



# Guidance for the Care of Human Remains in Museums



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## Foreword

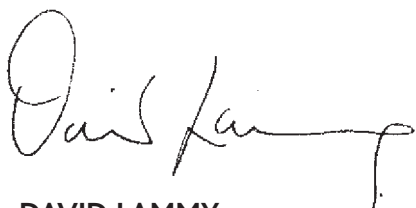
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In July 2000, the Prime Ministers of the UK and Australia met in London and made a Joint Declaration to increase efforts to repatriate human remains to Australian indigenous communities, wherever possible and appropriate. In response to this, in May 2001, the then Minister for the Arts, the Rt Hon Alan Howarth CBE MP, set up the Working Group on Human Remains, which was charged to examine the current status of human remains within the collections of publicly-funded Museums and Galleries in the United Kingdom, and consider the desirability and possible form of legislative change in this area.

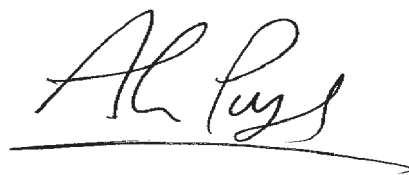
Following the recommendations of the Working Group, the Government, in section 47 of the Human Tissue Act 2004, immediately moved to legislate to enable nine, named, national museums to move human remains from their collections. Ministers agreed during the passage of the Human Tissue Act that the museums listed in section 47 would have guidance available to them on the exercise of the powers given by that section prior to it coming into force. The July 2004 consultation, Care of Historic Human Remains, also showed widespread support within the museum sector for a guidance setting out how to approach issues surrounding the holding of human remains by museums in England, Wales and Northern Ireland. Accordingly, this guidance is non-statutory and is available equally to all museums, not just those listed in section 47 of the Human Tissue Act.

We would like to commend the work of the Drafting Group, chaired by Hedley Swain of the Museum of London. They have acted with impressive speed in drawing up a proportionate yet comprehensive document which is intended to offer practical help to the museum sector in confronting an issue of increasing significance for the museum sector.

We hope that this guidance will go some way to ensuring that future treatment of indigenous remains in museums balances the need to respect the culture and wishes of indigenous communities with the need for scientific research, and that decisions in response to requests for return are made equitably and transparently. In looking to this, we recognise that certain smaller institutions may need some help in dealing with claims for return. To help with this, the Department for Culture, Media and Sport has established an Advisory Service to help these institutions with decision making in accordance with this guidance. Further details can be found on the DCMS website.



**DAVID LAMMY**  
Minister for Culture  
Department for Culture, Media and Sport



**ALUN PUGH**  
Minister for Culture, Welsh  
Language and Sport  
Welsh Assembly Government

## Message from the NMDC, MLA and MA

We have pleasure in commending this guidance on the care and use of human remains in museums, and on handling claims for their return. This was put together by a Drafting Group which included representation from NMDC members and the Museums Association; MLA was consulted at key stages in its preparation. The issues surrounding the holding of human remains in UK museums have come to increasing prominence within the sector in recent years, and we welcome the production of such a comprehensive document, which institutions will be able to adapt to their individual needs.

This guidance will enable all museums to adopt consistent and authoritative standards, thereby improving the care of objects in their collection, the experience of visitors, and relations with indigenous communities around the world. We are certain museums will find the code useful, and encourage its adoption.



**ROBERT CRAWFORD**

Chair  
National Museum Director's Conference



**CHRIS BATT**

Chief Executive  
Museums, Libraries and Archives Council



**MARK TAYLOR**

Director  
Museums Association

## Introduction

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This document provides guidance for museums and other institutions in England, Wales and Northern Ireland that hold human remains in permanent collections. A definition of human remains as used in this guidance is given in the glossary. The document does not, at present, relate to institutions in Scotland, where separate guidance is being considered. It is primarily aimed at museums but will be relevant to other types of organisation that hold remains for research, teaching or display purposes. This guidance does not cover collections kept purely for medical teaching.

This guidance is issued following the 2003 report by the DCMS Working Group on Human Remains and the subsequent 2004 consultation on that document (DCMS 2003 and 2004). It is also issued to support Section 47 of the 2004 Human Tissue Act that allows nine named national museums to de-accession human remains under 1000 years old (see Part 1, legal framework).

This guidance represents recommended best practice. It is not statutory, but refers to Acts that do place statutory obligations on museums. It is recognised that many types of museum and institution hold human remains. These collections also vary considerably in size and are held for diverse purposes. Therefore, although this guidance attempts to be all encompassing, it is recognised that different organisations will use it in different ways; its application will be proportionate to the size and nature of collections and the length of time that they are expected to be held for. It is recommended that institutions holding collections adapt it to their needs in line with the principles outlined here.

The vast majority of human remains in UK museums are of UK origin, excavated under uncontroversial conditions within a clearly defined legal framework. Approximately 75 per cent of these are from Christian burial grounds. For matters concerning burials from Christian sites in England the recent report from the Church of England and English Heritage should be referred to (CofE/EH 2005). The Human Tissue Act 2004 will govern human remains that are less than 100 years old (on a rolling basis) in museums and related institutions.

The guidance is divided into three parts: Part 1 gives a legal and ethical framework for the treatment of human remains; Part 2 deals with the curation, care and use of remains; Part 3 provides a framework for handling claims for the return of remains.

## Background

Human remains have a unique status within museum collections. They have the potential to make a contribution to the public good, through research, teaching and, in appropriate cases, display. In many instances, they also have a personal, cultural, symbolic, spiritual or religious significance to individuals and, or, groups. This places a special responsibility on those museums that hold them.

In the United Kingdom, there is a long tradition of excavating historic and prehistoric human remains, normally skeletons, studying them and including them in museum collections and displays. Human remains have also been kept as specimens in medical teaching collections and museums. Many of these are now hundreds of years old.

Traditionally in the United Kingdom human remains are treated with respect. No particular sacred or symbolic importance is associated with the remains themselves, except in the case of direct descendants, the remains of major historical figures, or as the focus of collective memorial, such as war dead.

The vast majority of work on human remains in the United Kingdom is uncontroversial and has wide popular and academic support. Research into human remains and their context are an important source of direct evidence about the past, including:

- Human evolution and adaptation, and genetic relationships
- Population relationships through genetics and morphology
- Past demography and health
- Diet, growth and activity patterns
- Disease and causes of death
- History of disease and of medicine
- Burial practices, beliefs and attitudes
- The diversity of cultural practices in which the body and its parts are used

Work on human collections is fully supported at Governmental level. The study of human remains also contributes to the treatment of disease and to the development of forensic science for crime detection and these benefits are likely to increase as research methods advance.

However, because of their origin, human remains should hold a unique status within collections, this puts particular responsibilities on the museums in the way they are acquired, curated and displayed. It is recognised that some human remains were obtained in circumstances that are considered unacceptable. For example, some were acquired between 100 and 200 years ago from Indigenous peoples in colonial circumstances, where there was a very uneven divide of power.

It is now the case that a number of interested parties claim rights over some human remains. These include genealogical descendants, cultural communities, custodians and the scientific community. Those holding remains have to evaluate these potentially competing interests and acknowledge that ideas about the legal and moral aspects are complex and may not always coincide.

