

## **EXETER CITY COUNCIL**

### **COMMUNITY & ENVIRONMENT DIRECTORATE: LEISURE AND MUSEUMS UNIT**

#### **ROYAL ALBERT MEMORIAL MUSEUM & ART GALLERY (RAMM)**

#### **POLICY FOR THE ETHICAL CARE OF HUMAN REMAINS (Annexe to the Acquisitions and Disposals Policy 2005-2010)**

### **1. INTRODUCTION**

The ethics of acquisition of human remains, as well as the storage, display and research of human remains that already exist within museum collections around the UK, are the subject of ongoing discussion. This is a complex and multi-layered debate with no simple solutions; it raises questions concerning the remains held at The Royal Albert Memorial Museum & Art Gallery (RAMM). The museum is happy to participate in such discussions.

This debate is influenced by (i) the concerns of indigenous people in different parts of the world where some of the held remains originate, (ii) modern humanist philosophies, (iii) museological concerns and (iv) the multi-cultural nature of our society. All of these elements have to be taken into consideration when looking at the museum's treatment of remains.

This document, an annexe to the museum's Acquisitions and Disposal Policy, will ensure the continuing ethical care and management of all human remains currently kept within RAMM's collections. The policy will need to be updated from time to time so that it remains in line with current legislation. It has also been written to provide an appropriate response to members of the public who might enquire about the issues surrounding the subject matter and how the museum maintains professional standards with those remains under its care. An online version of this document is being planned to be accessed on the museum websites.

The policy builds on existing documents, in particular the Museum Ethnographers' Group (1994) guidelines and the recommendations made by the Department of Culture, Media and Sport (DCMS) in 2005, as well as English Heritage (EH) and Church of England (C of E) guidance on archaeological human remains from Christian burial grounds (2005) (in practice this document is applicable to most archaeological human remains). The DCMS Code of Practice was developed to provide guidance to museums in relation to the Human Tissue Act of 2004 (HT Act). The HT Act was put in place to make sure that all institutions holding human tissue were legally and ethically storing and researching material in their care; and acquiring new material within the same ethical and legal framework.

### **2. GENERAL STATEMENTS**

(a) Exeter City Council acknowledges that human remains within its collections once belonged to living individuals and will care for them in a respectful and culturally sensitive manner, while also making relevant parts of the collection available for repatriation, research and learning.

(b) This policy and its implementation will be managed and monitored by RAMM's Human Remains Working Group which consists of the curators of Antiquities, Ethnography and Natural History and the Collections and Interpretation Officer.

(c) The museum welcomes advice from professional colleagues and representatives of source communities on the ethical care of human remains. It is committed to working with other museum professionals and source community representatives to ensure that all of these culturally sensitive items are cared for appropriately.

(d) The museum recognises that, as cultures differ, what is appropriate for one group of objects or specimens may not be appropriate for another.

### **3. DEFINITION OF HUMAN REMAINS**

(a) The definition of human remains is derived from the DCMS Code of Practice and the definition of 'relevant material' in the HT Act, which describes this as material consisting of, or including, human cells.

(b) RAMM uses the term human remains to mean the body, or its parts, of once living people, specifically in reference to modern humans (*Homo sapiens sapiens*). This definition includes osteological material (bone and teeth), soft tissue (including organs and skin), blood and slide preparations of human tissue. It does not include human nails or human hair; the latter is relatively commonly found in Victorian jewellery for example, we do not believe this material should be classified as human remains, but should be treated as being culturally sensitive (see d.).

(c) Also under this definition come museum objects that contain human remains that have been culturally modified with skill by human hand.

(d) RAMM recognises that other items in the collections may be culturally sensitive, such as human hair and nails, sacred and secret items, photographs and other depictions of human remains or people now deceased, and the museum records relating to these.

### **4. HOLDINGS**

Human remains at RAMM are located within the Antiquities, Natural History and Ethnography collections. The remains are documented and information associated with them is available to enquirers, although access to some information is necessarily restricted, particularly if it is a recent donation. In repatriation cases, a copy of the documentation is provided once provenance and the originating community have been firmly identified.

The DCMS guidance document (2005, 16) recommends that museums make publicly accessible their policy relating to human remains in their care. An electronic and a hard copy shall be made available.

