



## wish

### THE ART ISSUE

84-page glossy magazine

- The powerful images of Hoda Afshar
- Art that embraces smell, sound, sight
- John Olsen's son Tim on doing deals
- The master of illusion

■ ROBERTS-SMITH AT RISK OF CRIMINAL CHARGES, LOSING VC ■ NINE TO SEEK COSTS AS LEGAL FEES TOTAL UP TO \$40M

# Murderer with a cross to bear

STEPHEN RICE  
NSW EDITOR

Australia's most decorated living soldier, Ben Roberts-Smith, callously murdered four unarmed civilians while serving with the Special Air Service in Afghanistan, a judge has found, and now faces the prospect of serious criminal charges and being stripped of his Victoria Cross.

Handing down his decision in the high-stakes defamation action brought by the former soldier against Nine newspapers, Federal Court judge Anthony Besanko ruled on Thursday that Mr Roberts-Smith had murdered four prisoners, including a farmer who was kicked off a cliff in the village of Darwan, and a one-legged man dragged from a tunnel at the compound known as Whiskey 108.

Nine Entertainment is expected to pursue Seven West chairman Kerry Stokes personally for costs in the failed defamation case, with legal fees estimated at more than \$25m and potentially up to \$40m. On Thursday Nine's lawyers indicated they would apply for a special order as to costs in relation to Mr Roberts-Smith "and any third party", believed to be a reference to the media mogul, who bankrolled the ex-soldier's case.

Although a civil case, Justice Besanko found that Mr Roberts-Smith broke the moral and legal rules of military engagement and was therefore a criminal.

Legal observers believe the judgment significantly increases the likelihood that Mr Roberts-Smith will face criminal charges, with investigators from the Australian Federal Police and the Office of Special Investigations currently assessing evidence.

Whatever further action follows, the landmark defamation judgment extinguishes Mr Roberts-Smith's treasured reputation as a war hero.

Nine had its biggest win over the centrepiece allegation that Mr Roberts-Smith kicked an unarmed Afghan detainee named Ali Jan off a cliff and then killed him. The report claimed Mr Roberts-Smith kicked the handcuffed farmer off a cliff in Darwan in September 2012, and then – with another SAS soldier known as Person 11 – dragged him aside and shot him dead.

An Australian soldier known as Person 4, serving as second in command to Mr Roberts-Smith, told the court the VC recipient took a few steps forward and kicked the man in the chest, sending him sailing over the edge.

Ali Jan was "catapulted backwards and fell down the slope", where he landed in a dry creek bed, crashing into a rock so forcefully it sent teeth exploding from his mouth.

Person 4 said Mr Roberts-

**Rogues in the ranks await their fate as a giant is toppled**



CAMERON STEWART  
ANALYSIS

A giant like Ben Roberts-Smith was always going to take a long time to hit the ground given that he had a Victoria Cross on his chest and had bathed in the one-time adoration of his country.

But after five long years, the 2m-tall former SAS corporal has finally crashed to Earth with a thud that could be felt across Australia. His reputation has been crushed beyond repair by the failure of his defamation case against three newspapers accusing him of murdering war crimes in Afghanistan.

And yet the trials of Roberts-Smith and a raft of other SAS soldiers who served with him in Afghanistan are only just beginning. We are now likely to see a slew of criminal prosecutions for war crimes in Afghanistan that will cast a dark shadow over Australia's military for many years.

Even though this was a civil case and therefore had a lower burden of proof than a criminal prosecution, the result offers further confirmation that Australian soldiers participated in horrific war crimes in Afghanistan. It adds to the findings of the 2020 Brereton

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Smith instructed him and Person 11 to drag the man to a nearby tree.

Person 4 testified that, a short time later, as he walked away, he heard shots ring out and turned to see Person 11 with his rifle in the firing position while Mr Roberts-Smith stood by watching the execution.

Justice Besanko also found that Mr Roberts-Smith murdered an Afghan prisoner by shooting him in the back with a machine gun and ordered another trooper to shoot a second Afghan in the head.

The alleged killing of the two detainees hauled from a tunnel during a raid on a Taliban compound codenamed Whiskey 108 on Easter Sunday, 2009, was one of the central claims against Mr Roberts-Smith.

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**Key war crimes findings against Ben Roberts-Smith**

‘Broke the moral and legal rules of military engagement’

‘Committed murder by pressuring an inexperienced soldier to execute an elderly, unarmed Afghan’

‘Committed murder by machine-gunning a man with a prosthetic leg and encouraged his soldiers to use it as a novelty beer-drinking vessel’

‘Authorised the execution of an unarmed Afghan by a junior trooper’

‘Murdered an unarmed and defenceless Afghan civilian after kicking him off a cliff’

**Profound blow for morale of army, ADF**



GREG SHERIDAN  
COMMENT

The devastating loss by Ben Roberts-Smith in his defamation case will deliver a profound blow to the morale of the army and the Australian Defence Force generally.