Different people have different attitudes to death and human remains, and these change over time. Museums need to address cases both in the light of the present day situation and in a full and deliberate consciousness of all the historical circumstances. The question of human remains in museums is a developing issue. Policies made now may need to be reviewed in the future.

There is a need to deal sensitively with these issues and to draw a careful balance between different peoples' attitudes and beliefs. Most would agree that the continued use of the majority of ancient human remains is uncontroversial, but, in some cases, other factors will outweigh their retention.

## Acknowledgements

The drafting group for this report was made up of the following individuals: Hedley Swain (Chairman) (Museum of London), John Jackson (Natural History Museum), Justin Morris (British Museum), Mark Redknap and Elizabeth Walker (National Museums & Galleries of Wales), Maurice Davies (Museums Association), Robert Foley (Cambridge University), Sally MacDonald (University College, London), Sebastian Payne and Simon Mays (English Heritage), Tara Camm (Wellcome Trust), Finbarr Whooley (Horniman Museum). The group was supported by James Dowling (DCMS), Maria Mourin (DCMS), Leo Hodes (Treasury Solicitor's Department) and Eleri Wones (Treasury Solicitor's Department).

The following individuals and institutions were consulted as part of the process: Tristram Besterman (Manchester Museum), Richard Andrews (Australian High Commission), Brett Galt-Smith (Australian Government), Laura Peers (Pitt Rivers Museum, Oxford University), Cressida Fforde (independent researcher), Joseph Elders (Church of England), Chris Stringer, Richard Lane, Norman McLeod, Louise Humphrey (all Natural History Museum), Lissant Bolton, Colin McEwan (British Museum), Alison Hems (MLA), Henrietta Lidchi (National Museums of Scotland). A full list of commentators on the draft text is given at Appendix 3.

Some text has been used or adapted from the Museum Ethnographers Group *Professional Guidelines Concerning The Storage, Display, Interpretation And Return Of Human Remains In Ethnographical Collections In United Kingdom Museums* (1994), from the DCMS report *The Report of the Working Group on Human Remains* (2003), from the MGC guidelines *Restitution and Repatriation* (2000).

## Glossary and Interpretations

*Human remains*: In this guidance the term human remains is used to mean the bodies, and parts of bodies, of once living people from the species *Homo sapiens* (defined as individuals who fall within the range of anatomical forms known today and in the recent past). This includes osteological material (whole or part skeletons, individual bones or fragments of bone and teeth), soft tissue including organs and skin, embryos and slide preparations of human tissue.

In line with The Human Tissue Act 2004, the definition does not include hair and nails, although it is acknowledged that some cultural communities do give these a sacred importance. Human remains also include any of the above that may have been modified in some way by human skill and/or may be physically bound-up with other non-human materials to form an artefact composed of several materials. Another, but much smaller, category of material included within this definition is that of artworks composed of human bodily fluids and soft tissue. For human remains under 100 years old as defined in the Human Tissue Act, see Part 1 Legal Framework.

*Genealogical descendants*: People who can trace direct genealogical descent to ancient human remains. Discussed in more detail in Part 3, 2, A below.

*Cultural community*: A group who identifies themselves as a community and would normally be expected to have a shared geographical location, shared cultural or spiritual and religious beliefs and shared language; or to share some of these facets. Discussed in more detail in Part 3, 2, B below.



*Museums:* In this guidance the term refers to all museums and any other institution permanently holding remains as collections. Reference to institutions throughout as museums does not imply that the same governance covers non-museums, or that such institutions have the same functions as museums.

*Institutions who hold human remains on a temporary basis:* It is recognised that some institutions, particularly archaeological field units and university archaeological departments, generally hold human remains on a temporary basis. The principles of storage, collections care and access apply equally to such institutions, but there are likely to be some differences in how those principles are applied in practice, proportionate to the length of time that remains are held in the institution concerned.

*Bound up Material:* Objects or material other than human remains that are in some way physically bound up or attached to them so to in effect be part of them.

*Archive Material:* Records associated with human remains and their acquisition and subsequent treatment.

## Part 1: Legal and ethical framework

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### 1.1 Legal framework

This section of the guidance is intended merely as an introduction to the legal issues surrounding the holding and return of human remains. Museums and other institutions should seek legal and other advice specific to their individual circumstances.

#### Legal issues arising from the care and use of human remains

Museums and other institutions holding human remains should ensure that any activities that they undertake in relation to human remains are lawful. The law in relation to human tissue<sup>1</sup> has recently changed following the Human Tissue Act 2004, the primary purpose of which is to regulate the removal, storage and use of human tissue for listed activities, which include research and public display<sup>2</sup>. (The Human Tissue Act is expected to come into force in full in April 2006.)

The Human Tissue Act requires that regulated activities are undertaken only with the prior consent of the individual from whom the tissue is taken<sup>3</sup>. Significantly, existing holdings<sup>4</sup>, imported remains and human remains that are older than 100 years<sup>5</sup> fall within exemptions to the requirement for consent. In practical terms, this means that the activities of museums and other institutions with collections of older human remains will fall largely outside the consent regime of the Act because of the age or origin of the majority of the remains in their collections.

The Human Tissue Act also creates a Human Tissue Authority<sup>6</sup>, which is to administer a licensing regime<sup>7</sup> and to issue codes of practice. Where museums and other collections hold the remains of individuals who died less than 100 years ago, they may in due course be required to hold a licence to continue to store and use such material, and to comply with codes of practice issued by the Human Tissue Authority as a condition of such licence; there is provision in the Act for inspection against the requirements of these codes of practice.

<sup>1</sup> i.e. bodies and body parts; "relevant material" is defined by section 53 of the Human Tissue Act to include all material that consists of human cells with the exception of gametes, embryos outside the human body, and hair and nails of living persons.

<sup>2</sup> See Schedule 1 to the Human Tissue Act 2004.

<sup>3</sup> See sections 1 and 5 of the Human Tissue Act 2004.

<sup>4</sup> "Existing holdings" are defined by section 9 of the of the Human Tissue Act 2004 as tissue held immediately before section 1(1) comes into force.

<sup>5</sup> See section 1(5) and (6) of the Human Tissue Act 2004. The one hundred year period is defined by reference to the remains "of a person who died before the date on which this section comes into force and at least one hundred years have elapsed since the date of the person's death". This is a rolling 100 year period.

<sup>6</sup> Section 14 of the Human Tissue Act 2004 sets out the activities within the remit of the Human Tissue Authority; subsection 14(3) states: "(3) An activity is excluded from the remit of the [Human Tissue] Authority if (a) it relates to the body of a person who died before the day on which this section comes into force or to material which has come from the body of such a person, and (b) at least one hundred years have elapsed since the date of the person's death". This is a rolling 100 year period.

<sup>7</sup> Similarly, section 16 sets out those activities which require a licence; subsection 16(4) states: "(4) An activity is excluded from subsection (2) [the licensing regime] if (a) it relates to the body of a person who died before the day on which this section comes into force or to material which has come from the body of such a person, and (b) at least one hundred years have elapsed since the date of the person's death". Again, this is a rolling one hundred year period.

The Human Tissue Act also makes non-consensual analysis of DNA a criminal offence, but there are a number of exemptions from the offence, which include the analysis of existing holdings (but only where the remains are of an unknown person who cannot be identified) and the analysis of the remains of people who died over 100 years ago<sup>8</sup>.