(a) The Ethnography collection currently contains less than 20 human remains; this excludes those remains that have been culturally processed as artefacts. These were often acquired under conditions of unequal relationships, particularly from the 19th century onwards. It has to be determined by the curator if those remains in store (those not considered for repatriation) have the potential to make an important contribution to future knowledge.

RAMM does not actively seek to acquire human remains for the Ethnography collection; however, it may acquire remains indirectly as part of a local donation. This will only be acceptable if adequate documentation provides clear evidence of provenance and that there is no suspicion of it being linked to an illicit trade. Any new donations containing non-European remains will be immediately considered for repatriation.

(b) The Antiquities collection contains human remains excavated from Exeter and the surrounding region during modern archaeological fieldwork related to the planning process. The vast majority of these come from the Middle Saxon cemetery in Exeter Cathedral Close and the Princesshay Shopping Centre (the latter still to be deposited at RAMM). There are smaller holdings of human remains found during earlier archaeological fieldwork – these tend to be related to antiquarian barrow excavations. Lastly, there is a small collection of ancient Egyptian human remains, including the mummy of Shep En-Mut.

(c) The Natural History collection has transferred human remains to both Antiquities and Ethnography. A collection of Victorian slides of human tissues are over 100 years old and therefore outside the scope of HT Act. RAMM does not seek to acquire human remains for this collection.

(d) The RAMM learning team may occasionally need to acquire artificial human remains for educational workshops.

## **5. LOANS**

(a) The Human Remains Working Group should discuss any proposed exhibition at RAMM which contains human remains; in particular considering any information relating to the manner of its display. Advice may be sought for interpretation and marketing from other professionals and, if appropriate, indigenous representatives and community groups.

(b) In special cases, human remains may be loaned to other institutions for a variety of reasons, such as display or research by specialists in universities and archaeological units. RAMM's Human Remains Working Group will discuss such requests for loans and report back to the Collections and Interpretation Officer.

RAMM will ensure that any institution seeking to borrow human remains satisfies the legal, ethical and practical considerations set out in the DCMS Code of Practice and the HT Act. It will also ensure that these considerations are followed if and when RAMM borrows human remains from other institutions.

Loans from the Ethnography collection can be made for the purpose of conducting research if it accurately establishes age, gender or provenance and only if this aids the process of repatriation for reburial. This could possibly include DNA or other form of destructive sampling if current documentation and a preliminary examination are not sufficient to establish the former criteria. Loans can also be made for the purpose of displaying culturally modified remains in an appropriate context.

## **6. RESEARCH AND DISPLAY**

RAMM can fulfil its role as a place of learning by allowing access to human remains through research and display.

(a) All requests for teaching and research, including sampling and analysis, must be made in writing. All such requests will be subject to approval by the Human Remains Working Group.

(b) Researchers will be made aware of the ethical and legal obligations with regards to the remains. They will be provided with a copy of this policy. There is restricted access to the Ethnography collection as it includes remains that date from the 19th century. Access is given to legal representatives of indigenous groups, appropriate academic researchers and museum ethnography staff.

(c) Museums have displayed human remains for many years in permanent and temporary exhibitions, indeed museum visitors expect to see them; but displays are just one of a number of ways of interpreting people and their practices represented in the museum's collections. RAMM has a duty to lead and adhere to professional standards and best practice in whatever way it decides to interpret human remains. This may include talks, lectures, tours, printed guides, books and trails, or content on the Internet.

(d) Exhibiting human remains in an educational context is of benefit to the museum visitor. RAMM gives careful thought to the display of such material, which is always accompanied by explanatory and contextual information.

(e) Where human remains form part of a temporary or permanent exhibition, the relevant curator will ensure they are displayed in a culturally appropriate, sensitive and informative manner. For human remains of the prehistoric period in Britain, the museum cannot claim to know what appropriate or sensitive modes of display are, so these remains will inevitably be displayed according to 21<sup>st</sup>-century sensitivities. The display of artefacts containing modified remains from the Ethnography collection is acceptable and is in no way a breach of any known ethics. Wherever possible, source communities will be consulted on the display of ancestral remains.

