

Consultation Draft 28.5.05

**A Code of Practice for The Care of Human Remains in
Museums**

DCMS Human Remains Code Drafting Group

Contents

Introduction

Background

Acknowledgements

Glossary and Interpretations

Part 1: Legal and Ethical Framework

1. Legal Framework

Legal issues arising from the care and use of human remains

Legal issues arising from decisions to deaccession human remains

2. Ethical Framework

Background

Purpose

Procedural Responsibilities

Ethical Principles

Part 2: The Curation, Care and Use of Human Remains

Introduction

1. Museum Governance and Expert Advice

2. Acquisition

3. Loans

4. Disposal

5. Storage, Conservation and Collections Management

6. Public Display

7. Use, Access and Education

8. Research and Sampling

9. Inventories of Collections

Part 3: Claims For The Return Of Remains

Introduction

1. Background

Requests For The Return Of Human Remains

Reasons For Requests Being Made

Context For Responding To A Request

2. Procedural Guidance

1. Receive a request

2. Identify person who will take responsibility for dealing with the request

3. Acknowledge
4. Clarify the nature, scope and reasons for claim
 - A. The Status Of Those Making The Request and Continuity with Remains*
 - B. The Cultural And Religious Significance Of The Remains*
 - C. The Age Of Remains*
 - D. How The Remains Were Originally Removed And Acquired*
5. Confirm status of remains in collection
 - E. The Status Of The Remains Within The Museum/Legal Status Of Institution*
 - F. The Scientific, Educational and Historical Value Of The Remains To The Museum and the Public*
 - G. How The Remains Have Been Used In The Past*
6. Inform All
7. Gather external evidence and advice
8. Discuss case with claimants
 - H. The Fate Of The Remains If Returned*
 - I. Records Of The Remains*
 - J. Other Options*
9. Decide case
 - K. Policy Of The Country Of Origin*
 - L. Precedent*
10. Prepare report
11. Inform claimants
12. Ratify decision and record process
13. Inform all
14. Allow for appeal?
15. Act on decision
16. Review proceedings

References

Appendix 000: Relevant National Government Agencies To liaise With Regarding Indigenous Claims (to do)

Introduction

This Code of Practice provides guidance for museums and other institutions in England, Wales and Northern Ireland that hold historic and ancient human remains in permanent collections. A definition of human remains as used in this code is given in the glossary.

This Code 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 aimed to accompany Section 47 of the 2004 Human Tissue Act that allows 9 named national museums to de-accession human remains under 1000 years old. However, this code is not statutory but represents recommended best practice. It is also recognised that many types of museum and institution hold ancient human remains. These collections also vary considerably in size and are held for different purposes. Therefore, although this code attempts to be all encompassing it is recognised that different organisations will use it in different ways and how it is applied will be proportionate to the size and nature of collections. Institutions holding collections are recommended to develop and adapt it to their needs in line with the principles of best practice outlined here.

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 2004 Human Tissue Act will govern human remains less than 100 years old in Museums and institutions.

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

Background

Human remains have a unique status within museum collections. They provide a clear contribution to the public good, through research, teaching and, in appropriate cases, display. In many cases, 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.

Within Britain 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 Britain human remains are treated with respect but 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 ancient human remains in Britain is uncontroversial to most people and has very wide popular and academic support. Research into our past helps us to understand ourselves better and to learn from past experience, and emphasises our shared humanity. Ancient 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 study of ancient human remains also contributes to the treatment of disease, and to the development of forensic science that assists in the identification of human remains and in crime detection. These benefits are likely to increase as research methods advance.

However, there is also recognition that because of their origin human remains should hold a unique status within collections and this puts responsibilities on the museum in the way they are acquired, curated and displayed. It is also the case that a number of human remains held in British museums and collections were acquired, often between 100 and 200 years ago from Indigenous peoples in colonial circumstances where there was a very uneven divide of power. There has also been recognition that some human remains were acquired in circumstances that by modern standards, and those of the time, would be considered unacceptable.