Human remains from people who have died over 100 years ago, and activities undertaken in relation to such remains, will be outside the requirements laid down by the Human Tissue Act 2004. This guidance applies to all such remains and activities.

## Legal issues arising from decisions to de-accession human remains

### *Ability to de-accession human remains*

Museums intending to de-accession human remains, whether or not in response to a claim for return, should ensure that they have the power to do so. Section 47 of the Human Tissue Act 2004 will give nine national museums<sup>9</sup> the power to de-accession human remains where they are those of a person reasonably believed to have died less than 1000 years before the date that section 47 comes into force; previously, these museums had been unable to de-accession human remains except in very limited circumstances. It is not thought that other museums are subject to any statutory bar to the de-accessioning of human remains. It is, however, possible that the constitutional documents of a museum established as, for example, a company or as a trust might contain restrictions on the ability to de-accession human remains; museums are encouraged to seek to remove any such restrictions.

### *Property and ownership*

The holding and use of human remains and the handling of claims in relation to them have presented legal difficulties in practice. The laws of England and Wales do not recognise the concept of property (i.e. a right of ownership) in human bodies or tissue except where remains have been treated or altered through the application of skill. It may therefore be difficult for claimants (or, indeed, museums) to assert rights of ownership over remains in a legal sense. However, jurisdictions other than England and Wales may recognise certain rights over human remains<sup>10</sup>, or rights of burial. Further discussion of the legal issues surrounding the question of property in human remains may be found in Appendix 2 to the Report of the Working Group on Human Remains<sup>11</sup>.

### *Other issues*

Museums may need to consider the Human Rights Act 1998 which makes it unlawful for a public authority to act incompatibly with the rights established by that Act, though the law in this subject area has yet to be fully tested in the courts. Appendix 3 of the Report of the Working Group on Human Remains contains further discussion of human rights and human remains and the difficulties surrounding the assertion of such rights. Museums may also need to consider the possibility of their decision being subject to judicial review, i.e. the power of the courts to review the decision-making process of bodies that carry out public functions and duties to ensure that it has been legal, rational and procedurally proper.

<sup>8</sup> Section 45 of the Human Tissue Act 2004.

<sup>9</sup> The Royal Armouries, the British Museum, the Imperial War Museum, the Museum of London, the National Maritime Museum, the National Museums and Galleries on Merseyside, the Natural History Museum, the Science Museum and the Victoria and Albert Museum.

<sup>10</sup> For example, the Native American Graves Protection and Repatriation Act in the United States of America.

<sup>11</sup> DCMS 2003

## 1.2 Ethical framework

### Background

These guidelines are meant as a starting point for museums. It is expected that museums will wish to develop their own ideas on ethics and how these can be used as principles to guide actual actions. However, it is hoped that consistency across the sector will be developed.

The ethical issues raised by human remains in museums are complex. Although there has been widespread debate in the UK about the issues raised by human tissue from the living and recently dead, and some consensus reached in the form of the new Human Tissue Act 2004, there has been less analysis of the issues associated with older human remains, particularly of the moral questions raised (although this is looked at in detail for Christian burials in CofE/EH 2005). Consensus on these issues, if it does emerge, is therefore only likely to come with time and experience. This has made the development of this ethical framework particularly challenging.

The ethical framework, set out below, is in two parts. The first sets out the procedural principles that should be demonstrated in handling human remains in making decisions concerning their care, or in dealing with claims. The second sets out the ethical principles that museums may use to guide and inform decision-making concerning the handling and care of human remains, and in claims relating to them.

The framework builds on the work of the DCMS 2003 report, and draws on other more recent developments, including the UNESCO draft Declaration on Universal Norms in Bioethics, the Human Tissue Act 2004 and statements in Hansard during the passage of that Act.

**Consent and consultation:** The Human Tissue Act makes consent the principle governing the retention and use of human tissue, and it should be noted that the Act is addressed primarily at the UK medical context. The consent regime in the Act only applies for tissue and remains up to 100 years old and the consent in question is that of a restricted list of individuals specified in the Act. For older remains, however, the principle of consent becomes more problematic for reasons that are both ethical and practical. Additionally, UK legislation does not recognise the concept of group rights; human rights are only exercisable by the individual. Against this background, this guidance adopts consultation as the principle governing the treatment and use of human remains in museums. It is important for museums to be willing to consider the views of all those with interests, but no one view will have automatic pre-eminence. Religious and other institutions may also have a particular locus in relation to older remains from burial grounds in their care.

### Purpose

The procedural and ethical principles in this framework underpin the more detailed guidance in the rest of this document – setting them out here is designed to help clarify the basis on which that guidance has been developed. It is also intended to supplement that guidance by providing the tools to help:

- guide museums in good decision-making about human remains
- foster an ethical approach to the care and handling of remains
- encourage active reflection on the impacts of their decisions
- encourage good communication between museums, individuals and communities and the wider public.

## Procedural responsibilities

These responsibilities are meant to apply corporately, i.e., to be discharged by the museum and by all the individuals representing it.

In handling human remains and claims relating to remains, museums should demonstrate:

- 1 Rigour – act rationally with appropriate knowledge, skill and care and justify your decisions.
- 2 Honesty and integrity – be worthy of trust by others; declare conflicts of interest; show honesty in communicating knowledge with all interested parties; act in a principled manner.
- 3 Sensitivity and cultural understanding – show sensitivity and compassion for the feelings of individuals; show understanding of different religious, spiritual and cultural perspectives.
- 4 Respect for persons and communities – show respect for individuals and communities; minimise any adverse affect on people and communities; respect privacy and confidentiality.
- 5 Responsible communication, openness and transparency – listen, inform and communicate openly and honestly.
- 6 Fairness – act fairly; give due weight to the interests of all parties; act consistently.

## Ethical principles

These ethical principles are designed to guide museums' thinking and actions in decision-making, but cannot in themselves determine the outcome in any particular case. The principles will frequently come into conflict with each other; where they do, the museum will need to determine the appropriate balance and may need to seek expert advice.

- 1 Non-maleficence – *doing no harm*  
Non-maleficence would require you to avoid doing harm wherever possible. This could include avoiding harm to an individual, a community or the general public. For example, not taking an action that would cause distress to a particular community.
- 2 Respect for diversity of belief – *respect for diverse religious, spiritual and cultural beliefs and attitudes to remains; tolerance*  
Respect for diversity of belief demonstrates humility and modesty regarding one's own opinions, and shows respect for individuals, cultures, groups and communities. The principle requires decision-makers to give consideration to the cultural and historical backgrounds, beliefs and values relevant to all parties concerned. For example, it would require a museum to recognise and respect that a community may place a particular cultural value on human remains that is not shared by others.
- 3 Respect for the value of science – *respect for the scientific value of human remains and for the benefits that scientific inquiry may produce for humanity*  
This principle holds that individuals and communities (past, present and future) benefit both personally and indirectly, through the benefit to their loved ones, descendants and communities, from the fruits of science.

