

## **Joint statement on the retention, display, and provision of access to human remains from British archaeological contexts, in response to recent publications and parliamentary debate.**

The human remains we excavate, research and curate, privilege society with opportunities to understand past populations, community by community, person to person.<sup>1</sup> As organisations representing a range of archaeological practitioners within this field, we have detailed knowledge and experience of the study of human remains from British archaeological contexts, the research value of their retention, and the benefits of public engagement with them. They are an integral element of the story of our past, providing unique prospects for further study and analysis, whether recovered by antiquarian excavators or professional companies in advance of development. We nevertheless recognise that it is incumbent on all of us to understand and acknowledge differing views of others and the sensitivities surrounding the treatment of past people.

All work that involves human remains is rightly predicated on ethical stewardship, dignity, and respect, and undertaken within a legal framework.<sup>2</sup> Archaeologists do not seek to excavate burial sites without good reason, and where removal is deemed absolutely necessary it is often the case that human remains are reburied after study. In this respect multiple guidance documents have been published by government and professional bodies, and expert support exists from several institutions.<sup>3</sup> There is also evidence-based public support for the continued curation and display of human remains from archaeological contexts within museums. However, recent calls for changes to legislation and practice have raised important questions and concerns that we wish to address.

For context:

- On 12<sup>th</sup> March 2025, a policy brief written by the African Foundation for Development (AFFORD) was published by the All-Party Parliamentary Group for Afrikan Reparations (APPG-AR). It specifically addressed “the ethical and legal challenges surrounding the retention and public display of African ancestral remains in British museums, universities and other cultural institutions.”<sup>4</sup> It also examined existing legislation, notably the Human Tissue Act 2004 and made a number of recommendations.
- On 13<sup>th</sup> March 2025, a short debate in the House of Lords considered the ‘Sale and Display of Human Body Parts’.<sup>5</sup> It specifically asked His Majesty’s Government “what assessment they have made of the offence caused to the indigenous peoples affected

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<sup>1</sup> The term ‘human remains’ is used throughout this document and is intended to cover all forms of human remains which may be encountered archaeologically.

<sup>2</sup> It is acknowledged here that the legislative framework and guidance available varies between the countries forming the United Kingdom. Scotland has separate legislation relating to human tissue, The Burial and Cremation (Scotland) Act 2016 and also the common law crime of Violation of Sepulchres.

<sup>3</sup> These are listed and accessible via the SMA’s Standards and Guidance in the Care of Archaeological Collections and its associated Human Remains fact sheet <https://socmusarch.org.uk/training/smart-project/> and also via BABAO’s website <https://babao.org.uk/resources/guidelines-codes/> Accessed 26 April 2025

<sup>4</sup> [https://afford-uk.org/wp-content/uploads/2025/03/AFFORDLayingAncestorstoRest\\_Policy-BriefFINAL\\_11.03.2025.pdf](https://afford-uk.org/wp-content/uploads/2025/03/AFFORDLayingAncestorstoRest_Policy-BriefFINAL_11.03.2025.pdf) Accessed 26 April 2025

<sup>5</sup> <https://hansard.parliament.uk/Lords/2025-03-13/debates/F4DC7DF8-E965-40CB-90CC-40665F63418D/SaleAndDisplayOfHumanBodyParts> Accessed 26 April 2025

by the sale of human body parts in public auctions, and their display and retention in public collections.”

- On 14<sup>th</sup> March 2025, the British Association for Biological Anthropology and Osteoarchaeology (BABAO) published a statement that responded to the policy brief and debate.<sup>6</sup>
- On 10<sup>th</sup> April 2025, the Museums Association (MA) published an article titled “Genetic descent: a new challenge for the management of human remains in museums”, which addressed unforeseen consequences for museums resulting from the rise in commercial DNA and the complexities of determining genetic ancestry.<sup>7</sup>

As a group of organisations:

1. We fully support “the principle of open and constructive dialogue between museums and communities and consideration of requests for return” and “the appropriate and ethically considered retention of human remains that follows established guidance” as articulated by BABAO.<sup>8</sup>
2. We fully support the move to set up a cross-Whitehall meeting of relevant ministers and policy officials to discuss options that would include legislative change to prohibit the sale of human remains, which in our view is unethical. BABAO’s Trading and Sale of Human Remains Task Force has a critical role to play in this, since it has significant experience in these matters that can be called upon to inform discussions. We respectfully request that these discussions necessarily involve members of the All-Party Parliamentary Archaeology Group (APPAG) with support provided by subject specialist and professional networks.
3. We recognise that the term ‘African ancestral remains’ holds specific meaning and especially within the context of the APPG-AR policy brief document, but the recommendations that are made within it do not use that terminology consistently or exclusively throughout. References to ‘ancestral remains’ without qualification leads to ambiguity and is open to a wide variety of interpretations particularly by those who seek to use the term ancestor in support of ideological or political beliefs. This ambiguity needs to be addressed to avoid confusion and unintended consequences. In addition, the authors of the MA article have highlighted the complexities with identifying genetic direct descent and some of the challenges that have started to manifest themselves. This leads us to conclude that there is a specific need for revision of the Department for Culture, Media, and Sport’s Guidance for the Care of Human Remains for Museums, and especially with regard to genealogical descendancy. We call upon the Secretary of State for Culture, Media and Sport to initiate this review. A similar review is required in the devolved nations.