It was always a difficult case to understand. At some level, Roberts-Smith must believe himself innocent, or either remember or construe his actions differently from the way the court has. On the other hand, the evidence against him was strong.

Still, we should remember this was not a criminal case and Roberts-Smith has not been charged with any crime and he has not been found guilty of anything to a criminal standard of proof. Nonetheless, taken in combination with the Brereton report, there is overwhelming evidence that there was grave misconduct by some Australian soldiers in Afghanistan.

There are some critical things to remember. First, it was a tragedy for the Afghans wrongly killed, and for their families. But the overwhelming majority of Australian soldiers who served in Afghanistan, or who have served anywhere, have conducted themselves with decency and integrity, and borne risks that normal Australians never have to consider. We remain in their debt.

It is also the case that soldiers sent on repeated deployments to Afghanistan faced mounting psychological and personal pressures, which ultimately hurt their judgment.

Nonetheless, any Australian soldier must always bear responsibility for their own actions. Every soldier who wears our uniform is bound by the rules of law, the specific rules of engagement under which they are operating, and the general rules of morality.

All these laws allow and sometimes require fierce and deadly combat. But they don't allow for the intentional killing of civilians or of prisoners.

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## Trust me, Marion is still alive, says Blum

TRICIA RIVERA

Convicted conman Ric Blum claims his former lover Marion Barter – who has not been seen in almost 26 years since her abrupt disappearance in 1997 – is still alive and says the five women who gave evidence against him are liars.

The elderly fraudster arrived at Lismore Local Court on Thursday morning with the help of a walking frame to appear before an inquest into the disappearance and presumed death of the Queensland mother, whom he was spotted with shortly before she vanished.

The 83-year-old answered questions about Barter and denied evidence, through shakes and

stutters, that he took advantage of vulnerable women, most of whom were divorced or widowed.

Mr Blum, who previously admitted to having an affair with Barter, said the relationship he shared with the missing woman was sexual, not romantic, and that he never tried to convince the schoolteacher to marry, move abroad, open a school overseas or withdraw money to give to him.

Counsel assisting the inquiry Adam Casselden SC asked: "This question now is the time for you to be full and frank about your interactions with Marion Barter in 1997. Is there anything you wish to say that you have not already said in relation to the disappearance of Marion Barter?"

Mr Blum answered: "I myself



Ric Blum on Thursday

believe she is still alive but I don't know anything about what she did or whereabouts, nothing at all.

"I can't tell you exactly when but in conversation before she went to England she said that she wanted to separate from her family, she didn't want anything to do with any member of family."

Mr Blum denied he and Barter – who left Australia for the UK under the name Floreabella Natalia Marion Remakel – married and said he had not seen her when it was documented she returned home in August.

"How can you organise a [marriage ceremony]?" Mr Blum said.

"In Europe you've got to produce your birth certificate ... You can't just get married like that."

"I only saw her three times in my whole life ... perhaps four."

The Belgian national said he saw Barter before she left for

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## Albanese to warn Asian forum: peace takes work

BEN PACKHAM  
DEFENCE AND FOREIGN AFFAIRS CORRESPONDENT

Anthony Albanese will tell Asia's premier security conference that Indo-Pacific nations have a collective responsibility to ensure US-China competition doesn't lead to conflict, and they must be active participants in maintaining peace.

The Prime Minister will use his keynote address to Singapore's Shangri-La Dialogue on Friday night to argue regional security can't be left to the great-power rivals to determine, and that all of the region's nation states must work to manage strategic competition.

Mr Albanese departed after question time on Thursday for a three-day trip that will also take him to Vietnam, where he will meet in Hanoi with the country's top four leaders, and pay his respects at the resting place of war-time leader Ho Chi Minh.

A source close to the Prime Minister said his Shangri-La Dialogue address would be his most important foreign policy speech of the year and perhaps the parliamentary term.

But it will be overshadowed by US-China tensions, after China's Defence Minister, General Li Shangfu, refused to meet his US counterpart, Defence Secretary Lloyd Austin.

FULL REPORT P6

## Chemists given Labor nod

EXCLUSIVE

SARAH ISON  
JESS MALCOLM

The Pharmacy Guild says Health Minister Mark Butler's chief of staff told it to "tell your members and go your hardest" on the government's plan to double dispensing of medicines to 60 days, undermining claims the lobby

group broke a non-disclosure agreement.

