



UNIVERSITY OF LIVERPOOL

Libraries, Museums, Galleries Human Remains Policy

Name of governing body: University of Liverpool

Date on which this policy was approved by governing body: 19 September 2024

Date of which this policy is due for review: 19 September 2029

Introduction

The University of Liverpool's Libraries, Museums, Galleries (LMG) hold important collections built up since the founding of the University in 1881 through gift, purchase, and bequest. The collections include a great variety of artworks, artefacts, natural history, scientific specimens and archival collections.

These collections are an important resource for teaching and research, both to the University and to visiting researchers from around the world. Wherever possible and appropriate, the collections are made widely accessible to members of the public by the means of display, through educational programmes and through loans to other collections and via the internet.

This policy covers human remains in our collections which are over 100 years old and as such, do not fall under the remit of the Human Tissue Act 2004. All human remains within the University which do fall under the remit of the Human Tissue Act 2004, are held in departments which have individual policies under licences discussed and agreed with the Human Tissue Authority.

This policy outlines the approach of the University of Liverpool's LMG to the care, preservation, management, and development of the human remains in our collections in response to both the DCMS [Guidance for the Care of Human Remains in Museums 2005](#) and the [Human Tissue Act 2004](#). It covers the display of human remains to the public, access to the collections for research and other purposes, and how requests for the return of human remains to countries or communities of origin will be addressed and managed.

LMG recognise that human remains have a unique status within museum and archive collections as once living people or parts of living people and must be cared for and treated in a sensitive and respectful way. We recognise the value of human remains and their potential to contribute to the public good through research, learning and display and the sensitivities that surround this. We also acknowledge that human remains have a personal, cultural, symbolic, spiritual, or religious significance to individuals, communities of origin and other groups which places a special responsibility on the museums that hold them.

We recognise that certain human remains and artefacts made from or incorporating human remains are especially culturally sensitive. We also recognise that historically some human remains were obtained in unacceptable circumstances including through force or duress or were acquired in ways exemplifying what is now seen as scientific racism. We are committed to researching the histories of the human remains collections and being transparent about them.

We are committed to working co-operatively with communities of origin, other museum and archive professionals, and interested groups, to ensure that all culturally sensitive items are cared for and used appropriately, and that the value and use of human remains are considered alongside the wishes of descendants and cultural custodians where relevant.

Definition of Human Remains

LMG adopts the definitions of human remains as set out by the DCMS Guidance for the Care of Human Remains in Museums, 2005. Human remains are the bodies and parts of bodies of once living people from the species *Homo sapiens*. They include bones, teeth, skin and other organs, embryos, body fluids and slide preparations of human tissue. They also include any of the above that may have been modified in some way by human skill and/or may be physically bound up with other non-human materials to form an artefact composed of several materials.

Types of 'human remains' in the collections

LMG hold a wide variety but relatively small number of human remains, with most relating to the history of research and teaching in various fields of medicine and dentistry. These consist of mostly skeletal material from the old medical, anatomical, and dental museum collections, but also include modified remains such as 'Waterloo Teeth', an Egyptian mummy and anatomical teaching models built upon skeletal material. There is also a small collection of 19th century bladder stones and similar material. All human remains in these collections are over 100 years old. Special Collections & Archives contain hair in the collections that are pre-mortem and have been donated by people who cut it off before they died as a gift. Hair is not included in the Human Tissue Act.

Inventory of collections

LMG hold human remains for the purposes of research, display and learning, and believe in being open about the contents of the collection. We are continuously improving the documentation of our collections, which are listed on internal systems.

Consultation and decision making

We are committed to decision making around the future of human remains informed first and foremost by communities of origin. In certain circumstances, such as in the absence of living descendants, we recognise that we may need to consult with scientists, academics, museum staff, authorities from countries of origin, audiences and other stakeholders.

We will make recommendations to the University's Heritage, Art and Culture Committee based on ethical judgement, professional best practice, cultural views on what constitutes respectful treatment, measurable benefits to LMG and their audiences, and the needs of different communities.