- 4 *Solidarity – furthering humanity through co-operation and consensus in relation to human remains*  
The principle of solidarity recognises that we all have a shared humanity and an interest in furthering common goals and tolerating differences that respect fundamental human rights. Mutual respect, understanding and co-operation promote solidarity by fostering goodwill and a recognition of our shared humanity. This principle emphasises the importance of rising above our differences to find common ground, co-operation and consensus. It would be reflected, for example, by seeking to find a consensus in relation to competing claims over human remains that all parties can accept.
- 5 *Beneficence – doing good, providing benefits to individuals, communities or the public in general*  
Beneficence would dictate that your actions have good outcomes wherever possible. This could include advancing knowledge that is of benefit to humanity (for example, by using human remains for scientific research) or respecting the wishes of an individual (for example, by returning the remains of their relative for burial).

## Part 2: The curation, care and use of human remains

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### 2.1 Introduction

This part of the document gives basic guidance on how human remains should be cared for within institutions. It is based on the concept that human remains have a unique status, are often of high research value, and should be treated with dignity and respect. Museums holding human remains should apply the highest standards of collections management, transparency, accountability, and communication to their care. A museum should always have a clear understanding as to why they are holding human remains and have undertaken an ethical analysis of all aspects of curation, care and use.

It is accepted best practice, as laid out in the Museums Association Code of Ethics, that museums should where reasonably practicable inform communities of the presence of items relating to them in collections. They should also involve communities in discussions about how a museum stores, researches, presents or otherwise uses collections and information about them.

### 2.2 Museum governance and expert advice

Museums should implement appropriate practice for dealing with human remains. This should fit into their particular organisational structure. It will include clear guidance on which post within the organisation has responsibility for different activities. It will also recognise the need for appropriate expertise to be available.

Museums should put in place, make public (for example through their web site) and as necessary review, a policy on human remains in their care. This policy should include the following areas:

- Acquisition
- Loans
- De-accessioning
- Claims for return
- Storage, conservation and collections management
- Display
- Access and educational use
- Research

These elements may well form sub-sets of wider museum policies and are dealt with in more detail below. The documents should always have a reference as to why a particular museum holds remains.

Before embarking on the production of a human remains policy, a museum may wish to formally consider, at governing body level, whether it wishes to retain human remains and, if good use is not being made of them, whether it might be more appropriate to transfer them to another museum or initiate return or reburial.

Museums should either have on staff a suitably skilled and experienced named individual with overall responsibility for ensuring appropriate policies for and treatment of human remains, or have a formal arrangement to take such advice from an outside individual or organisation.

In addition they may consider establishing an advisory framework, such as a panel of their own, or, for smaller institutions, one that is supported by a number of institutions. This may be particularly valuable in providing independent expert advice on issues such as the request for the return of human remains (see part 3). For matters relating to remains from Christian burial grounds in England, the Church of England and English Heritage are in the process of establishing a panel to provide advice in difficult cases and to take forward the recommendations of their recent guidance document. It is intended that this will complement the advisory service set up by DCMS (CofE/EH 2005: p. 5).

## 2.3 Acquisition

Because of the legal principles that relate specifically to property and the ownership of bodies and body parts (see the Legal Framework above), human remains fall into a separate category from other items within museum collections. However, museums will continue to add human remains formally to their collections, so long as the museum is satisfied that it can hold the remains in a lawful manner; provenance has been clearly established; there is no suspicion of illicit trade; and the remains are of potential value to the museum or wider scientific community. Museums should view their possession of human remains in terms of rights and responsibilities. Acquisition of remains under 100 years old will, additionally, fall within the remit of the Human Tissue Act 2004.

*Acquisition by transfer.* Transfer of human remains from another institution is legitimate, although museums have a right to refuse material offered to them. The documentation recording transfer to the museum should demonstrate this, as well as the source of the remains, their history, copies of related archival material, provenance information and all other relevant attendant circumstances as far as they are known.

*Acquisition by donation.* The acquisition procedure should include a mechanism for reliably confirming that any donation is properly authorised and documented.

*Acquisition by excavation.* Once buried in England, Wales or Northern Ireland, a human body is protected in law. The Burial Act 1857 makes it a criminal offence to disinter a body without lawful authority. Development of burial grounds and the disturbance of buried remains are subject to a range of legislative controls. Where ground under the jurisdiction of the Church of England is involved, the permission of the Church must be obtained. Detailed guidance on dealing with human remains from Church of England owned sites has been published (CofE/EH 2005). Remains removed in the course of archaeological excavations (including those resulting from development) are subject to a Department of Constitutional Affairs licence or directions, which may set a timeframe for any scientific research and include requirements for eventual reburial. Transfer of excavated human remains to a museum is permitted, provided that the excavation and the removal of the human remains have been conducted in accordance with legal requirements and published professional standards of archaeological investigation as laid down by the Institute of Field Archaeologists. Where such remains were exhumed from ground that is under the jurisdiction of the Church of England, the relevant religious authorities must have been consulted and have agreed to the subsequent disposition and treatment of the remains.

*Temporary holdings.* Any human remains held temporarily must have an established provenance, a clear justification for retention, and be held on a clear legal basis.



## 2.4 Loans

Human remains can be loaned to other institutions for various reasons, such as display and research. Any institution asked to loan material should satisfy itself that the borrowing institution satisfies the legal, ethical and practical considerations dealt with elsewhere in this document. As is normal procedure for museum loans, condition reports summarising the state of material before it is loaned should be prepared, as human remains can often be far more fragile than they appear.

## 2.5 De-accessioning

Claims for the return or reburial of human remains are considered in part 3. Any institution wishing to de-accession human remains in other circumstances must be pro-active in trying to establish whether any genealogical or cultural descendants exist who might wish to make a claim for return or reburial.

Many human remains, for example those disinterred as a result of rescue archaeology, are removed on the authority of a Department for Constitutional Affairs licence or Church of England faculty. The method of ultimate disposal, after study, should have been stated clearly on the licence or faculty, and burial (or, occasionally, cremation) or retention of the remains will be included as a condition of the licence or faculty.

Through consultation with the relevant statutory and religious authorities, reburial or respectful storage in designated, marked, sites may satisfy the requirements of the law and religious or civil tradition and need not remove the remains altogether from the purview of scientific study in the future.

Where no mode of disposal is specified, the remains must be disposed of safely and respectfully in a sealed container. The Human Tissue Act 2004 also deals with these matters. In the case of burials from Christian contexts in England the CofE/EH 2005 guidance should be used.

## 2.6 Storage, conservation and collections management

### Storage

The storage of human remains retained by museums, whether on or off site, needs to be actively managed and monitored and should meet suitable standards of security, access management and environment. It is best practice to have a programme of regular inspection of stored collections.

Museums with collections of human remains of a significant size should create a dedicated storage area in order to provide the best possible conditions. Those with smaller collections should identify designated shelves away from the main activity of the store on which human remains should be housed.

Although skeletal remains do not require very closely controlled environmental conditions, the storage area should not be liable to abrupt swings in humidity and temperature. Relative humidity should generally be in the middle range (35-70%) and should not be allowed to rise above 85%. Excessive humidity may result in mould growth; in practice such problems are usually a result of storage in buildings with structural damp problems. Excessively low humidity may cause cracking or flaking of bone; such problems may arise in centrally heated buildings. Storage of remains in direct sunlight should be avoided as UV damage may occur to bones, boxes and labels. The storage environment should be protected against frost.

Premises should be kept clean and checked regularly for pests, damage, leaking storage containers and other potential threats. It is essential to avoid problems associated with rodents and other pests. Appropriate health and safety regulations must all be complied with. Human bones do not pose any particular health and safety threats.