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 worldwide scientific community. Governing bodies, museum curators and others have to evaluate these potentially competing interests and acknowledge that ideas about the legal and moral aspects of holding remains 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 most ancient human remains is uncontroversial, but in some cases other factors will outweigh their continued use and retention. But this should not result in a barrier to straightforward

research. Work on human collections is fully supported at Governmental level, and institutions with human remains have that support.

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). And was provided support by James Dowling (Departure for Culture Media and Sport), Maria Mourin (Departure for Culture Media and Sport), 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, Joseph Elders (Church of England), Chris Stringer, Richard Lane, Norman McLeod, Louise Humphrey (all Natural History Museum), Lissant Bolton, Colin McEwan (British Museum), Alison Hemms (MLA), Henrietta Lidchi (National Museum of Scotland).

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 Code, 'human remains' builds on the definition of 'relevant material' in the Human Tissue Act (defined below; this will be particularly relevant to those holding human remains less than 100 years old). Human remains comprise parts 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, and slide preparations of human tissue.

The definition does not include hair and nails. Human remains also include any of the above that may have been modified in some way by human skill and/or may be 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.

In the Human Tissue Act 2004, 'relevant material' is defined as:

(1) In this Act, "relevant material" means material, other than gametes, which consists of or includes human cells.

(2) In this Act, references to relevant material from a human body do not include-

- (a) embryos outside the human body, or
- (b) hair and nail from the body of a living person.

Ancient Human remains. Human remains as defined above that are held by museums or other institutions because of their historical, anthropological, biomedical or archaeological interest and will normally be over 100 years old.

Genealogical descendants. Discussed in more detail in Part 3.2.4(A) below. People who can trace direct genealogical descent to ancient human remains.

Cultural community. Discussed in more detail in Part 3.2.4(B) below. A group who identifies themselves as a community and would normally be expected to have a shared geographical location, and shared cultural and religious beliefs and language. Or to share some of these facets.

Museums. In this report refers to all museums and any other institution permanently holding remains as collections. Reference to 'museums' throughout does not imply that non museums are covered by the same governance, or that other institutions which hold human remains have the same functions as museums.

Institutions who hold human remains on a temporary basis. It is recognised that some other institutions, particularly archaeological field units and university archaeological departments also hold human remains. Such institutions differ from museums in that material is generally held on a temporary rather than a permanent basis. The principles of storage, collections care and access applies equally to such institutions.

Bound up Material. Objects or material other than human remains that are in some way 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

1.1 Legal Framework

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 tissue¹ 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 display². (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 taken³. Significantly, existing holdings⁴ and human remains that are older than 100 years fall within exemptions to the requirement for consent. In practical terms, this means that the activities of museums and other institutions with collections of historic human remains fall largely outside the consent regime of the Act because of the age of the majority of the remains in their collections. The accessioning of more recent human remains is the only circumstance in which it is envisaged that consent will need to be established by the institution concerned⁵.

The Human Tissue Act also creates a Human Tissue Authority⁶, which is to administer a licensing regime⁷ 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.

¹ 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.

² See Schedule 1 to the Human Tissue Act 2004.

³ See sections 1 and 5 of the Human Tissue Act 2004.

⁴ “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.

⁵ A code of practice giving guidance on consent will be developed by the Human Tissue Authority.

⁶ 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 one hundred year period.

⁷ 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 ago⁸.

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 Code applies to all such remains and activities.

Legal issues arising from decisions to deaccession human remains

Ability to deaccession human remains

Museums intending to deaccession 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 museums⁹ the power to de-accession human remains where the remains are those of a person reasonably believed to have died less than 1,000 years before the date that section 47 comes into force; prior to section 47 coming into force, these museums had been unable to deaccession human remains except in very limited circumstances. It is not thought that other museums are subject to any statutory bar to the deaccessioning 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 deaccession 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 human remains have presented legal difficulties in practice. The laws of England, Wales and Northern Ireland 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 even in circumstances where international law appears to support claims to human remains. However, jurisdictions other than England and Wales may recognise certain rights over human remains¹⁰, or rights of burial. Consideration may need to be given to the existence of such rights in relation to the holding of overseas remains in UK institutions. 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 Remains¹¹.

