Wallace was very concerned that the Wallace Collection was going to be housed next door to the National Gallery which was/
was intended and that the pictures in the Wallace Collection would be absorbed into the National Gallery and I think it is fairly clear that was the motivation behind that formulation, that it was to be shown unmixed so her fears were that the Collection would be absorbed into the National Gallery.

BY THE CHAIRMAN: Thank you very much, could you enlighten me on this last point. Was I right in understanding that the Wallace Collection’s pictures would be moved or would be adjacent to the National Gallery. You had spoken earlier of what I think was a legal word, proximity, for the purpose of status and scholarship and all we have heard about before to have objects of art and paintings adjacent so that experts could look from one to the other. How does this necessarily work with your concept of the Wallace Gallery. It is an interesting concept but I had a picture of scholars running while it was still fresh in their minds back and forward. Could you enlighten me on that? - It is a crucial question.

I think it is, fitness may become......? - We are a fit lot. The other difficulty about the Wallace Collection is that because of its formulation/
formulation that it has to be kept unmixed, in other words it is not allowed to borrow. This means a very material loss in scholarly understanding of pictures in the Wallace Collection because it has never been possible to put together essential pictures in the Wallace Collection with other pictures closely related to that and certainly in....if I may take one particular exhibition, the recent Poussin Exhibition in London which was to have pictures together allowing dating of the pictures to be established -- one problem was that one was in the Wallace Collection, everything was in the Royal Academy but it was impossible to have that Wallace picture in its position and establish its place so it has materially hampered scholarship on the Collection.

Could you confirm one more paragraph in your precognition. You gave three examples of catalogue sales and I am interested in the Spanish Still Life. I am only an accountant, I am not of your profession. I notice that there were a considerably high proportion of catalogue sales of Spanish Still Life compared to Wilton Diptych. Are these the examples you gave typical; the Wilton Diptych has 900 catalogue sales from visitor numbers?/
numbers? - Yes.

Is it something to do with the price, you mentioned to Mr. Brailsford that they don't all make a profit? - No.

Any reason why taking these three examples......? - It is hard to say, we hoped to sell about one catalogue for every 10 visitors and it fluctuates. We were astonished that so many people wanted to buy the Spanish Still Life, delighted and astonished -- it was much more successful in proportion terms.

But clearly you think 10 per cent is....I think it may be in the region of what you were hoping to sell? - Yes.

And as to whether they make a profit or not Mr. Brailsford would be perhaps able to advise us. Catalogue sales are of considerable relevance to you, are they. We have been hearing earlier in evidence as far as catalogue sales and other sales that they are of considerable importance to yourself? - They are an essential part of education but they also.....Mr. Brailsford would be glad to hear we also made a very considerable profit.

THE CHAIRMAN: I am delighted to hear that.

RE/
RE-EXAMINED BY SIR CRISPIN AGNEW OF LOCHNAW: You were asked about Glasgow being reciprocally lending from its own Collection. Is reciprocal lending relative to the type of objects you lend or can you lend a Rembrandt in expectation of getting back a ceramic vase? - It is broadly the expectation that the repository is in the same area. If may come back to my Metropolitan remark about the organisation in London, there are many loans we had to make in order to secure other pictures and they were all in the 19th century. When you are dealing with large institutions like the Louvre with the Metropolitan which are very large organisations they would be lending Chinese bronzes in exchange for something else.

Because, for example, the Burrell Collection has extensive Oriental art and tapestries and late medieval European things and objects from ancient civilisations? - Yes.

If they wanted to borrow in respect of those would they be expected to lend these sort of objects or could they lend a Rembrandt in exchange? - It is both -- the primary expectation would be to borrow back the same kind of object but depending on the various institutions then they may be very happy to/
to have a Rembrandt instead.

  We have had examples that some Van Goghs were borrowed in exchange for the Mackintosh Exhibition? — Yes.

  In general you say it is type for type? — Yes.

  The other thing I wanted to ask you, you were asked about cataloguing; what do you understand by cataloguing? — Cataloguing I would understand to mean that the objects are inventoried, photographed, studied and researched and that information be available to any interested scholar and ideally be published.

  Ideally published but one book of publications would be a series of perhaps files? — That are available.

  To go back to cataloguing to generate profits, obviously the generation of profits on items, is that only obvious with popular catalogues? —

  No,
No, we publish Collection Catalogues. If I may
distinguish between an exhibition catalogue and a
catalogue for a permanent Collection, we regard that
as our duty, to publish catalogues of permanent
Collections -- even if they cost us money, even if
we make a loss. We regard that as an obligation.

THE CHAIRMAN: I am very sorry, Sir
Crispin -- perhaps in the fourth week I might get it
right. I do apologise, but it was your witness --
but I think unless there is anything further we may
now adjourn?

SIR CRISPIN AGNEW OF LOCHNAW: Yes, as
we have finished the witness, if my lords will
adjourn for lunch.

THE CHAIRMAN: Certainly I think the
Commissioners would feel that with both your
questions and those of Mr. Brailsford -- that that
has earned us one hour for lunch, so if we are back
at 2.15, I hope that will be in order -- and I also
hope Mr. MacGregor will make his connection.

After an adjournment for
lunch:

THE CHAIRMAN: Sir Crispin?

SIR CRISPIN AGNEW OF LOCHNAW: Mr.

David Thomson.

DAVID/