

Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, case 9 (2023-24): The Crucifixion with the Virgin, Saint John the Evangelist and the Magdalen by Fra Angelico	
Statement from Expert Adviser	Statement of the Expert Adviser to the Secretary of State that the painting meets Waverley criteria two and three See below
Statement from the Applicant	Statement from the applicant referencing the three Waverley criteria. The Reviewing Committee will designate an object as a 'national treasure' if it considers that its departure from the UK would be a misfortune on one or more of the following three grounds: a) Is it closely connected with our history and national life? b) Is it of outstanding aesthetic importance? c) Is it of outstanding significance for the study of some particular branch of art, learning or history? The applicant did not contest the opinion that the item met the Waverley Criteria
Note of case hearing	See below
Press release	A press release was issued by the Secretary of State on 8 January 2024: https://www.gov.uk/government/news/renaissance-painting-depicting-the-crucifixion-at-risk-of-leaving-the-uk
Recommended price	£5,001,000 (plus VAT of £180,200 which can be reclaimed by an eligible institution)
1st Deferral period	7 April 2024
2nd Deferral period	
Note of outcome	

Statement of the Expert Adviser to the Secretary of State that the painting meets Waverley
criteria two and three

1. Brief Description of object(s)

Fra Angelico (active 1417; died 1455)
The Crucifixion, early 1420s
Tempera on panel, 59.7 x 34.2 cm

The painting retains its original engaged frame.

2. Context

Provenance:

(Probably) William Bingham Baring, 2nd Lord Ashburton (1799-1864), Bath House, London;
By inheritance to his widow, Louisa, Lady Ashburton (1827-1903), Kent House, London or Melchett Court, Hampshire;
Through her daughter, The Hon. Mary Florence Baring (1860-1902), wife of William Compton, 5th Marquess of Northampton (1851-1913), and their second son, Lord Spencer Compton (1893-1915) and by descent.
Christie's, London, 6 July 2023, lot 24.

Exhibitions:

Requested for the forthcoming exhibition Fra Angelico, Palazzo Strozzi, Florence.
(26 September 2025 - 25 January 2026)

Literature:

F. Russell, 'An Early Crucifixion by Fra Angelico', *The Burlington Magazine*, Vol. 138 (1996), pp. 315-17.
G. Bonsanti, *Beato Angelico: Catalogo complete* (Florence, 1998), p. 118, no. 15.
L. Kanter in *Fra Angelico*, eds L. Kanter and P. Palladino, exh. cat., (The Metropolitan Museum of Art, New York and New Haven, 2005), pp. 76-7, fig. 46.
D.C. Ahl, *Fra Angelico* (London, 2008), pp. 31-3, pl. 29.
G. de Simone in *Beato Angelico: L'alba del Rinascimento*, eds A. Zuccari, G. Morello and G. de Simone, exh. cat. (Musei Capitolini, Rome, 2009), p. 152.
G. Utari in *Fra Angelico et les maîtres de la lumière*, ed. G. Damiani, exh. cat., (Musée Jacquemart-André, Paris, 2011), p. 154, under no. 25.

3. Waverley criteria

This exquisite, beautifully executed small panel painting is highly characteristic of Fra Angelico's *oeuvre*, meeting **Waverley criterion 2** as a work of outstanding aesthetic importance. By one of the leading Florentine artists of the first half of the fifteenth century and representing a key moment in the development of European painting, it also meets **Waverley criterion 3**, as a painting of outstanding significance for the study the development of Western art.

DETAILED CASE

1. Detailed description of item(s) if more than in Executive summary, and any comments.

This Crucifixion scene is an important early work by Fra Angelico, one of the most influential painters in early fifteenth-century Florence. Born Guido di Pietro at the end of the fourteenth century, he appears to have trained in the workshop of the leading Florentine painter, Lorenzo Monaco. By 1418, he had established his own independent practice and, sometime before 1423, he joined the Observant community of Dominican friars at the convent of San Domenico in Fiesole, thus earning the name Fra (brother) Angelico.

Dated to the early 1420s, this *Crucifixion* was made at a pivotal moment in the artist's career, when Fra Angelico took the Dominican habit or shortly afterwards. Christ is shown nailed to the Cross, silhouetted against an un-tooled gold ground, an angel to either side. Kneeling at the base of the Cross is Mary Magdalene, dressed in green with a red mantle, gazing up at the body of Christ above. She is accompanied by the Virgin, standing to the left, gesturing towards the body of her son and looking out toward the viewer. To the right, Saint John the Evangelist is shown rapt in contemplation, his head rendered with masterful foreshortening as he turns to look up at Christ. Above, the Tree of Life with the nest of a pelican springs from the cross. A widely used symbol of charity and sacrifice, the bird is shown pecking at its breast to feed its offspring, an allusion to Christ's own sacrifice below.