⁸ Section 45 of the Human Tissue Act 2004.

⁹ 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.

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

¹¹ Report of the Working Group on Human Remains (DCMS, 2003)

Human rights

Human rights may also need to be considered, particularly in relation to the national museums, as museums fulfil functions of a public nature and might well qualify as a 'public authority' for the purposes of the Human Rights Act 1998. It is unlawful for a public authority to act incompatibly with the rights established by that Act. However, 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.

Judicial review

Judicial review is the process by which the courts may review a decision taken by a 'public body'¹². Where human rights are in question, the courts may also review decisions taken by a public authority. A claimant may be able to apply for judicial review of a decision taken by a museum in relation to a claim for the return of human remains. The main grounds for challenge by judicial review are illegality of the decision, irrationality and unfairness (or procedural impropriety). The courts are able to review the manner in which the decision was taken – but not the decision itself. The court may direct a number of outcomes, including quashing the decision, in which case the museum would have to retake the decision, and, potentially, ordering the payment of damages where human rights have been breached.

Museums should therefore make decisions in relation to claims for the return of human remains in a manner that is transparent (i.e. by giving reasons) and meets the principles of fairness and natural justice. For example, decisions should not fail to take account of all relevant factors, and museums should not make decisions that do not follow published procedures or that are contrary to stated museum policy. Museums should also consider whether to offer claimants the opportunity to ask for a decision to be revisited. Further information on judicial review may be found, for example, at www.publiclawproject.org.uk.

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

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.

¹² The term 'public body' encompasses bodies that are emanations of the state such as government ministers and departments, local authorities, schools etc. It is questionable whether a museum would be a 'public body' for judicial review purposes except where the museum is a 'public authority' for Human Rights Act purposes.

The ethical issues raised by historic 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 much less analysis and discussion of the issues associated with older human remains, particularly of the moral questions raised. 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 part 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 part 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 remains.

The framework builds on the work of the Palmer Working Group on Human Remains, 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. A discussion on Christian thinking with regard to human remains can be found in CofE/EH 2005.

Purpose

The procedural and ethical principles set out in this framework underpin the more detailed guidance set out in the rest of this Code – 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, and
- encourage good communication between museums, individuals and communities, and the public more broadly.

Procedural Responsibilities

In handling and caring for human remains and making decisions or choices concerning their care and retention, Museums should demonstrate the following:

- 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 you may have 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 weigh things up to determine the appropriate balance. Museums may well find the input of an advisory panel particularly helpful in this regard (further guidance on the use of advisory panels is set out at page 000).

1 *Solidarity – furthering humanity through cooperation 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 cooperation 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, cooperation 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.

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 ones 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 a human remain 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 societies (past, present and future) benefit both personally and indirectly, through the benefit to their loved ones, descendants and communities, from the fruits of science. Scientific research, for example, plays a critical role in improving the treatment of illness and disease, and in enhancing an understanding of humanity. The scientific value of human remains, and the spirit of scientific enquiry that leads institutions to hold and care for remains, offers great potential benefit to individuals, communities and humanity.

4 Beneficence – *doing good, providing benefits to individuals, communities or the public in general*

Beneficence would dictate that you do good 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).

5 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. This might include, for example, not disclosing information about an individual that may cause them, or their relatives, embarrassment or offence.

Part 2: The Curation, Care and Use of Human Remains

Introduction

This part of the Code gives basic guidance on how ancient human remains should be cared for within institutions. It is based on the concept that human remains are a unique category of material and of high research value and should be treated with dignity and respect. Museums holding human remains must adopt the highest standards of collections management, transparency, accountability, and communication. The highest standards of care are owed to all human remains, regardless of their age, origin, or the circumstances of their arrival in the collection.