Human remains should be stored securely, with access to them allowed only to authorised staff and visitors with specific permission under agreed supervisory arrangements. Whenever it is possible for individual remains to be separated, each should be given a storage container. Specially designed storage boxes for skeletons are now available and used by some institutions. Current UK museum practice favours the use of inert packing materials, but other cultures may have a view on different types of packaging.

More specialist advice should be sought for the storage of soft tissue remains.

### **Storage of associated artefacts**

Where objects have been found associated with human remains (e.g. grave goods), in many cases it will be appropriate to store objects separately. However, the wishes of the genealogical descendants or cultural communities, or relevant faith organisations, should be taken into consideration where known.

### **Marking and labelling**

For skeletal remains, in order to minimise the risk of loss or dissociation, identifying numbers should be marked on the bones in waterproof ink. Although this is standard practice for English remains, this is not always acceptable for those from other cultures<sup>12</sup>.

### **Storage and collections management policies**

Any museum holding remains should develop and make public a strategy for the curation and care of collections. This should include such matters as storage conditions, security, conservation policies, environmental conditions and loans to other institutions. These should demonstrate that the remains are in secure and sustainable storage conditions that do not threaten their long-term well being.

### **Conservation**

The integrity of human remains is important in many belief systems and is also crucial to future research and study. The principle of minimum intervention and reversibility should always be applied, avoiding treatments that will contaminate or damage human remains. Bone should always be kept clean and dry. Any interventive conservation work should be done in accordance with strict protocols and policies and only undertaken when absolutely necessary. Any preventative and remedial conservation should be carried out or supervised by an accredited conservator, trained and experienced in caring for biological materials and overseen by an osteologist. Accredited freelance conservators can be drawn from the Institute of Conservation's Conservation Register ([www.conservationregister.com](http://www.conservationregister.com)).

<sup>12</sup> Some institutions mark bone between two layers of Paraloid B72 resin, thus avoiding actually writing on the bone.

## 2.7 Public display

Some museums have taken the decision not to display human remains, or images of them, to the public. However, visitor surveys show that the vast majority of museum visitors are comfortable with and often expect to see human remains, usually skeletons, as parts of museum displays. There are many valid reasons for using them in displays: to educate medical practitioners, to educate people in science and history, to explain burial practices, to bring people into physical contact with past people, and to encourage reflection.

Nevertheless, careful thought should be put into the reasons for, and circumstances of, the display of human remains.

Human remains should be displayed only if the museum believes that it makes a material contribution to a particular interpretation; and that contribution could not be made equally effectively in another way. Displays should always be accompanied by sufficient explanatory material

Those planning displays should consider how best to prepare visitors to view them respectfully, or to warn those who may not wish to see them at all. As a general principle, human remains should be displayed in such a way as to avoid people coming across them unawares. This might be in a specially partitioned or alcoved part of a gallery.

Display conditions, like storage conditions, should be safe, secure and with stable, monitored environments, which are kept clean and regularly checked for pests and other potential threats. Appropriate health and safety regulations must be complied with. Organic materials are light sensitive, and light levels should be maintained in accordance with recognised standards, with UV light excluded as far as possible.

## 2.8 Use, access and education

Practical study of human remains is a vital part of any higher education course that has a medical or osteological component. Prior to handling remains, students should be reminded of the ethical and legal obligations and should be provided with written guidelines on what respectful treatment means in practical terms.

Handling sessions at museums or at special events are a good way in which the general public may learn about archaeological remains. However, the use of human remains poses special problems. Direct contact by the general public may entail a greater risk of offending religious and other sensitivities than is the case in a more controlled environment. Those contemplating organising handling sessions should weigh carefully the potential benefits against the risks involved.

The photography of human remains for research, educational and general museum use will be acceptable in the vast majority of cases, although in considering any photography, views of cultural communities and genealogical descendants should be considered where known.

## Access policies

Any museum holding human remains for reasons other than research should make publicly available a clear strategy for their use and the reasons behind this. This might include such areas as display, teaching and other non-research use. There should also be a clear statement of research access, to include the circumstances under which researchers are permitted to work on material.

## 2.9 Research and sampling

Research on human remains may benefit from analysis requiring sampling, which in some cases may be destructive. Such actions should only be undertaken to the highest standards by appropriately qualified staff and students who will be able to remove the smallest quantity of material necessary for the scientific purpose.

All holding institutions should ensure that the scientific justifications for the removal of samples from human remains are made in advance and placed on file. Such justifications should be robust and reasons for approval given should be fully recorded. Justifications with the application, sample location and size, the sampling process and eventually the full records of the results of analysis are to be kept with the records for the particular remains sampled. In particular:

- Can the research question(s) be addressed using non-destructive techniques? Destructive sampling should only be contemplated if this is not so.
- Any programme of destructive analysis on human remains should take place within a planned research programme and should have a realistic prospect of producing useful knowledge.
- If the feasibility of a technique is questionable, but it is nevertheless deemed worthy of further investigation, consideration should be given to conducting a pilot study on a small number of samples before permission for a full programme entailing destruction of larger amounts is given.
- Only the quantity of material considered necessary to address the research questions should be taken as a sample. Any material removed but not destroyed during analysis should be retained in the collection.

All sampling should be fully documented so future researchers will know what has been taken. The skeletal element sampled should be fully recorded and measured prior to sampling. Under some circumstances (for example if the skeleton is intended for museum display or further metric work might be compromised) consideration should be given to producing a cast of parts that will be damaged or destroyed.

## Research agendas, frameworks and strategies

Any museum holding human remains for research reasons should construct and make public a clear research framework for their use, or show how remains relate to an existing research framework. It would be normal to review these frameworks regularly and ensure they stay relevant. Research potential will relate to both in house research by staff and students, and research carried out by the scientific community more widely (such as visiting researchers.)

This framework would normally include, although not necessarily organised in this way: a *Resource Assessment* that identifies the nature of holdings and the current state of knowledge for the research fields to which they relate (this will draw upon the inventory, below); a *Research Agenda* that states the areas of research that the material is considered to have the potential to address; and a *Research Strategy* that identifies priorities and methods for undertaking research. Many existing regional and national research frameworks exist to which individual museums may wish to refer or become linked.

## Research Register

Museums should maintain a publicly accessible research register. It should include:

- Project name
- Research objectives
- Date of research
- Outputs – publications and data holdings
- Research involving sampling

## 2.10 Inventories of collections

Museums should have a policy to compile and make public an inventory of their holdings of human remains. This should include known information about the date and provenance of the remains and their exact nature, and the circumstances of their acquisition. Information that should be made publicly available about human remains collections should include (where known):

1. *Numbers of remains*: This will normally be by individuals, but might also group remains into assemblages or series.
2. *Physical nature*: For example whether skeletal, how complete, their physical condition.
3. *Date*: The estimated date of death.
4. *Provenance*: Where the remains originated from and if known the context of their recovery and subsequent history.
5. *Status within a collection*: Whether they are fully accessioned, or for example on loan from another institution.

It is recommended that for remains that are more likely to be the subject of claims for return, more detailed information about their nature and associated archives should also be made available to assist those who might be seeking material. Preparing and making available inventories of these types of remains should be prioritised. However, museums should be aware that, in some cases, making information about remains public may offend affected communities. Care should therefore be taken and, where appropriate, consultation undertaken to establish the risk of causing such offence.

