



The Hunterian Repatriation Policy

Approved by: Hunterian Strategic Development Board, University of Glasgow

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1. The Mission of The Hunterian

As an integral part of the University of Glasgow, The Hunterian preserves and develops its collections and expertise for innovation and engagement, to create meaning, value and relevance with academic, museum and civic communities.

The Hunterian aims to be an ethical and accessible museum organisation that engages critically with its historic legacy for the benefit of all of its stakeholders and audiences, in support of the University's effort to positively affect society.

2. Policy Statement

This Policy is guided by the legal and structural framework and governance of The Hunterian. As title in the collections rest with the University of Glasgow, the final decision on repatriation rests with the University Court.

This Policy does not define how we operate, develop and work with communities and indigenous peoples who have the right to be fully engaged in any process, project or activity that may impact upon them.

The aim of this Policy is to outline the procedures for the deaccession and repatriation from The Hunterian of collection items comprising all forms of cultural heritage material, including but not limited to objects, audio visual, artwork, data and documentary records (in either physical or digital form).

The Policy is one of a suite of policies covering the development and use of The Hunterian collections. These are available at <https://www.gla.ac.uk/hunterian/about/reportsandpolicies>.

This Policy will be reviewed after three years, or as future guidance for the international and UK sectors emerge.

Other Hunterian policies of specific relevance are:

- Ethics Policy
- Collections Development Policy
- Human Remains Policy

3. Guiding Principles

The Hunterian welcomes indigenous community engagement with the collections and claims for the repatriation of items from the collections. The Hunterian will work with claimants in a respectful, open, transparent, fair, and timely manner in accordance with the criteria outlined in this Policy.

The Hunterian's commitment to return human remains and other culturally significant heritage items carries a responsibility to ensure the return to the indigenous community, where this is possible to determine, or to the museum or governmental agency most able to care for them.

The question "What is suitable for repatriation?" is not one that can be answered by overseas collecting institutions alone. This question must be put to indigenous communities, who are best placed to understand what material is significant and will support their continuing cultural practices or is important to have returned to their communities. Secular material made and used in the past is of great importance to indigenous peoples, and is an effective tool to achieve cultural revitalization, as culture is not only embodied in sacred and ceremonial practice but fully expressed in everyday life. Repatriation cannot be limited to ancestral remains, or to secret/sacred or ceremonial objects.

Partnering with, and listening to, indigenous communities in the repatriation process is an acknowledgment that those communities have a central role in deciding what material should

be returned.

4. Standards and Guidelines

The Hunterian repatriation procedures conform to standards as set out in the following:

- ICOM *Code of Ethics* (<https://icom.museum/en/standards-guidelines/code-of-ethics/>), Clause 6.1 Cooperation and Clause 6.2 Return of Cultural Property.
- Museum Association *Code of Ethics* (2018) (<https://www.museumsassociation.org/ethics/code-of-ethics>). Clause 2.7 states: "All those who work in and with museums should deal sensitively and promptly with requests for repatriation both within the UK and from abroad."
- Museum Association *Policy Statement on Repatriation of Cultural Property* (2008) (<https://www.museumsassociation.org/policy/01092006-policy-statement-on-repatriation-of-cultural-property>)
- National Museum Directors' Council *Statement on the Spoliation of Works of Art during the Holocaust and World War II period* (https://www.nationalmuseums.org.uk/what-we-do/contributing-sector/spoliation/spoliation_statement/)
- Museum Association *Disposal Toolkit* (2014) (<https://www.museumsassociation.org/download?id=1075416>)
- DCMS *Guidance for the Care of Human Remains in Museums* (2005) (<https://www.britishmuseum.org/sites/default/files/2019-11/DCMS-Guidance-for-the-care-of-human-remains-in-museum.pdf>)
- Museums Galleries Scotland *Guidelines for the Care of Human Remains in Scottish Museum Collections* (2011) (<https://www.museumsgalleriesscotland.org.uk/media/1089/guidelines-for-the-care-of-human-remains-in-scottish-museum-collections.pdf>)

5. Background

Founded in 1807 with the bequest of Dr William Hunter (1718-1783), The Hunterian is the oldest public museum in Scotland. Since its founding, members of staff, students and alumni of the University, citizens of Glasgow and others have undertaken political, military, economic, religious and scientific activities overseas. Some of these activities were undeniably ethically unjustifiable, exploitative or deeply misguided. As a collection formed primarily through donations from such groups, the provenance of some items in The Hunterian collection may directly reflect similar ethical problems.