2.1 Museum Governance and Expert Advice

Museums should put in place appropriate guidance and 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. Where this is not available in its own staff museums should seek appropriate advice on policies, procedures and acts of return. They may consider establishing an advisory framework of some kind such as a panel of their own, or one that is supported by a number of institutions. A panel may be particularly valuable in providing independent expert advice in issues such as the request for the return of human remains (see part 3.) For matters relating to Christian human remains from English Christian sites a panel has been formed (see CofE/EH 2005).

Museums should put in place, make public and as necessary review, a policy on human remains in their care. Within a policy on human remains a museum would expect to include the following areas:

- Acquisition
- Loans
- Disposal including 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. These issues are dealt with in more detail below.

2.2 Acquisition

In general, and subject to significant exceptions, an institution cannot acquire legal title to human remains, since currently under English law, no one can own a human body (or, by extension, a part of a body). Consequently the usual principles of acquisition that apply when

a museum acquires an object cannot apply (see legal guidance paragraph 6). It is preferable to formulate the institution's holding in terms of rights and responsibilities arising otherwise than from formal ownership, recognising that museums which comply with their obligations have lawful possession, albeit subject to any superior rights.

Museums will continue to acquire human remains and to add them formally to the collection, so long as the museum is satisfied, as far as is possible, 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. Acquisition of material under 100 years old will 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 reflect this transfer of interest and responsibility 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 must include a mechanism for reliably confirming that any donation is properly authorised and documented.

Acquisition by excavation. Once buried in England or Wales, 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 (C of E/EH 2005). Remains removed in the course of archaeological excavations (including those resulting from development) are subject to a Home Office 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. 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 human remains.

Human remains excavated outside England, Wales and Northern Ireland are rare these days, as it is the expectation that they will be kept by the country of origin. However they can be transferred to a museum, provided that the excavation, removal and export of the human remains have been conducted in accordance with legal requirements of the country concerned. All authorisations must be fully documented.

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

2.3 Loans

Human remains can be loaned to other institutions for various reasons. These might include for display and research. Any institution asked to loan material should satisfy themselves that any borrowing institution satisfies the legal, ethical and practical considerations dealt with elsewhere in this code.

2.4 Disposal

Claims for the return or reburial of human remains are considered in part 3. Any institution wishing to dispose of 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. The act and method of disposal should take into account the wishes of the deceased or the deceased's kin, if known.

Many ancient human remains, for example those disinterred as a result of rescue archaeology, have been removed on the authority of a Home Office 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. If the remains can be identified to a particular extant faith or community, their views and beliefs on the treatment of human remains must be taken into account.

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, following the guidance given in *Strategic Guide to Clinical Waste Management* (NHS January 1994) and *Safe Disposal of Clinical Waste* (Health Services Advisory Committee September 1999). The Human Tissue Act 2004 also deals with matters of disposal.

In the case of burials from Christian contexts in England the Church of England/English Heritage (2005) guidance should be used.

2.5 Storage, Conservation and Collections Management

The storage of human remains retained by museums ought to be in accordance with the highest professional standards. All storage, whether on or off site needs to be actively managed and monitored and meet suitable standard 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 for human remains 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. 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 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.

These standards may be altered or strengthened as a result of consultation with genealogical descendents or cultural communities or relevant faith organisation.

Human remains must 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 curatorial, research and cultural reasons for individuals to be separated out it is important to give each a separate storage box.

Current U.K. museum practice favours the use of inert packing materials, but other cultures may have a view on different types of packaging.

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 descendents or cultural communities, or relevant faith organisations also need to be taken into consideration.

In the case of Christian remains there is no theological position on coffin fittings or other grave furnishings and therefore no spiritual impediment to storing such items separately. It is generally believed that interred personal items have no import for the afterlife of the deceased. However, in taking account of the wishes of genealogical or cultural descendants or a relevant faith organisation, consideration should be given to the storage manner and location of items of sentimental or of personal significance to the individual or descendants (e.g. betrothal rings).