## Part 3: Claims for the return of remains

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### 3.1 Introduction

*“The express recognition that the concerns of various ethnic groups, as well as those of science, are legitimate and to be respected will permit acceptable agreements to be reached and honoured”.* (From the Vermilion Accord, World Archaeological Congress, 1989)

This part of the document provides a framework for handling claims for the return of human remains held in museums. It is primarily drafted in terms of claims for the return of human remains of overseas origin, as this is currently where the vast majority of such claims are being made, but in principle should be viewed as an overarching set of guidelines for claims regardless of their origin. It should be considered in reference to the other parts of the document, particularly the legal and ethical guidance in Part 1. This guidance only deals with human remains, not with any associated objects, although it is recognised that occasionally artefacts or non-human remains are physically bound-up with remains in such a way as to make them as one. It is also the case that in some cases claims for return will include a request for all records and archives associated with remains.

It is unquestioned that human remains had in the past, and continue to have, a key role in museum research and practice. They have the potential to make major contributions to the furtherance of knowledge, something of value for all humanity.

There is also no question that some human remains in museum collections were acquired in ways that would be deemed unacceptable. In many of these cases, individuals and communities have been left deeply distressed and wish to see the return of such remains or to gain some control over their future.

Requests concerning the appropriate care or return of particular human remains should be resolved by individual museums on a case-by-case basis. This will involve the consideration of possession; the cultural and religious values of the interested individuals or communities and the strength of their relationship to the remains in question; cultural, spiritual and religious significance of the remains; the scientific, educational and historical importance of the material. Also to be taken into account are the quality of treatment of the remains, both now and in the past in their current location and their care if returned.

In some cases, the arguments for return will over-ride any other consideration. In others, there will be no strong argument; for other cases, the right decision may seem less clear and be more finely balanced. This guidance aims to help museums distinguish between such claims, through an appropriate process for assessment, and to come to decisions that all sides can accept. In all instances, there will be a process for museums to go through in order to make a decision. Ultimate responsibility for the decision as to whether material should be retained or released will lie with the appropriate authorities within each museum or institution.

## 3.2 Background

### Requests for the return of human remains

Requests should be dealt with as an open and constructive dialogue between the museum and the claimants. However, as the current guardians of the remains, the museum will have the responsibility of making the decision over their future and this will make the process one-sided. It is hoped that, through time and a continuing open and constructive dialogue between museums and claimant groups, the process will become more equal. In the meantime museums should do everything in their power, through policies of openness, consultation and transparency of action to try and make negotiations as equitable as possible.

In some cases, if a museum authority wishes to return remains which are not deemed of particular scientific value, and a clear and uncontested group exists that is claiming them, a return can be dealt with rapidly. However, the process for return should always be clearly and openly recorded and communicated.

Initial contact from claimants is often not a request for return, but a request for information relating to whether remains exist and their condition and management. A willingness by museums to engage in a dialogue can lead to beneficial outcomes for both parties, even if no human remains exist in the museum or if no return takes place. Benefits might include sharing knowledge, good future relationships, and potential research opportunities.

### Reasons for requests being made

It is accepted that members of a family or wider community might wish to exert rights as to where human remains that relate to them are located and how they are treated. This is a subject for which generalisations are almost impossible. Precedent shows that claims can come from genealogical descendants, cultural community and nations. They can be made for religious or spiritual reasons, from the desire to lay ancestors to rest on ancestral land, on the basis of the infringement of human rights, or to correct perceived past injustices. Requests might also, for a variety of reasons, come from other museums or institutions.

### Context for responding to a request

The museum should prepare clear guidance for the public domain, that can be easily referred to and will explain and justify actions. This will include the criteria by which a claim will be assessed, the time span a request will take to be considered, the position of individuals within an organisation who will take responsibility for decision-making and communication and who will be consulted externally. It will also state who will be responsible for bearing the museum costs of processing a claim, although this would normally be the museum. The question of costs should not prevent the speedy resolution of a claim for return, or be used as an excuse to refuse a request for return.

This guidance should be made public before any cases for return are dealt with. Museums may wish to form advisory panels of experts to provide support in dealing with claims.

### 3.3 Procedural guidance

Once a request has been received and is under consideration for particular remains, thought should be given to whether research, teaching or display using the remains should continue or if this should be suspended pending the resolution of the claim.

This section provides a model process for handling claims for return. It deals with the practical steps that should help ensure the process is fair and well managed (procedures 3.3.1-3.3.6). Also set out is guidance on the criteria museums may wish to consider in coming to a decision (criteria A-L).

#### 3.3.1 Proposal

##### Receiving a request

It would be normal to expect a request to be received in a formal way and to be accompanied with as much supporting information as possible. A first principle for dealing with return is for museums to openly engage and enter into constructive dialogue with anyone making a claim.

##### Identify Post-Holder

A post-holder should be identified within the museum as the person who will take responsibility for dealing with the request and serve as the point of contact for the claimants. This person should have appropriate skills and training for the role.

##### Acknowledge

The claim should be formally acknowledged and the process for handling it described to the claimant.

##### Clarify Nature and Scope of Request

In order to consider the claim, the museum will need to clarify any issues that are pertinent to its decision and not apparent from the original request. This may include:

- the identity of the claimant(s) and any intermediary/representative
- the connection between the claimant(s) and the deceased and the basis for the claim
- the specific remains being claimed (the claimant may need the museum's assistance in identifying these)
- the claimant(s) wishes for the future of the remains
- any information the claimant has regarding other potential claimants

Consultation and communication with the claimant and others may be necessary at this stage to clarify some or all of the issues above. Expert advice, including from the national government of the country from which the claimant originates, may also be necessary.



### 3.3.2 Evidence gathering

The next stage in the process is to gather together a dossier or report. This will draw upon the evidence in the original claim, and would normally involve the gathering of new evidence concerning the request. It is suggested that the following criteria could be used as headings to prepare the report and consider evidence:

#### A. The status of those making the request and continuity with remains

**Genealogical Descendants:** If individuals can demonstrate a direct and close genealogical link to the human remains, their wishes would generally be given very strong weight. However, consideration should be given as to whether they are the only people in this category and if they are not, whether there was any risk of harm to others in this category if the request being made were granted.

There may be exceptional cases where remains would not be returned to genealogical descendants. However, it is expected that in the majority of cases they would be, or that consent would be required from the descendants for any further use by a museum.

In practice, individuals who died more than 100 years ago may have many descendants from more than one community, so genealogical descent alone may not be the only criteria considered.

In such cases, the museum will need to assess the range of potential claimants and gauge how the interests of these individuals might be balanced with any other relevant considerations. The ethical principles will help to guide museums through these cases. The principles of avoiding harm (to the particular individuals concerned) and solidarity (seeking co-operation and consensus) are likely to be particularly important here.

**Cultural community of origin:** The concept of a community can be a difficult one to define. The assumption is that human society is characterised by the creation of communities that individuals feel a part of and which take on a collective set of values, often identified by particular cultural behaviour. It is often far less easy to identify which particular cultural community, or part of a community, has the greatest authority in any particular instance.

