

Meeting of the Advisory Panel on the Archaeology of Christian Burials in England (APACBE)

28th November, 2008. Church House, London

Minutes

In attendance. Joseph Elders (Chair), Simon Mays (Secretary), Bill White, Phillip Dixon, Alexandra Nickell, Louise Humphrey, Robert Clifford, Julian Litten, Jacqueline McKinley, Barney Sloane, Alison Taylor, David Baker, Lisa O'Sullivan, Jane Sidell.

- 1) Apologies. Jonathan Goodchild, Andrew Lane, Maurice Davies, Angela Boyle.
- 2) Minutes. The Minutes of the 2007 meeting were accepted as a true record.
- 3) Matters arising.

Item 3

Updates on casework. The All Saints Pontefract building works are not being proceeded with.

Extension for Faculty for Spitalfields. The case for this will be made by the Natural History Museum in 2009.

- 4) Case work advice given by the panel in the past year. No formal advice was given in the past year. Some informal advice was given.
- 5) The future remit of APACBE. It had been agreed in the 2007 meeting that the first step toward increasing the remit of APACBE to cover all archaeological burials in England would be to gauge public opinion on human remains, using the English Heritage-commissioned survey. However, as the formulation of this survey remains a work in progress, it was decided that a consultation on broadening the remit of APACBE should proceed without delay. The decision making process will nevertheless be informed by the results of the public opinion survey as these become available. JE to take a lead in moving this forward.

Action JE

- 6) Progress with human remains legislation. The interim position statement made in April 2008 regarding archaeological human remains has clarified the legal position. However the policy which stipulates reburial within two years (albeit with the possibility of renewal allowing longer retention) is causing confusion and practical difficulties for the sector. JMcK to draft a note to attempt to clarify the current policy for archaeological units, particularly

regarding the 2 year retention period. Panel members to send JMCK their experiences / problems with the current legislative arrangements.

Action: JMCK / ALL

RC outlined the proposals which MoJ intends to bring forward for amendment of burial legislation by Legislative Reform Order. The ethos is to simplify and deregulate archaeological work on human remains as far as is appropriate. MoJ are investigating the possibility that legislation would henceforth only cover exhumation of remains rather than seek to stipulate their subsequent fate, and that the need to apply for a s25 licence when excavation is carried out be removed for archaeologists who are members of a prescribed professional organisation. A further aim is to simplify other legislation (such as the DBGA), so that a single scheme could be applied across the board. A consultation paper on these proposals will be produced by MoJ early in 2009. Legislative Reform Order will also be used to amend the Crossrail Act to remove the reinterment requirement for archaeological human remains.

7. Progress on CAHRs. Barton-upon-Humber. The human remains have been deposited in the ossuary. Policy documents and application forms have been drafted for those wishing access to the remains, and a panel to oversee access is being set up. The policy documents and application forms are to be placed on the APACBE website so that they are available for use as templates for other CAHRs.

Action: SM

St Clement Finsbury. Little progress. JL to approach the vicar in an attempt to move things on.

Action JL

Leicester: there may be progress soon on this. JE to continue to liaise with Church authorities.

Action JE

Toxteth St James, Liverpool. The intention is to house 18th century burials, which will be disturbed by development work, in the church, together with a public exhibition about what has been learnt from them, using Barton-Upon-Humber as a model.

St Brides, Fleet Street. Some members of APACBE viewed the crypt in May 2008. Access difficulties have since been resolved but improvements are still needed.

8. Activities of the Human Remains Museums Subject Specialist Network (LO'S). Most museums appear to be making publicly available their holdings of human remains, in accordance with DCMS guidelines. Honouring the Ancient Dead, a Pagan organisation, are approaching some museums requesting details on holdings. HAD requested the SSN put a link

on their website to the HAD website, a request to which the SSN has yet to respond.

DCMS feel that their 2005 guideline is inadequate for dealing with UK remains and they plan to review the document by reconvening the working group that produced it.

Museums are being consulted on the working of the Human Tissue Act.

LO'S was co-opted onto APACBE.

9. English Heritage consultation on the claim from the Council of British Druid Orders for prehistoric human remains from Avebury. English Heritage and CoBDO have agreed that the claim should be considered using the DCMS guideline as a framework. EH has drafted a document structured as recommended in the DCMS guideline and was now consulting over the issue. APACBE was one of the organisations whose opinion had been sought. In a debate, from which English Heritage and Church of England members abstained, the panel felt that the CoBDO claim failed the DCMS criteria so that CoBDO should be given no special say in the future of the remains.

10. Report on progress on the draft policy paper 'Sampling Large Cemeteries' SM circulated a draft of this document in advance of the meeting. The panel was split over the issue of whether a minimum sample size should be stipulated. It was suggested that the document would be improved by making reference to a research agenda. It was agreed that the Burial Vaults document (see Item 11) should be expanded to include post-Mediaeval remains from other contexts, so the research agenda in this document would cover post-Mediaeval remains in general. The sampling large cemeteries document and the sections specific to burial vaults would then be separate sections following the research agenda & other sections on post-Mediaeval remains in general. However, if panel agreement could not be reached on the sampling large cemeteries document then this would be published separately as an English Heritage guidance note. SM to take the lead with the Sampling Large Cemeteries element; JS to take the lead with other elements. Panel members should send any remaining comments on the drafts of these documents to SM and JS without delay.

Action ALL / SM / JS

11. Report on progress on the document arising from the seminar on 8th November 2005 on crypt clearances. JS circulated a draft of this document prior to the meeting. For panel discussion see Item 10 above.

12. Report on progress on the draft policy paper on the use (and abuse) of DNA analysis. A initial draft of this document was circulated before the meeting by BW. It was agreed that the draft was the basis for a useful document. BW to revise the draft in the light of panel comments and discussion. Panel members should send any remaining comments to BW without delay.

Action ALL / BW

13. AoB. JE/SM to check constitution to determine when Chair & Secretary positions are due for re-election.

Action JE / SM

It was noted that the human remains used for the London Bridge exhibition are to be reburied in a London Cathedral.

Date of next meeting. 27-11-2009.