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<sup>6</sup> <https://babao.org.uk/babao-statement-appg-ar-policy-brief-house-of-lords-debate-13th-march-2025/>  
Accessed 26 April 2025

<sup>7</sup> <https://www.museumsassociation.org/museums-journal/opinion/2025/04/genetic-descent-a-new-challenge-for-the-management-of-human-remains-in-museums/> accessed 26 April 2025

<sup>8</sup> <https://babao.org.uk/babao-statement-appg-ar-policy-brief-house-of-lords-debate-13th-march-2025/>  
Accessed 26 April 2025

4. We do not support the particular recommended changes to the Human Tissue Act 2004 as they stand. We recognise that whilst the policy brief published by APPG-AR focussed its attention on African ancestral remains we note that it also included a specific recommendation for several changes that reference ‘all human remains,’ and ‘without exceptions.’ Without clarification the proposed wording would have far-reaching and potentially unintended consequences for the study, management, care, and public engagement with, all British archaeologically derived remains irrespective of provenance.

We understand that the policy brief published by APPG-AR does not constitute government policy and that any change to legislation that may arise from the discussions it has provoked will be subject to consultation. In this respect we believe the formulation of a cross-sector consultative forum should be a priority to inform any proposed changes at the earliest possible opportunity, as well as to enable a wide range of viewpoints to be articulated.

Signatories:

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- **The Society for Museum Archaeology** is recognised by Arts Council England as the Subject Specialist Network for British Archaeology in the UK. Established in 1972, it promotes museum involvement in all aspects of archaeology and works to emphasise

the unique contribution of museums to the archaeological profession.

<https://socmusarch.org.uk/>

- **The Council for British Archaeology** is a leading educational charity dedicated to championing and promoting engagement in archaeology and supporting grassroots archaeologists across the UK. Established in 1944, it has a long history of championing public participation in archaeology, aiming to connect diverse communities with the heritage of our shared past. <https://www.archaeologyuk.org/>
- **Association of Local Government Archaeology Officers UK** is the national body representing local government archaeology services across The United Kingdom at County, District, Metropolitan, Unitary and National Park Authority level. ALGAO co-ordinates the views of its member authorities and presents them to government and to other national organisations. It is also a Special Interest Group on archaeology for the Local Government Association (LGA). The range of interests of our members embraces all aspects of the historic environment, including cultural heritage, archaeology, buildings and the historic landscape. <https://www.algao.org.uk/>
- **The British Association for Biological Anthropology and Osteoarchaeology** was established in 1998 to provide a forum for discussion and intellectual exchange for professionals and students in all areas of biological anthropology. BABAO funds research through grants and provides a platform for exchanging ideas for developing and advancing the study of biological anthropology and osteoarchaeology. It provides advice on the ethical treatment and scientific study of human remains and advocates improving standards in all aspects of the study of biological remains. BABAO supports public engagement and to advance education and science for the public benefit to better understanding the human condition from the past to the present. <https://babao.org.uk/>
- **The Society of Antiquaries of Scotland** is a membership charity (Charity No SC010440) which actively supports the study and enjoyment of Scotland's past. Founded in 1780 and incorporated by Royal Charter in 1783, the Society's purpose is "to investigate both antiquities and natural and civil history in general, with the intention that the talents of humanity should be cultivated and that the study of natural and useful sciences should be promoted". <https://www.socantscot.org/>
- **The Advisory Panel on the Archaeology of Burials in England** (APABE) acts to provide a unified source of advice covering all burials in England over 100 years old. We exist to support professionals and others in interpreting the guidance documents issued by bodies with statutory or legal responsibilities relating to the archaeology of burials in England. We operate under the oversight of the Ministry of Justice and with the support of Historic England and the Church of England. APABE also exists to produce new guidance where necessary. Further information is available from: <https://apabe.org.uk/>

- **University Archaeology UK** is the national body representing institutions offering archaeology degrees at undergraduate and postgraduate levels. It operates voluntarily and co-operatively for the benefit of its members. It is wholly independent of any institution or organisation, existing for the collective interests of the discipline in higher education rather than the benefit of any single member. It is guided by a committee comprising a Chair, Vice Chair and steering group elected by the membership. In order to fulfil our objectives, we work closely with a range of organisations in the wider archaeological and heritage context. <https://universityarchaeology.co.uk/>
- The **Society of Antiquaries of London** is a heritage charity that promotes understanding of the human past and recognises distinction in this field through election to its Fellowship. The Society was founded in 1707 and today its 3,000 Fellows include many distinguished archaeologists and art and architectural historians holding positions of responsibility across the cultural heritage. The Fellowship is international in its reach and its interests are inclusive of all aspects of the material past. As a registered charity (207237), the Society's principal objectives are to foster public understanding of that heritage, to support research and communicate the results and to engage in the formulation of public policy on the care of our historic environment and cultural property. <https://www.sal.org.uk/>