When considering claims based on cultural links, museums will need to take care to verify that the group they are dealing with is the only potential claimant, or that, if it is not, the other potential claimants support them. For overseas claims, where there may be doubt on this, advice should generally be sought from the national government concerned. It might also be normal to look for precedents for how a community has acted in the past.

For a community to be recognised and their claim considered it would generally be expected that continuity of belief, customs or language could be demonstrated between the claimants and the community from which the remains originate. Cultures evolve and change through time but these changes can normally be recorded and demonstrated. The relationship between the location of the claimant community and the origin of the remains might also be a consideration.

It would be unusual to accept a claim for return from a group who did not either occupy the land from which the remains came, practice the same religious beliefs, share the same culture or language, or could not demonstrate why this was no longer the case.

A museum will need to be assured that a sufficient link does exist and that the group they are dealing with has sufficient authority to make a community claim.

A clear demonstration of a continuity of association between the claimant and the remains will be of great importance in dealing with any claim.

**The Country of Origin:** In some cases a nation may make a claim for remains, either on behalf of a particular community or for all of its nationals. Such a claim would be considered along similar lines to claims based on cultural community.

### **B. The cultural, spiritual and religious significance of the remains**

Where claims are made it would be expected, but not essential, for the claimant group to show that human remains and their treatment have a cultural, religious or spiritual significance to their community. The claim may be being made purely on cultural, spiritual or religious grounds. The claimant group may show that remains were removed without the permission of their community, or at least outside its laws and normal practices. Further the claimant may show that the correct “laying to rest” of remains is of religious or spiritual importance.

The remains might also be of a particular cultural significance to a community, for example as being from an important family or representing war dead, or victims of a particular event, such as a massacre.

Demonstration through some or all of the ways above, of strong continuous cultural, spiritual or religious significance of particular human remains, will add weight to a claim. This is particularly so in cases where there is clearly a risk of harm to the individuals or communities concerned, for example, where the continued holding of the remains by a museum perpetuates a strong feeling of grief amongst claimants.

### **C. The age of remains**

The vast majority of claims that have been made for return have concerned the remains of overseas people who died within the last 100-300 years. This corresponds most closely to the period when expansion took place by European powers with its subsequent effect on Indigenous peoples – a period that does not go back further than 500 years. It is also the period in which it is more likely for a close genealogical link to be made between the living and the dead.

Archaeological and historical study has shown that it is very difficult to demonstrate clear genealogical, cultural or ethnic continuity far into the past, although there are exceptions to this. For these reasons it is considered that claims are unlikely to be successful for any remains over 300 years old, and are unlikely to be considered for remains over 500 years old, except where a very close and continuous geographical, religious, spiritual and cultural link can be demonstrated. Some cultures put more emphasis on association with land that has a cultural, spiritual or religious importance and less on relative age. In such cases, the chronological age of the remains may be less significant.

### **D. How the remains were originally removed and acquired**

There are many cases of human remains being removed and studied without dispute. There are other instances, particularly during the 19th and early 20th century, of remains being removed against the will of individuals, families and communities.

### **E. The status of the remains within the museum/legal status of institution**

The museum should be sure of the exact legal status of the remains within their collections and that they have the right to make decisions over their fate.

The museum should identify the remains being claimed and then ascertain why they are being held and how they have been, and are likely to be, used:

1. Are the remains fully documented and the information about them publicly available?
2. Do they have continued, reasonably foreseeable, research potential?
3. Do they form part of a documented access strategy?
4. Are they curated according to the very highest standards?
5. Are they curated in such a way as their long-term preservation is assured?
6. Can the long-term security of the remains be guaranteed within the museum?

#### **F. The scientific, educational and historical value of the remains to the museum and the public**

Many human remains have undoubted potential to further the knowledge and understanding of humanity through research, study and display. In considering a request for return of human remains, a museum should carefully assess their value and reasonably foreseeable potential for research, teaching and display and should ensure that specialists with appropriate knowledge and experience have assessed this.

If the remains do have value for research, teaching and display, a museum should decide whether this can override other factors, particularly such as the wishes and feelings of genealogical descendants or cultural communities.

#### **G. How the remains have been used in the past**

In considering the future of remains, consideration may be given to what use they had been put in the past. Evidence of extensive previous research use would normally support an argument for scientific value.

#### **H. The future of the remains if returned**

The care of remains, if returned, also requires consideration. Some requests might require re-burial or removal from the public arena, whereas some claimants may be prepared to keep the remains in such a way that future research, teaching or even display is possible.

#### **I. Records of the remains**

Whether a record of the remains exists, or can be made before return, might be a factor in making a decision.

#### **J. Other options**

There may be more than two options when a claim is made. Museums should explore further alternatives if this helps in reaching a consensus. For example, it may be possible that remains would stay in the museum, but a claimant group would gain a level of control over their future use.

#### **K. Policy of the country of origin**

Some nation states have developed domestic legislation or policy to govern claims for the return of remains. Museums would normally expect to be aware of any policies of the national government from which a claim originated. It is worth considering how a claim would be resolved if made in the country from which the claimants originate, as well as the expectations of the claimant based on the practice in their country of origin.

## L. Precedent

Claims will generally be dealt with on a case-by-case basis. However, it would be expected that a museum would review past cases of claims made to it, or claims of a similar kind made to other museums and their outcomes, as well as giving some thought to the impact of any decision on future claims.

### 3.3.3 Synthesis and analysis

Once all this evidence has been gathered, the museum will prepare a synthesis of its findings and consider the options and actions available. A full, open and ongoing, dialogue should take place with the claimants, using the relevant criteria and evidence gathered.

This is the critical stage in the process. The museum will weigh up the evidence gathered and use ethical and legal guidance to consider the different criteria. The final decision made will result from synthesis and analysis of the evidence gathered. There should be an emphasis on transparency in undertaking such analysis.

### 3.3.4 Advice

An institution may wish to take external expert advice that it does not hold in-house. This may come from a pre-arranged advisory panel or need to be specifically commissioned for a particular case.

### 3.3.5 Decide case

A full written report of all the facts, factors and evidence should be prepared and presented to the governing body to form the basis of their decision.

Decisions made on a claim will be reached by weighing up the criteria outlined above. The decision will lie with the governing body of the museum, not with any one individual.

### 3.3.6 Action

Once the decision has been made, the reasons for it should be documented and archived along with the preparatory report and all correspondence related to the case.

The museum's governing body should formally ratify the decision and the process should be fully recorded and archived.

Claimants should be informed of the decision and its reasons made clear to them. They should be allowed time to respond. It is possible that further discussions would continue. Cases should not be considered in terms of either/or, but in finding a consensus as to the most appropriate future for the remains. If a request for return is declined this should not preclude future dialogue or communication between parties.

A museum may have put a process in place for parties to appeal against a decision. If so this will need to

be publicly stated and advertised before any proceedings begin. Any process would ideally be undertaken by people different from, and not directly associated with, those involved in the first decision.

The museum should also put in place a practical procedure for implementing a decision to cover such items as timescale and costs. Museums should ensure they learn from the process of dealing with claims and build any lessons into their systems for the future.

## References

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Church of England and English Heritage (2005) *Guidance for Best Practice for treatment of Human Remains Excavated from Christian Burial Grounds in England* C of E, English Heritage.