Marking and labelling.

For skeletal remains, in order to minimise the risk of loss or dissociation, the site code and context number should be marked on the bones in waterproof ink. Although this is standard practice for English remains, and generally best curatorial practice, curators should remember that this may not always be acceptable for remains from other cultures.

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 should always apply, avoiding treatments that will contaminate or damage human remains. Bone should always be kept clean and dry. Any conservation work undertaken must be done in accordance with strict protocols and policies and only undertaken when absolutely necessary.

Preventive and remedial conservation should be carried out or supervised by a qualified conservator trained and experienced in caring for biological materials. Freelance conservators should be drawn from the UKIC Register (<http://www.ukic.org.uk>).

2.6 Public Display

Visitor surveys show that the vast majority of museum visitors are comfortable with, and often expect to see skeletons as parts of museum displays. Careful thought should be put into the reasons for, and circumstances of, the display of human skeletons.

Some museums have taken the decision not to display human remains, or images of human remains, to the public. But displays of ancient human remains can be seen in many museums. There are many valid reasons for using human remains in displays: to educate medical practitioners, to educate people in science and history, to explain burial practices, and to encourage reflection.

A museum must always have a clear interpretative purpose for any display. 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 in another way. Displays of human remains should always be accompanied by sufficient explanatory material.

The efficacy of interpretation and the acceptability of display will be immeasurably improved through formative evaluation, which should involve careful consultation with target audiences.

Those planning displays of human remains should consider how best to prepare visitors to confront them respectfully, or to warn those who may not wish to confront 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. Human remains and burials should be displayed in high quality plain cases.

Display conditions, like storage conditions, should be safe, secure and watertight with stable, monitored environments, which are kept clean and regularly checked for pests, damaged and leaking storage containers 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. These basic standards may be altered or strengthened as a result of consultation with genealogical or cultural descendants, or relevant faith organisations.

2.7 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. Using human remains to train medical professionals, archaeologists and osteologists is essential provided that remains are treated respectfully. Prior to handling human remains, students should be reminded of the ethical and legal obligations with regard to this, and they 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. It is difficult to ensure that they are treated with proper respect and it may also be difficult to prevent damage to, or theft of, remains. Direct contact with human remains by the general public may entail a greater risk of offending religious and other sensitivities than is the case in a more controlled environment, like a visit to an excavation, where contact with human remains is restricted to staff, or in a university teaching laboratory where it is restricted to staff and students. Those contemplating organising handling sessions involving human remains should weigh carefully the potential benefits against the risks involved; it may be preferable to use plastic skeletons or anatomical casts rather than human remains for such purposes.

Access Policies

Any museum holding human remains for reasons other than research, or those holding remains not purely for research should make publicly available a clear strategy for their use and the reasons behind this. This might for example include such areas as display, teaching and other non-research use. In the case of teaching collections the circumstances under which the remains were used would be included.

There should also be a clear statement of research access. This will include the circumstances under which researchers are permitted to work on material.

When considering access strategies for human remains museums should take account of the religious and cultural views of the genealogical descendents or cultural community of any remains in their care.

2.8 Research and Sampling

Research on human remains may benefit from analysis requiring destructive sampling. Such actions must only be undertaken to the highest standards by professionally qualified individuals who will be able to remove the smallest quantity of material necessary for the scientific purpose.

All holding institutions must ensure that the scientific justifications for the removal of samples from human remains are made in advance for scrutiny and placed on file. Such justifications should be robust and reasons for approval given must 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 (e.g. 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 (visiting researchers, etc.)

This framework would normally include: *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 (above); *A Research Agenda* that states the areas of research that the material is considered to have the potential to address; *A Research Strategy* that identifies priorities and methods for undertaking research.

Research Register

Museums should maintain a publicly accessible research register. This will also state the details of any research that involves sampling, including destructive sampling of remains. They should also state, where practical, what research has taken place in the past and where this is published and archived.

