

CONFERENCE REVIEWS

“Body Guards: Human Remains in Museum Collections”, hosted by the Museums Association at Charity Centre, 24 Stephenson Way, London, 25th June 2004

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This one day, one-off conference organised and developed by the Museums Association has come at a time when, quite possibly, the treatment of human remains in museums has acquired its highest public, governmental and professional profile ever. By the time this review is in print, the Department of Culture, Media and Sport (DCMS) will have made its recommendations to government following the Human Remains Working Group Report (DCMS 2003); the Human Tissue Bill (House of Commons 2003), will be back in Parliament following revisions and may finally be passed; and the Church Archaeology and Human Remains Working Group (CAHRWG) would have finished implementing its recommendations, affecting all future archaeology involving human remains on Church or English Heritage controlled land (Church of England 2004).

Approximately 80 delegates attended the conference, representing a broad spectrum of museum professionals including keepers, curators, lecturers and directors from national, local and independent museums and galleries across the UK. The audience also included a scattering of interested laypeople and students.

The day was split into two main sessions. The morning session, after an introduction by Maurice Davies (Deputy Director of the Museums Association), consisted of two formal 45-minute presentations. The first was from Prof. Norman Palmer (Professor of the Law of Art and Cultural Property, UCL and chairman of the Working Group on Human Remains (WGHR)), the other from Sebastian Payne (Chief Scientist, English Heritage and member of CAHRWG).

Prof. Norman began by talking about the various ‘hysterical’ responses generated by the public and museum professionals about the WGHR report and seemed exasperated that most commentators and readers had misinterpreted the committee’s recommendations and views. His background as a lawyer became clear as he proceeded to demolish false charges against the report by (apparently from memory) carefully and methodically cross-referencing sections of the report, rattling out page and paragraph numbers to defend against incorrect accusations.

The actual recommendations of the report are summarised as follows:

1. The DCMS should establish a human remains advisory panel along the lines of Nazi spoliation panels to consider claims.
2. The legislation governing museums should be changed to enable the dispersal of human remains, now almost achieved with Section 52 of the Human Tissue Bill.

3. Museums holding human remains should be subject to a regulatory authority issuing licences to hold such remains.
4. Such licences would only be issued to those institutions adhering to a code of practice outlining certain ethical professional standards.

Prof. Norman also made clear that the current legal position was inadequate, and in future all human remains issues should be subject to stringent consent principles as a cornerstone of the proposed code of practice. He finished by hinting at the problems still to come regarding consent and from whom it should be sought, suggesting the three-tiered 'family, kinship, ancestry' principle as a possible approach.

Sebastian Payne's lecture was entitled, "Respect and understanding: an archaeological perspective on human remains". He stressed that although he worked on the Church of England's CAHRWG committee, he was "a scientist not an advocate" and an "old-fashioned Victorian agnostic", which he felt gave him some distance and perspective. Like Prof. Norman, Dr Payne summarised the CAHRWG's aims and findings, advising that he was primarily talking about belief, and that reburial has not been happening for various reasons. The principal assumptions of the CAHRWG report are that human remains should not be disturbed without good reason and should always be treated with respect. It was, however, also recognised that human remains are of scientific value, both to medicine and archaeology. He also pointed out that: "if we are to respect religious beliefs, we should respect the 'belief system' of scientists".

Although the CAHRWG report covered issues such as the redevelopment of burial grounds and the need for future excavations, Dr Payne concentrated on museum-related issues such as storage and future reburial. The committee's main recommendations were ultimately very simple: reburial after scientific study, which should be immediate if family members are known. The possibility of redundant crypts and churches being used as 'consecrated' storage areas to provide 'more respectful storage' was introduced, but not covered in any depth.

After these two principal addresses, Maurice Davies chaired a question and answer session in which he invited James Dowling of the Cultural Property Unit, DCMS, to participate. Most of the lively debate that followed concerned the introduction of licensing and advisory committees, about which the overwhelming majority of the attendees were in agreement and appeared to welcome. I was disappointingly part of a minority in disagreement with licensing. Personally, I feel that statute-controlled licences to hold human remains would be too expensive, too bureaucratic and too rigid to take the museum profession forward into the future; a voluntary code of conduct would be more flexible and, to my mind, more desirable. Although James Dowling advised that the consultation period is practically over following the WGHR report, he refused to be drawn on exactly what his department will recommend to Parliament.

The afternoon session was arranged in a different format. Three speakers gave 15-minute presentations, followed by three workshops, chaired by the relevant speakers, to discuss issues further.

The afternoon speakers were Sally MacDonald (Manager of the Petrie Museum of Egyptian Archaeology, UCL) who talked about “Curation and Respect”; Hedley Swain (Head of Early London History and Collections, Museum of London) who talked robustly about “Excavation, curation, storage and display of human remains from British archaeological sites”, which was largely based on a previous publication (Swain 2002); and John Jackson (Policy Coordinator, Science Directorate, Natural History Museum) who revealed the techniques necessary to develop consensus on principles of practice.

The aims of these workshops were to come up with three or four principal points each (what the facilitators called ‘outcomes’) and to begin to create a consensus on a new professional opinion: “the future starts here” as Maurice Davies put it.

The outcomes were:

1. There was a small majority in favour of separate discrete stores for human remains.
2. There was a large majority in favour of licensing in some form.
3. There was a majority view that museums should carry on displaying human remains, but perhaps with a renewed discretion and sensitivity.
4. There was a majority view that the museum profession should solicit the views of external stakeholders and visitors.
5. Everyone felt that documentation must improve so that museums know what they are holding in terms of human remains and where they came from.
6. The advisory panel should be voluntary and not compulsory.
7. Museums should seek to avoid short-term political goals or gains in making decisions about human remains.
8. It was felt that there would be a rationalisation of human remains collections in the future, as some museums would seek to avoid licensing or agree simply to dispose of human remains to larger collections better equipped to deal with the professional and ethical considerations.
9. Any system that is developed should look at the benefits, avoid harm, be just and seek consent.
10. All museums will need more financial resources to achieve the above outcomes.

While the development of these ‘outcomes’ is laudable, the DCMS has, however, finished taking evidence in the consultation period. It is therefore unlikely that any framework developed at this meeting will impact upon the licensing and advisory panel system that the government will develop.

As the day ended, Hedley Swain announced that the Museum of London would host their own conference on human remains, this time a two-day event in October, indicating that the issues are not resolved, and the work is far from over.

One final criticism would be the lack of workshop space for large groups, making individual contributions difficult. In all however, this was a well-organised and well-hosted event, with relevant and knowledgeable speakers.

References

- Church of England 2004. *Church Archaeology and Human Remains Working Group Report*. London: English Heritage, Council for the Care of Churches, and Cathedrals Fabric Commission.
- DCMS 2003. *The Report of the Working Group on Human Remains*. London: DCMS Cultural Property Unit.
- House of Commons 2003. *The Human Tissue Bill*. London: Her Majesty's Stationery Office.
- Swain, H. 2002. The Ethics of Displaying Human Remains from British Archaeological Sites. *Public Archaeology* 2, 95-100.