This panel's serene naturalism, luminous colours and harmonious composition are all highly characteristic of Fra Angelico's *oeuvre*. First attributed to the artist in 1996 by Francis Russell, the painting has been accepted by scholars ever since. The panel was most likely made for private devotion, suffused as it is with restrained emotion designed to encourage the viewer to reflect on the moment of Christ's sacrifice. With just a handful of figures, the painter creates a scene of remarkable intimacy, while still retaining a sense of monumentality through the modelling of the drapery and the statuesque forms of the Virgin and Saint John. The exquisite rendering of detail and form across the painted surface are purposefully designed to foster sustained and repeated viewing. The red blood spilled by the pelican above the Cross, for example, is followed vertically down the panel through the red of Christ's own blood, before being picked up again in the Magdalene's red mantle. The more subtle use of colour elsewhere – for example in the inverted palette of the clothes of the Virgin and Saint John – creates a nuanced and harmonious composition.

2. Detailed explanation of the outstanding significance of the item(s).

Waverley 2

The Crucifixion meets **Waverley criterion 2**, exemplifying the power, beauty and sensitivity of Fra Angelico's work. Its radically simple composition, subtle variations in colour and modelling, and close attention to human emotion transform this panel into an image of resounding power. Painting just four figures, the artist has stripped away extraneous detail to allow the focus of the panel to rest entirely on the body of Christ on the Cross and on the gestures and expressions of the three mourners below. Fra Angelico eschews a sense of space, providing only a thin strip of ground at the bottom edge of the composition and leaving the gold un-tooled in order to bring the figures into closer reach of the viewer.

Dated to the early 1420s, the panel was painted during a period which saw increasing focus placed on emotive and affective modes of prayer and devotion. By using a simple and refined composition, Fra Angelico's *Crucifixion* was evidently designed to follow these devotional trends. The panel's focus on the four figures would have allowed its intended viewers to concentrate fully on the sufferings of Christ, the pains of his mother, and the unrestrained grief of the Magdalene as she grasps the base of the Cross. By varying the way each mourner reacts to Christ's death, the painter also provides a visual rhythm across the panel: from the imploring Virgin who turns directly to elicit the viewer's pity, to the Magdalene as she collapses at the foot of the Cross, and to Saint John, whose face is turned away but who clasps his hands together in a gesture of despair.

The superb modelling of the figures and the draperies across the panel find close association with other works produced by Fra Angelico during the early and mid-1420s. The dating of the panel suggests that it was made roughly contemporaneously with the high altarpiece painted for the conventual church of San Domenico, typically dated to around 1423-4. Figures in the predella panels of that work, now in the National Gallery, show a close connection with the style and treatment of those in *The Crucifixion*. The sensitively painted profile of Mary Magdalene here, for example, is very close to the delicate modelling of the face Saint Catherine of Siena in the outer most right-hand panel of group (*The Dominican Blessed*). The beautifully rendered lost profile of John the Evangelist also finds an echo in the figure of an angel in blue feathered armour on the right of the predella's central panel (*Christ the Redeemer*). Although *The Crucifixion* is similarly on a relatively small scale, it is likewise of extremely high quality and allows the artist's full mastery of his art to be seen at close quarters.

Waverley 3

The Crucifixion meets **Waverley criterion 3** as it was painted at a pivotal moment in the history of Italian art. It reflects Fra Angelico's response to the intense period of creative innovation that was taking place in 1420s Florence, as well as standing as a beautiful exemplar of one of his most significant subjects.

At the time Fra Angelico was entering San Domenico and painting this picture, Florence had become a fertile site of artistic influence, experimentation, and exchange. Painters had started to develop new systems for producing depth and three-dimensionality in their work, the beginnings of which we see in this panel. *The Crucifixion* attests to Fra Angelico's early involvement with the articulation of these new ideas in the city. The monumentality and weight of the figures anticipate the celebrated *Crucifixion* (now Museo Nazionale di Capodimonte, Naples) by Masaccio painted for the central section of his *Pisa Altarpiece* (1426). The picture also demonstrates Fra Angelico's interest in developments witnessed in other art forms, notably in sculpture. The figure of Christ on the Cross, while reminiscent of the work of his master Lorenzo Monaco, demonstrates a new weight and three-dimensionality which suggests the painter's knowledge of Brunelleschi's *Crucified Christ*, made in around 1417-19 for the Dominican church of Santa Maria Novella in Florence. Painted at a crossroads in the development of painting, *The Crucifixion* is a work that thus looks both forward and back.

The Crucifixion is additionally important due to its subject matter. Although this is one of the defining subjects of Fra Angelico's *oeuvre*, small-scale works depicting the scene by the artist are comparatively rare. Along with the present *Crucifixion*, the artist produced another small panel of the same subject during his early career, now in the Metropolitan Museum of Art in New York. This, however, differs greatly in its conception and composition, showing an entire Calvary scene filled with narrative details, rather than the present picture's more dramatic, concentrated figure group. Two later paintings revived the composition of the present work, similarly focusing on the crucified Christ flanked by holy mourners without extraneous figures: *Christ on the Cross with the Virgin Mary and Saints Nicholas of Bari and Birgitta* (c. 1450, whereabouts unknown); and *Christ on the Cross, the Virgin, Saint John the Evangelist, and Cardinal Torquemada* (c. 1453-4, Fogg Museum, Harvard). Both look back to the present composition in the spatial arrangement of the scene, attesting to its importance. As early as the sixteenth century, Fra Angelico's paintings of Christ's death on the Cross were renowned and had begun to garner attention and comment, with Vasari evocatively writing in his *Lives* that the master 'never painted a crucifix without the tears streaming down his cheeks'.

