**SPOLIATION ADVISORY PANEL**

Guidance notes for the parties on providing information relating to a claim

1. The Secretary of State may designate a Spoliation Advisory Panel (“the Panel”) to consider claims from anyone (or from any one or more of their heirs) who lost possession of a cultural object during the Nazi era (1933-1945), where such an object is (a) now in the possession of a UK national collection, or (b) in the possession of another UK museum or gallery established for the public benefit. A Panel may also be designated to advise about any claim for an item in a private collection at the joint request of the claimant and the owner.
2. On receipt of a claim, the Secretary of State will decide, on the basis of the above, whether to designate a Panel to consider the claim, whether for the purposes of the Holocaust (Return of Cultural Objects) Act 2009 (the Act) or otherwise.
3. To enable the Secretary of State to do so and for the Panel to begin work on assessing a claim, the parties should provide the Panel with sufficient information regarding the object, its present location and the circumstances in which it was lost, amongst other things. These guidance notes have been prepared in order to assist the parties in formulating their case for the Panel's consideration and to enable the Panel to process the claim expeditiously.
4. In accordance with the principles of fairness and transparency, all parties are expected to disclose anything relevant which emerges from their research, whether or not they perceive it to be helpful to their case. The Panel will require as full a picture as possible to enable it to achieve a fair and just solution.
5. A **claimant's statement of case** should include:

#### a description of the object and its present location;

#### details of the original person or body that lost possession of the object, and the circumstances in which the loss occurred (including, where possible, documentary evidence (e.g. the auction records of any forced sale, the price realised upon sale etc.));

#### a description of the object's provenance, including (where possible) evidence that the object was in the original person or body's ownership or possession when it was lost;

#### if the claimant is an heir of the person who lost possession, evidence (e.g. a grant of probate or an inheritance certificate) demonstrating that the claimant is the surviving heir of such person or, where there is more than one surviving heir, evidence for each surviving heir;

#### where a claimant also acts on behalf of any other party, a copy of the document (such as a power of attorney or a court order) authorising the claimant to act in that capacity;

#### details of the steps taken to obtain information about the object from the institution or owner;

#### details of any previous claim in relation to either the object in question or other objects from the same collection, in this or any other jurisdiction;

#### details of any claims for compensation made by the claimant or their heir(s) to the German Federal Office for Central Services and Unresolved Property Issues (BADV) or the West German Federal Indemnification Law Authority (BEG);

#### the results of any research carried out on the object, including details of any archives consulted;

#### copies of any witness statements or other documentary evidence relied upon or referred to in the statement of case; and

#### English translations of any foreign language documents.

# An **institution or owner's statement of case** should include:

# a description of the object (including a copy of any relevant catalogue entry), and its present location;

#### details of the object's provenance and acquisition and the price paid upon acquisition;

#### details of any conditions attaching to the object where it is a gift or bequest;

#### copies of any witness statements or other documentary evidence relied upon or referred to in the statement of case; and

#### English translations of any foreign language documents.

# The parties' statements of case and any correspondence concerning the claim should be directed to the Secretary to the Panel.

# The parties’ attention is drawn to the Panel’s Rules of Procedure on the Spoliation Advisory Panel website

<https://www.gov.uk/government/groups/spoliation-advisory-panel>

# The following is a link to the Panel’s earlier reports which may also be of assistance in understanding the type of information the Panel needs to have in considering a claim;

<https://www.gov.uk/government/groups/spoliation-advisory-panel#panel-reports>

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