Legislation and guidance relating to the care of human remains

LMG follows the current versions of the legal and professional guidelines, including:

- The Department of Culture, Media and Sport Guidance for the Care of Human Remains in Museums (2005)
- Museums Association Code of Ethics (2016)
- Archives and Records Association (UK and Ireland) Code of Ethics (2018)
- Guidance for best practice for treatment of human remains excavated from Christian burial grounds in England published by The Church of England and English Heritage (CoE/EH 2017)
- The Human Tissue Act, 2004
- The Human Tissue Authority's Codes and Standards, 2017
- The Dealing in Cultural Objects (Offences) Act, 2003 and other legislation relevant to acquisition
- ICOM Code of Ethics for Museums

Acquisitions

It is unlikely that LMG would actively acquire human remains, however they may, in certain circumstances, consider acquiring responsibly and ethically further human remains, whether modified or unmodified (for example, Commissioned Artworks), that are relevant to the mission of the museums. Decisions about acquisition will be based on consultation with appropriate communities and other interested parties to consider the value that acquisitions would bring to LMG and their stakeholders.

We will not acquire human remains where there is any suspicion of illicit trade and will only acquire human remains post-dating 2004 where valid written consent by the Human Tissue Authority for storage and public display has been granted. In the case of historical remains, every effort will be made to ensure that provenance has been established as clearly as possible.

Any proposal for the acquisition of human remains less than 100 years old will be subject to the legislation set out in the Human Tissue Act 2004 and guidance from the Human Tissue Authority.

De-accessions

LMG may on occasion de-accession human remains either to transfer them to another more appropriate collection or institution with an appropriate human remains policy, or in response to approved claims for restitution and repatriation submitted in accordance with LMG's policies and procedures for the consideration of claims.

Human remains will be de-accessioned responsibly, with reference to the legal, ethical, and professional principles and procedures set out in the DCMS Guidelines and in accordance with our Collection Development Policy. This will include establishing whether descendants may wish to make a claim for the return or burial of remains as appropriate.

Any de-accessions will be subject to final approval from the University's Heritage, Arts and Culture Committee.

Requests for return

LMG are committed to openness and transparency regarding claims for restitution and repatriation of human remains and will be proactive in discussing the possible repatriation of relevant human remains with contemporary communities of origin.

Claims will be considered and determined on a case-by-case basis following dialogue and consultation with claimants, potential claimants and stakeholders in accordance with DCMS guidance and the Collection Development Policy.

LMG will treat all requests sensitively and with respect. We will discuss requests for the repatriation of human remains with contemporary communities of origin and stakeholder groups and evaluate individual cases with rigour and respect for communities, seeking external expertise when considering requests as needed.

Claims for return will be respectfully considered and subject to final approval from the University's Heritage, Arts and Culture Committee.

Storage, conservation and collection management

LMG aims to store and display human remains, whether on loan or part of the permanent collection, in an actively managed and monitored environment that minimises their rate of deterioration.

Human remains will be stored in a respectful and culturally appropriate way wherever possible. This may mean, for example, restricting access to certain items, where unrestricted access may cause offence to descendants. Wherever practical, human remains will be stored in secure areas with restricted access, and where possible, in covered, clearly labelled boxes or similar containers. Access to human remains will only be allowed to authorised staff and visitors.

Handling should be avoided unless necessary and gloves must be worn when handling.

Where conservation is required, the principle of minimum intervention and reversibility will always be applied.

Display

LMG will continue to display certain kinds of human remains for the purpose of learning, following careful consideration of the reasons for, and circumstances surrounding the reasons for display, including consultation with communities of origin as applicable.

LMG recognise the importance of exhibiting human remains in an appropriate intellectual and social context alongside accompanying explanatory and contextual information. Displays containing human remains will continue to be actively reviewed in line with DCMS guidelines and Human Tissue Act legislation.

Consideration will be given to how best to inform visitors of the presence of human remains on display. Wherever possible, consultation will take place to ensure human remains are displayed suitably and acceptably.

Loans

LMG will lend human remains to other institutions for display and/or research, provided that the borrowing institution meets the legal, ethical and practical considerations set out in the DCMS's

Code of Practice and Human Tissue Act legislation. Borrowers must adhere to the guidance laid out in this and other relevant LMG policies and procedures.

LMG will also ensure that these considerations are followed when borrowing human remains from other institutions.

Transport

LMG will create and maintain records of the transport of human remains using their collections management procedures, enabling traceability of individual items.

Human remains will be packed and transported with due regard to dignity and respect.

The arrangements for packing and transport of human remains will be based on an individual assessment of the condition of the item and risks arising from transport.

Access, research and learning

LMG will provide access to the human remains in their collections for academic research, learning and engagement in line with DCMS guidance.

Access to human remains in storage is allowed only to authorised staff and visitors with specific permission under agreed supervisory arrangements. All access to stored human remains will be monitored and logged.