Amid rising pressure from Labor backbenchers to address chemists' concerns, the Pharmacy Guild said it was given the green-light by Mr Butler's office to communicate Labor's yet-to-be-announced policy to members in a meeting two weeks ahead of the May 9 budget.

FULL REPORT P6

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## THE ART ISSUE

DISCOVER THE INSPIRING  
AND THOUGHT-PROVOKING  
WORK TO COVET

### PAINTED FINISH

TIM OLSEN ON 30 YEARS  
IN THE GALLERY GAME

### GOTHIC REVIVAL

SYDNEY THEATRE COMPANY GOES  
GLOBAL WITH DORIAN GRAY

## HODA AFSHAR

MEET THE WOMAN  
FRAMING REVOLUTION  
WITH HER LENS

AND

VICKI LEE  
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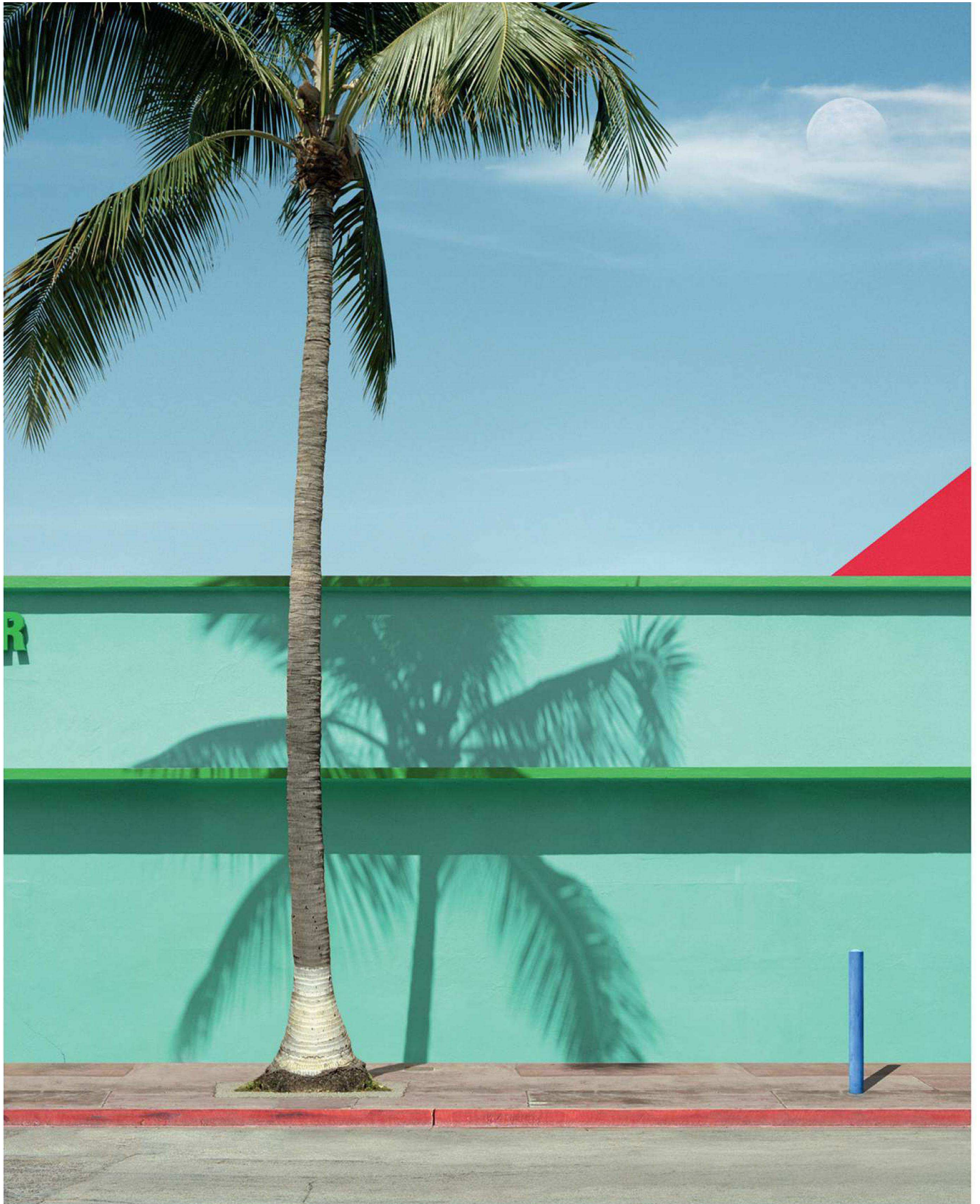
THE AUSTRALIAN



# THE ART OF THE DEAL

Tim Olsen grew up surrounded by art. He looks back on 30 years of his namesake gallery and thinks the next 30 years could be the most important

