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Bottom line is it's my backside and the picture is mine

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VISITORS to Di Yerbury's home have been astonished to find themselves confronted with a portrait of her bare backside.

The nude, painted in 1975 by the Australian artist Clifton Pugh, a friend of hers, when her behind was 34 years old, is one of almost 1000 works at the centre of a fight between the university and Professor Yerbury.

She says the Pugh nude was a gift and one of 420 works - valued at \$3.3 million last year - she has amassed or loaned to the university over her 20 years at the institution.

"Obviously, I don't have a receipt for a gift, and Cliff died some years ago," Professor Yerbury said in a letter to the university's chancellor, Maurice Newman, on November 16. The letter was released under a freedom of information request.

"However, if my ownership was disputed, Judith Pugh, who was married to Cliff at the time, will readily testify that she was present when I posed for Cliff and when he gave it to me.

"There are a lot of people who saw the work at my home years before I came to MQ [Macquarie University] and still remember it, having joked that they didn't expect to see their boss's nude backside when they visited me. It was the basis of an award-winning jewellery design."

But an investigation by the accounting firm Deloitte, ordered by her successor, Steven Schwartz, claims the university's record management system "does not show any detail of ownership of the works".

The Deloitte investigation noted that the "co-mingling" of artworks by artists such as Judy Cassab, Leonard French, Ian Fairweather, James Gleeson, Emily Kngwarreye, Queenie Mackenzie, Sidney Nolan and John Olsen - which were stored or exhibited at the university, or kept at Professor Yerbury's home - made it difficult to determine who owned what.

The entire collection was valued at \$12.97 million a year ago, up from \$11.6 million in 2004, although Deloitte said there had not been any regular stocktake of the collection.

Three Macquarie University Art Gallery staff told the investigators that the "special exhibit" collection of 420 works was the property of Professor Yerbury. But the Deloitte report said it could identify few university records to indicate the origin of the artwork, or whether it was her property.

"Test checking of [Macquarie University] Art Gallery records and 'artist files' listed as components of the

'special exhibit' collection did not provide any record relating to ownership, purchase, transfer, receipts or loan agreements," the Deloitte report noted.

It recommended Professor Yerbury be asked to nominate and substantiate ownership of any artworks on the university campus which she believed to be her property and to assess the claim of ownership through a review of the university's records. At one stage in the bitter feud, Mr Newman, the university's chancellor, wrote an annotation on a letter from the university solicitors, Minter Ellison, saying: "Why do we question whether Professor Yerbury purchased artworks for herself?"

"Would it not be preferable to provide her with the benefit of the doubt, subject to proof of ownership?" At one point Professor Yerbury's lawyers, Verekers, complained of "a gross invasion of privacy", arguing that on September 19 or 20 last year, originals or copies of art records, receipts, inventories and valuations belonging to Professor Yerbury were seized by the Manager of Records and Archives under instruction from either the university solicitor, Jenny O'Brien, or the office of Professor Schwartz, and locked in the archives office.

Professor Yerbury told Mr Newman: "I am the only person who can sort out the provenance of particular paintings owned by me if the receipts are improperly withheld, or earlier ones (eg from the 1970s) aren't there for some reason ... We can fix the whole thing up quickly with my help. It is ridiculous for people who are not experts in the visual arts to try to do it without me."