Public access will not be allowed to any human remains where the outcome of a claim for return to a community of origin is pending or where cultural sensitivities prevent them from being viewed. Determination of the latter will be done through consultation with communities of origin.

Visitors and researchers are reminded of their ethical obligations and will be expected to follow the relevant principles of this and other LMG policies and procedures and the DCMS Code of Practice.

Requests for the study of human remains (including photography), particularly those identified as sensitive, or requests involving innovative procedures or sampling, will be considered on a case-by-case basis.

The results of any research investigation will be deposited with LMG as appropriate and made available in the public domain.

Members of the public, including teachers and students, will be forewarned of any human remains being included in a session. Participants in a session will be told what is meant by dignified and respectful treatment of human remains.

Images and filming

Photography or filming of human remains that are not on display will be permitted for approved collection management, documentation, or research, learning and engagement purposes. Proposals for the photography or filming of remains will be subject to approval by LMG as appropriate, following consideration of relevant legal, regulatory, ethical, and other issues.

Where there are known cultural objections to the photography or filming of specific human remains, LMG will respect this sensitivity.

It is assumed that human remains placed on public display will be photographed by visitors. Staff will be mindful of this when developing new displays and creating and using images of human remains. In certain circumstances visitors may be requested not to photograph human remains.

Policy authorisation and contacts

General enquiries relating to human remains should be addressed to the relevant curator or archivist in LMG in the first instance. The principle contact for requests for return is the Director of Libraries, Museums, Galleries.

Acknowledgements

This policy draws upon best practice in the established policies of other UK museums and institutions holding human remains including the Horniman Museum and Garden, University of Oxford, University of Cambridge and National Museums Liverpool.

Appendix: Criteria that the University will consider

A. The status of those making the request

Genealogical descendants

Under normal circumstances the wishes of claimants will be seriously considered if they can demonstrate a direct and close genealogical link to the human remains being claimed. However, claimants should do everything that they can to ensure that they are the only possible claimants, and, if they are not, that there is agreement over who has the right to make the claim.

Community of origin

Where a claim is submitted by a cultural community the University will seek to consult to verify that the claimants have the authority to submit a claim for the return of the human remains; or where there is more than one group of claimants that they are fully supported by the other claimants. In particular, the University will normally seek the advice of the relevant national government as to the authority of those submitting the claim, and so will ask claimants to make their claim through their relevant national government or agency.

For a group to be recognised and their claim for human remains considered the University would expect claimants to be able to demonstrate a continuity of belief, location and customs between themselves and those of the community from which the remains originate.

It would be unusual for the University to consider a claim from a community which did not either occupy the land from which the remains came, or practise the same religious beliefs, or share the same culture.

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 its nationals. The University will only normally consider claims through a national government where the community from which the human remains originated has been clearly identified and where it is clear that the community wishes to see the human remains returned.

The University will provide all the information that it has regarding the relevant human remains to assist a national government in identifying the appropriate community.

B. The cultural and spiritual significance of the human remains

It would be expected, but not regarded as essential, that the claimant group should demonstrate that the human remains, and their treatment have a particular cultural or spiritual significance to their community. Examples might include the fact that the human remains were removed outside the laws and normal practices of the community at the time, or that the correct 'laying to rest' of remains was not followed. Demonstration of a very strong cultural or spiritual significance of the human remains, whose continued holding by the University perpetuates a strong feeling of grief amongst claimants, will be duly considered by the University when making a decision.

C. The age of the human remains

Archaeological and historical studies have 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 The University accepts the view of the DCMS Guidance that it is unlikely that a claim will be successful if the human remains being claimed are more than 300 years old, and highly unlikely if the human remains being claimed are more than 500 years old.

D. How the human remains were originally acquired

It is not normally the case that there is evidence that the deceased gave consent for his/her remains to be transferred to a university museum or collection. However, if there is evidence one way or the other then it would strengthen or weaken the claim for return accordingly.

E. The potential public benefit of the human remains

As noted in the policy, human remains have the potential through teaching, research and display to inform us about cultural differences, including approaches to death, burial practices, and belief systems in addition to advancing research in the fields of history of disease, changing epidemiological patterns, forensics and genetics.

When considering a claim, the University will assess the research potential and public benefit of the human remains in question. This assessment will include a review of the research on the human remains that has taken place in the past and an assessment of the potential contribution that the human remains can make in the future based on the current understanding of the appropriate research field.