Despite his seminal importance in the history of Western art, surprisingly few paintings by Fra Angelico himself are held in British public collections: just eight in all. With the exception of the five highly important predella panels from the San Domenico altarpiece at the National Gallery, the only paintings securely attributed to the artist are three further predella panels at the Courtauld Institute of Art, also painted in the 1420s, for the high altar of a Dominican nunnery dedicated to Saint Peter Martyr in Florence. If *The Crucifixion* were to leave the United Kingdom, this painting's significant contribution to the understanding both of the Italian Renaissance and of Fra Angelico's work would be lost and future generations' ability to study the vibrant innovations and pictorial developments of Florentine painting in the first decades of the fifteenth century first hand would be greatly diminished.

Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, note of case hearing	
Meeting date	Wednesday 8 November 2023
Object	<i>The Crucifixion with the Virgin, Saint John the Evangelist and the Magdalen</i> by Fra Angelico
Expert Adviser's objection	The Director, The National Gallery, had objected to the export of the painting under the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance and it was of outstanding significance for the study of the development of Western art.
Committee Members & Independent Assessors	Seven of the regular eight Committee members were present and able to inspect the painting. They were joined in person by three independent assessors, acting as temporary members of the Committee. One Committee member joined remotely, having viewed the object in advance of the hearing on 8 November 2023.
Value on the licence	The value shown on the export licence application was £5,001,000, which represented the hammer price at auction of £4,100,000 plus buyer's premium of £901,000.
	<p>The applicant was informed that there was currently an interim process in place for Committee hearings. The Committee was still holding hybrid meetings but any Committee members, including the independent assessors, were required to inspect the object under consideration prior to discussing the case and voting. Any permanent Committee members or independent assessors who were not able to view the object were not able to vote.</p> <p>The applicant confirmed that the owner understood the circumstances under which an export licence might be refused.</p>
VAT	The applicant confirmed that the value did not include VAT and that VAT of £180,200 on the buyer's premium would be payable in the event of a UK sale.
Expert Adviser's comments	The expert adviser noted two corrections to be made to their statement, which have been incorporated.

	<p>When questioned about whether it was possible that this was created as part of a triptych, the expert replied that it was possible, although the two suspected related panels are much smaller. Furthermore, there was nothing definitive in the provenance to confirm this. If it was part of a triptych, however, the three most likely would have been displayed in a line, as there was no evidence of hinges in the plank or frame.</p>
<p>Applicant's comments</p>	<p>The applicant did not dispute that the painting met the Waverley criteria and stated that they did not have anything further to add to their submission.</p>
<p>Committee's discussion</p>	<p>The expert adviser and applicant retired and the Committee discussed the case. They agreed this was an extremely beautiful and powerful painting, which showcased Fra Angelico's delicate but expert use of composition. They noted the presence of incisions around the darker lines, which was rarely seen in work from this period, and its significance as an early piece within the artist's oeuvre.</p> <p>They then discussed the importance of Fra Angelico within 19th century British culture, and that there were astonishingly few of his paintings in UK collections. They agreed therefore, that there was a great deal of research to be done on this painting, as the artist was revered during this time, notably by the pioneering collectors and writers who championed early Renaissance Italian art. Furthermore, as a painting from the artist's early career, it provides an outstanding opportunity to study the development and technical aspects of his work.</p>
<p>Waverley Criteria</p>	<p>The Committee voted on whether the painting met the Waverley criteria. Of the 11 members, no members voted that it met the first Waverley criterion. All member voted that it met the second Waverley criterion. All members voted that it met the third Waverley criterion. The painting was therefore found to meet the second and third Waverley criteria for its outstanding significance to the study of the development of painting in Italy in the early Renaissance.</p>

Matching Offer	The Committee recommended the sum of £5,001,000 (plus VAT of £180,200 which can be reclaimed by an eligible institution) as a fair matching price.
Deferral periods	The Committee agreed to recommend to the Secretary of State that the decision on the export licence should be deferred for an initial period of three months. At the end of the first deferral period, if the Arts Council received notification of a serious intention to raise funds with a view to making an offer to purchase the painting, the owner will have a consideration period of 15 Business Days to consider such offer(s), should they decide to do so. The Committee recommended that there should be a further deferral period of six months to commence on signature of any such Option Agreement.
Communication of findings	<p>The expert adviser and the applicant returned. The Chairman notified them of the Committee's decision on its recommendations to the Secretary of State.</p> <p>The expert adviser agreed to act as champion if a decision on the licence was deferred by the Secretary of State.</p>