STORY **BENJAMEN JUDD**



George Byrne, *South Beach Miami*, 2021; Opposite: Leila Jeffreys, *Christo*, 2015, from Olsen Gallery



Clockwise from above: **Tim Summerton**, *Last Light (Jan 4)*, 2021; **Eliza Gosse**, *The Cheryl Ann Motel*, 2021; **Noah Taylor**, *Funeral Rites*, 2021; **Sophie Cape**, *I cried to dream again*, 2022; **Myles Young**, *Monstera Window*, 2021



**F**ew individuals know the art world on as visceral a level as Tim Olsen. His father was the late, great and perhaps most famous of Australia's modern painters, John Olsen, and his mother, Valerie Strong, was a brilliant artist and painter in her own right. His sister Louise Olsen co-founded Dinosaur Designs but is now herself a painter. That's not to mention the rolodex of famous artist friends of his parents, who would walk through their front door and whose lexicon he was absorbing from before he began to walk. That his career as an adult would be immersed in the industry feels predestined, if not, perhaps, the manner in which it came about.

"[I became an art dealer] by default really," he tells WISH. "My vision for it at the time was simple: stay in business as long as possible. It really was a year-by-year proposition, sometimes month to month."

The 61-year-old is celebrating 30 years since he opened his first gallery back in Paddington. In his own words, he had left school and gone on to art school, as would have been expected considering his genealogy. But after that, what would happen with that degree and scholarship was open to interpretation, says Olsen.

"I wasn't particularly sure I'd even end up being an artist," he says. "It was really a case of having grown up in the art world and knowing so many important figures, in regard to who my parents were. I kind of felt that there was somewhere for me within that."

"I picked up the brush. I was a passionate print maker. I embraced art history, developed my scholarship in art, did a lot of writing, and ultimately I came out with an education degree in visual arts with the idea of becoming a teacher or a lecturer in art."

It was a lunch with his father's own art dealer at the time, the great Stuart Purves, that set the younger Olsen on his current path. "He was opening up in Sydney and he said, 'Would you like to be part of my team in Sydney?'" So my thoughts of becoming a teacher suddenly veered off in another direction, and I had to think that perhaps still being in a gallery environment, I was still a teacher. That I was really teaching adults or collectors, or aspiring artists who visit the gallery."

That's also where his father's assistance in cutting a path to his own career ended. "My father never wrote me a cheque," Olsen quips. "My father actually wouldn't let me represent him unless I built up my own stable of artists."

Three decades later, and several location changes before he settled into the current one on Jersey Road in aspirational Woollahra along with the Annexe on Queen Street, Olsen has proved that he's not just someone's son. He admits connections might have helped, but the cutthroat reality of the art world is that they can spot a fake a mile off.

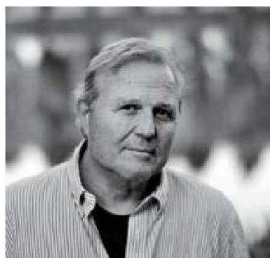
"I've always said that there are always bored, wealthy people wanting to get involved in art galleries. And a lot of them, a lot of the time, fail, because you can buy yourself an art gallery but you can't buy yourself an eye."

That Olsen eye is as famous as the family name attached to it. His current roster of artists represent a diverse cross-section of talent both famous and infamous, but all with the same poignant insightfulness and energy that has become a signature of the gallery. There's photographer George Byrne, brother of actress Rose, whose photographic works of the LA landscape flatten into uncanny geometric colours. The painter Sophie Cape, whose electric canvases linger on the fringes between the abstract and the figurative. Photographer Leila Jeffreys, and some wild-card surprises such as the actor Noah Taylor, currently on display in the Annexe.



Above: **David Band, Untitled, 2006**

Below: **Tim Olsen**



What does Olsen's eye predict for the next 30 years? "Unfortunately most of my heroes have died," he says. "I lost Nicholas Harding, I lost my father. Obviously William Delafield Cook also passed away, and the estate of Fred Williams has almost run dry. So I'm having to really bring through a whole new generation of the next great painters. I was brought up with painters and that's what I stick by. Of course I'll dabble in multimedia and collaborative pieces, but ultimately, in a world where painting is becoming less and less respected, I feel I have a duty to painting."

Digging a little deeper on this topic, the future of the gallery as an experience is something Olsen is confident will remain important. Despite changing methods of engagement with information and social media providing a direct route to artists, there's something to be said about being able to stand in front of something and feel its presence. "I believe you can't really see and feel great art without being really in front of it," he says. "I'm sure there are many people who look at pornography and would rather be involved than not." <sup>TM</sup>