DCMS (2003) *The Report Of The Working Group On Human Remains*. DCMS

DCMS (2004) *Care Of Historic Human Remains. A Consultation Report Of The Working Group On Human Remains*. DCMS

English Heritage (1996) *Frameworks for Our Past*. English Heritage

Museums Association (2002) *Code of Ethics for Museums*. Museums Association

Museums and Galleries Commission (2000) *Restitution And Repatriation. Guidelines For Good Practice*. Museums and Galleries Commission

Museum Ethnographers Group (1994) "Professional guidelines concerning the storage, display, interpretation and return of human remains in ethnographical collections in United Kingdom museums", *Journal Of Museum Ethnography*, 6.

World Archaeological Congress (1989) *The Vermillion Accord, Archaeological Ethics and the Treatment of the Dead, A statement of principles agreed by archaeologists and Indigenous peoples at the World Archaeological Congress*.

## Appendix 1: Sources of Advice for parts 2 and 3 of the guidance

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### **US National NAGPRA Offices**

National NAGPRA Program (US Postal Service)

National Park Service  
1849 C Street, NW (2253)  
Washington, D.C 20240

National NAGPRA Program (Commercial Delivery Services)

National Park Service  
1201 Eye Street, NW (8th Floor)  
Washington, D.C 20005

Telephone: 202-354-2201

FAX: 202-371-5197

E-mail: NAGPRA\_Info@nps.gov

### **UCL Museums and Collections Petrie Museum**

Malet Place,  
London WC1E 6BT

Tel: 020 7679 2825

Fax: 020 7679 2886

[www.museum.ucl.ac.uk](http://www.museum.ucl.ac.uk)  
[www.ucl.ac.uk/panopticon](http://www.ucl.ac.uk/panopticon)

### **Pitt Rivers Museum Research Centre**

64 Banbury Road  
Oxford OX2 6PN

Tel. 01865 284662

### **Department for Culture, Media and Sport**

2-4 Cockspur Street  
London  
SW1Y 5DH

### **Te Papa Museum of New Zealand**

PO Box 467  
Wellington  
New Zealand

Tel: +64 (0)4 381 7000

Fax: +64 (0)4 381 7070

[mail@tepapa.govt.nz](mailto:mail@tepapa.govt.nz)

**Council for Museums, Libraries and Archives**

16 Queen Anne's Gate

London

SW1H 9AA

Tel: 020 7273 1444

**Museums Association**

24 Calvin Street

London E1 6NW

Tel: 020 7426 6970

Fax: 020 7426 6961

Email: [info@museumsassociation.org](mailto:info@museumsassociation.org)

**Office of Indigenous Policy Co-ordination**

PO Box 17

Woden ACT 2606

Australia

Switchboard: 02 6121 4000

Fax: 02 6281 0772

Media enquiries:

Brian Aarons on 02 6121 4010 or 0400 585 008

**Australian High Commission**

High Commissioner: Mr Richard Alston

Strand

London

WC2B 4LA

Tel: 020 7379 4334

Fax: 020 7240 5333

**New Zealand High Commission**

New Zealand House

80 Haymarket, London,

SW1Y 4TQ

**Tel:** 020 7930 8422

**Ministry for Culture and Heritage (New Zealand)**

PO Box 5364

Wellington

New Zealand

Tel: 64 (0)4 499 4229

Fax: 64 (0)4 499 4490

[info@mch.govt.nz](mailto:info@mch.govt.nz)



## Appendix 2: Basic checklist for museum actions

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The following checklist is offered in the hope that it may be helpful in considering what actions should be taken to address the recommendations of this guidance document. At the same time it is recognised that the circumstances of different museums and other institutions holding human remains vary widely:

- Establish whether human remains are held by the Museum

If the collections include human remains:

- Evaluate level of expert advice available to the museum. Arrange sources of external advice if insufficient expertise is available in house
- Review catalogue/inventory information and whether improvements are needed.
- Review storage/display/access conditions and whether short-term improvements are needed.
- Decide whether the museum wishes to retain human remains or endeavour to transfer them to another museum, or to initiate return or reburial

If remains are to be retained:

- Review/prepare museum policies and procedures, and make them accessible.
- Make appropriate catalogue/inventory information accessible
- Review storage/display/access conditions and whether long-term improvements are needed.
- Formalise long-term sources of external advice and expertise if necessary
- Improve in-house skills and knowledge if necessary

## Appendix 3: List of those who responded to the consultation of this document

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<b>Name</b>	<b>Organisation</b>
Mr W A Perry	The Wiltshire Archaeological and Natural History Society
Dr Darryl McIntyre	Museum of London
Stella Mason	The Royal College of Surgeons of England
Dr Jennie Robinson	University of Central Lancashire
Nick Dodd	Sheffield Galleries and Museums Trusts
Professor Rosalie David	The University of Manchester
Robert Crawford CBE	Imperial War Museum
Turei Reedy	Museum of New Zealand
Eurwyn Wiliam	National Museums and Galleries of Wales
Sally MacDonald	UCL Museums and Collections
David W Phillipson	University of Cambridge Museum of Archaeology and Anthropology
Dr Joseph Elders	The Church of England
Professor Tony Waldron	Institute of Archaeology, UCL
Dr DJ Marchant	Museums Registrar, East Riding of Yorkshire
Richard Alston	Australian High Commission
Sarah Levitt	Leicester City Museums
Dr Laura Peers	Pitt Rivers Museum
John Millard	Liverpool Museum
Professor Alan Bilborough	University of Durham
Peter Boyden	The National Army Museum
Professor Graeme Baker	McDonald Institute for Archaeological Research
Emma Martin	Museum Ethnographers Group
Nicola Johnson	University Museum Group
Joanne Orr	Scottish Museums Council
Dr Colin Podmore	The Churches' Funeral Group
Tim Compton	Natural History Museum

Martyn Cooke	Royal College of Surgeons of England
Peter Hinton	Institute of Field Archaeologist
Jonathan Parkhouse	Warwickshire Museum
Guy Purdey	South East Museum Library and Archive Council
Dr James Steele	British Association for Biological Anthropology
Chris Cumberpatch	RESCUE – The British Archaeological Trust
Caroline Reed	Archives, Libraries and Museums London
Tristram Besterman	Manchester Museum
Laurence Reynolds	The Museums of the University of Oxford
Alison Hems	Museums, Libraries and Archives Council
Caitlin Griffiths	Museums Association
Helen Maclagan	Warwickshire Museum
Dr Joanne Wilton	University of Birmingham
Bill White	Museum of London, Centre for Human Bioarchaeology
Elizabeth Barham	UKIC Archaeology Section
Marta Mirazon Lahr	Leverhulme Centre for Human Evolutionary Studies, University of Cambridge
P.J. Ucko	Institute of Archaeology, UCL
Senator Amanda Vanstone	Australian Government
Philip Wise	Society of Museum Archaeologists
Justin Morris	British Museum
Helen Clark	New Zealand Government
Mark Pollard	University of Oxford
Jeff West	English Heritage
Richard lane	Natural History Museum
Sir Peter Morris	Royal College of Surgeons of England
Chris Batt	The Museums, Libraries and Archives Council
Lord Sainsbury of Turville	Department for Trade and Industry
Dr Graham Philip	University of Durham
Paul Evans	Royal Armouries
Emma Restall Orr	Honouring the Ancient Dead



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