The register should include:

- Project name
- Researchers names and contact details
- Research objectives
- Date of research
- Outputs – publications and data holdings

2.9 Inventories of Collections

It is recommended that museums should have a policy to 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. Inventories should be compiled and made accessible, where possible following full consultation with any relevant affected communities for whom there may be sensitivities.

Summary of information that should be made publicly available about human remains collections (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. 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

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 Vermillion Accord, World Archaeological Congress, 1989)

This part of the Code provides a framework for handling claims for the return of ancient human remains held in museums. It provides procedural guidance and sets out criteria that museums may wish to consider in handling claims. It is primarily drafted in terms of claims for human remains of overseas origin, as this is currently where such claims are being made, but in principle should be viewed as an overarching set of guidelines for human remains regardless of their origin. It should be considered in reference to the other parts of the code, particularly the legal and ethical guidance in Part 1. This code only deals with human remains, not with any associated objects, although it is recognised that occasionally artefacts or non human remains are bound-up with remains in such away as to make them as one.

It is unquestioned that human remains have 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 today, and indeed at the time, would be deemed unacceptable, and which in many cases have left individuals and communities deeply distressed, wishing to see the return of such remains or to gain some control over their fate.

Requests concerning the appropriate care or return of particular human remains must 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 groups and the strength of their relationship to the remains in question; cultural and religious significance of the remains; the scientific, educational and historical importance of the material. The quality of treatment of the remains, both in their current location and in their care if returned are also factors to be taken into account.

In some cases the arguments for return will over-ride any other consideration. In others there will be no strong argument for return. In 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.

Responsibility for the decision as to whether material should be retained or released will lie with the appropriate authorities within each museum or institution.

3.1 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 fate, and this will make the process one-sided. It is hoped that through time and through a continuing open and constructive dialogue between museums and claimant groups the process will become more straightforward and more equitable. 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 and they are not deemed of particular scientific value, and a clear and uncontested group exists who are claiming them, a return can be dealt with rapidly. However, the process for return should always be clearly and openly recorded and communicated.

Reasons For Requests Being Made

It is accepted that members of a family or wider community might for a number of reasons wish to exert rights as to where human remains that relate to them are located and how they are treated. However, this is a subject for which generalisations are almost impossible. Precedent shows that claims can come from genealogical descendents, cultural groups and nations. They can be made on the basis of the infringement of human rights, for religious reasons, the desire to lay ancestors to rest on ancestral land, and 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 that is to be put in the public domain, can be easily referred to and that 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's costs of processing a claim, and 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 information should be decided upon and 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.

3.2 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 concerned should continue or if this should be suspending 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 1-16). Also set out is guidance on the criteria museums may wish to consider in coming to a decision (criteria A-L).

1. Receive 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.

2. Identify person who will take responsibility for dealing with the request

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 experience and training for the role.

3. Acknowledge

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

4. Clarify the nature, scope and reasons for claim

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 nature of the claim
- the specific remains being claimed (the claimant may need the museum's assistance in identifying these)
- the claimant(s) intentions for the future care/ treatment 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.

The nature of the claim should be considered using the following criteria:

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 examples human remains would be returned to genealogical descendants, or that consent would be required from them for any further use by a museum of remains.

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

In such cases, the museum will need to consider the scope of the class of potential claimants and assess 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 cooperation 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. All would accept 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 and can often be identified by particular cultural behaviour. It is often far less easy to identify which particular cultural community, or part of a community, has the authority to make decisions 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 are the only potential claimants, or that if they are not, they are supported by the other potential claimants. 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 group to be recognised and their claim for human remains considered it would generally be expected that as a minimum the claimants could demonstrate a continuity of belief, location, customs and language between themselves and the community from which the remains originate. Cultures evolve and change through time but these changes can normally be recorded and demonstrated.

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, or share the same culture and language. Or could not demonstrate why this was no longer the case.