## **7. STORAGE**

(a) Archaeological human remains may need to be stored in separate containers from funerary material and grave goods for reasons of conservation and long-term stability. It is the ambition of the curatorial team that all burial artefacts are placed in the same area of the store, and they are working towards this. RAMM aims to ensure that human remains are stored in appropriate boxes with protective packing material recommended by the conservation department and labelled only with the accession number, brief description and provenance. Cremated remains within vessels will be excavated according to established guidelines and stored with other human remains (EH and C of E guidelines).

(b) Human remains from the Ethnography collection are carefully stored in a discrete locked cupboard. In recent years, remains have not been marked with an accession number; instead, a paper label is attached by a length of cotton tape. This is to ensure that whilst the remains are documented according to professional standards no offence will be caused to an indigenous community if the remains are repatriated at a future date. Human remains are stored in acid-free boxes and packed using acid-free tissue. Each box is simply labelled on the outside with the accession number, simple description and provenance.

## **8. CONSENT**

The non-European remains within the collections were historically acquired by people working within the boundaries of the British Empire and were frequently taken without the consent of the indigenous communities. Whilst some remains can be returned to originating communities, not all of them can; in this situation remains can either be cared for in store or displayed within an educational context to instruct on significant cultural beliefs and practices. The curator may wish to seek consent from source communities to obtain accurate interpretative information and advice on how to appropriately store and display such remains.

RAMM acknowledges the Museum's Association Code of Ethics 2002 to:

*Respect the interests of originating communities with regard to elements of their cultural heritage present or represented in the museum. Involve originating communities, wherever practical, in decisions about how the museum stores, researches, presents or otherwise uses collections and information about them.” (2002, 7.5)*

Wherever possible, consent will be obtained from duly authorised genealogical representatives, originating groups or official organisations that act on their behalf.

## **9. IMAGES**

(a) Remains found in an archaeological context may provide important demographic or biological information. In this case, a photograph of these remains would be beneficial in the dissemination of such information through displays, publications and the Internet.

(b) No images of human remains from the Ethnography collection dating from the late 19th century onwards will be available. Exceptions to this rule are remains that were culturally modified in the manufacture of artefacts.

## **10. ACCESS PROCEDURES**

(a) Requests for physical access to any human remains must be made formally in writing to the appropriate curator responsible for the collection.

(b) Except for appropriate individuals, human remains involved in a repatriation claim will not be made available to the general public.

(c) In culturally sensitive circumstances alternative access arrangements can be made to appropriate representatives of the originating community or to researchers whose work has been agreed by the curator and the indigenous group concerned.

(d) Access to remains will be provided under the close supervision of the curator concerned.

## **11. DEACCESSION, REPATRIATION AND REBURIAL**

(a) It is very unlikely that remains older than 300 years will be requested for repatriation, unless a close religious, geographic or cultural link can be clearly established. However, there is a strong possibility that recent remains will be considered for reburial.

(b) Repatriation and reburial claims will be dealt with on a case-by-case basis and may be demonstrated through ancestor-descendant relationships, cultural or historical connections between an individual or group and the remains in question. There is a presumption towards archiving local archaeological remains once disturbed. Human remains will be re-buried if this is a condition stated by the Home Office or a Church of England faculty.

(c) RAMM will engage in a dialogue with originating communities with regard to the repatriation of remains. Curators will enter into full consultation with professional colleagues, relevant national government or national agencies, indigenous representatives and appropriate claimants.

(d) It is accepted that not all of the human remains within the collections can be repatriated. This may be that (i) the originating community does not currently seek repatriation; (ii) the cultural belief does not consider a return of remains to be culturally significant or (iii) the

provenance has not been clearly established. In these circumstances, RAMM will continue to act as trustees and the curators will manage the remains in their collections with continued ethical care.

(e) All public requests for repatriation, reburial and deaccession must be submitted in writing to the Museum Manager, who will then forward the request to the appropriate curator. The Collections Information Officer will be involved in any item being de-accessioned. Final approval for transfer from RAMM's care is subject to confirmation from Exeter City Council acting on advice from professional staff.

(f) Reburied and repatriated remains must be appropriately packed, labelled and de-accessioned prior to their departure from the museum.

## 12. REFERENCES

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 / EH.

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

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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 ethnographic collections in United Kingdom museums.' *Journal of Museum Ethnography*, 6.

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