A museum will need to be assured that a strong cultural link does exist and that the group they are dealing with has sufficient authority to make a community 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 And Religious Significance Of The Remains

Where claims are based on cultural or religious community, it would be expected, but not essential, for the claimant group to show that human remains and their treatment have a religious significance to their community. 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 was of religious importance.

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

Demonstration through some or all of the ways above, of strong cultural and religious significance of particular human remains, will add weight to claims based on cultural or religious community, particularly 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 200-300 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 in the vast majority of cases it is very difficult to demonstrate clear genealogical, cultural or ethnic continuity far into the past.

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 geographical, religious and cultural link can be demonstrated.

However, some cultures put more emphasis on association with land that has a cultural 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 instances 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. A request is likely to be less strong if it can be demonstrated that remains were removed with the consent of the community and family at the time.

5. Confirm status of remains in collection

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

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 collections 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 the remains are being held, how they have, and are likely to be used.

1. Are the remains fully documented and the information about them publicly available?
2. Do they have continued research potential?
3. Do they form part of a documented access strategy?
4. Are they curated according 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 historical human remains have undoubted potential to further the knowledge and understanding of humanity through research, study and display. This can take the form of a fuller understanding of humanity's shared past and evolution. A common feature of humanity is a desire to understand

and make sense of the world around us. Human remains can contribute to this in many ways. Remains may also have a value to museums other than for pure research. They might be used in displays or for teaching as a way to help educate and explain.

In considering a request for return of human remains, a museum should carefully consider their value and potential for research, teaching and display, and should ensure that specialists with appropriate knowledge and experience have assessed this.

Consideration should also be given to the possibility that remains could still be made available for research after return has taken place. In some cases, this may involve the museum themselves retaining the remains on the basis of a long-term loan arrangement with the claimants, subject to certain conditions.

A museum must decide, even if the remains do have value for research, teaching and display whether this can override other factors, particularly, such as the wishes and feelings of genealogical or cultural descendants.

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. The scale of past research may be considered as a factor in making a decision about return.

6. Inform All

At this stage in the process a full dossier of the case should be prepared and made public. This will give the opportunity for all with an interest to comment.

7. Gather External Evidence and Advice

Having identified gaps in its own expertise a museum should seek external specialist advice in areas such as scientific value.

8. Discuss case with claimants

A full, open and ongoing dialogue should take place with the claimants, both in terms of the criteria already discussed but also to clarify these further criteria:

H. The Fate Of The Remains If Returned

How the remains will be dealt with if they are returned as requested also requires consideration. Some requests might require re-burial or removal from the public arena. Some claimants may be prepared to keep the remains they are requesting 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 other alternatives if this helps in reaching a consensus. It may for example be possible that remains would remain in a museum but a claimant group would gain a level of control over their future use.

9. Decide case

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. Other criteria that would be considered include:

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 will be worth considering how a claim would be resolved if it was occurring domestically in the country of the claim, and the expectations of the claimant based on the practice in their country of origin.

L. Precedent

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

10. Prepare report

Once a decision has been made a full written report should be prepared that explains in full how a decision was derived.

11. Inform claimants

Claimants should be informed of the decision and the reasons for the decision 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.

12. Ratify decision and record process

Once a decision has been made it should be formally ratified by the museum's governing body and the process fully recorded and archived.

13. Inform all

All those with an interest in the case should be informed and have full access to all information.

14. Allow for appeal?

A museum may have put a process in place for parties to appeal against a decision. If so the process for this will need to be publicly stated and advertised before any proceedings begin. Any system would ideally be undertaken by people different to and not directly associated with those involved in the first decision.

It is also possible that a decision may be taken to judicial review (see above).

15. Act on decision

The museum should also put in place a practical procedure for acting on a decision to cover such items as timescale and costs.

16. Review proceedings

Museums should ensure they learn from the process of dealing with claims and build any lessons into their systems for the future.

References

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

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*. EH

MGC (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: Relevant National Government Agencies To liaise With Regarding Indigenous Claims (to do)

XXX