Donations to, and purchases by, The Hunterian have overwhelmingly been made for the educational and cultural benefit of the University's students, staff, and the wider public. Dr William Hunter's founding collection contained zoological, geological and cultural material from many parts of the world, and the diversity of the collection has greatly expanded since the late 18th century. Today, the increasing cultural diversity of British society gives these collections an important purpose in promoting social, cultural and scientific knowledge and understanding.

We recognise that The Hunterian is an outcome of the inequalities that characterised British and European colonialism from the 18th Century onwards. The benefits of unconditionally returning items to contemporary descendants, community organisations or museums in the nation from which those items originated may outweigh any educational and research benefits for the University's students, staff and visitors.

6. Procedures for Claims

Applications from Repatriation Claimants should follow the procedure outlined below. The Repatriation Claimant will be kept apprised of all Glasgow-based developments in this process.

6.1 Initial Discussion

We invite Repatriation Claimants to address informal enquiries to the Director of The Hunterian. The Repatriation Claimant is encouraged to provide The Hunterian with information concerning the provenance of the item(s), in order to establish a shared and agreed understanding of their provenance and significance. The Hunterian will provide the Repatriation Claimant with all available information concerning the acquisition and provenance of the item(s) concerned.

6.2 Submitting a Claim

The Repatriation Claimant will be invited to complete the *Claim for Repatriation* form (see Appendix 1). The Repatriation Claimant should provide the fullest possible information to help avoid requests for further information and to expedite the later stages of the process. Once completed, the *Claim for Repatriation* should be submitted by email to the Secretary of Court of the University.

6.3 Repatriation Claim Assessment

Upon the University receiving the *Claim for Repatriation* form, The Hunterian will set up a Working Group to assess the Claim. The Working Group will include representation from The Hunterian and the Repatriation Claimant or their nominated representative. Other participants in the Working Group can be appointed with the agreement of both Parties. As most Repatriation Claimants are likely to be based outside the UK, the Working Group meetings can be held online.

Both the Repatriation Claimant and The Hunterian should feel free to consult with relevant Third Parties, such as traditional knowledge keepers (who may or may not be from the claimant family, community etc.) and representatives of originating communities, and other specialists, in relation to the Claim and its deliberation. In addition to assessing any written Claim, the Working Group is open to receiving personal presentation in a format deemed preferable by the Repatriation Claimant, this could be in oral, visual, or any other format.

The Working Group will complete a report for submission to the Hunterian Strategic Development Board (HSDB). If the Working Group and the Repatriation Claimant cannot come to a shared decision, then the Repatriation Claimant can submit their own report.

6.4 Repatriation Claim Decision

The HSDB will assess the Report and make a recommendation to the University's Principal, Senior Vice-Principal and Chief Operating Officer for ratification. In the case of a separate report from the Repatriation Claimant, both reports will be submitted.

If the Claim is rejected, the Repatriation Claimant can submit an appeal which will be assessed by the University Court. The decision of Court will be final.

7. Repatriation Timescales

Following approval, discussions will begin between The Hunterian and the Repatriation Claimant around timescales for transfer of legal title, and any requirements for transfer, packing, transport, etc.

8. Repatriation Costs

The costs of repatriation will not prejudice the decision-making process. The Hunterian will discuss any costs associated with the repatriation with the Repatriation Claimant and any division of these costs will be determined on a case-by-case basis.

9. Transparency, Consultation and Publicity

Throughout the consultation and repatriation process, The Hunterian will act in confidence and with discretion and appropriate cultural sensitivity, and it requests that the Repatriation Claimant does likewise.

In accordance with good practice, The Hunterian will maintain a record of the Claim. As a public body this information is subject to the General Data Protection Regulation (GDPR), the Data Protection Act 2018 and all other legislation relating to the protection of the rights and freedoms of individuals. Details of the Claim may be released as required by the Freedom of Information (Scotland) Act 2002.

10. Claimant Identity

The Hunterian welcomes Repatriation Claims made by, and on behalf of, the following individuals, groups and public bodies. In particular, The Hunterian welcomes claims which enable the return of cultural heritage to living communities.

10.1 Genealogical Descent

Genealogical descendants of creators or former custodians of objects, or of individuals whose remains are in the care of The Hunterian.

10.2 Indigenous Community Organisation and Cultural Centre

Organisations and cultural centres representing indigenous communities who were the original creators or custodians of objects, or whose remains are in the care of The Hunterian.

10.3 Regional or National Museum in Country of Origin

Claims from regional and national museums in a country of origin will only be considered if they are being made on behalf of indigenous communities/peoples (where the community of origin is known) and with the free, prior, and informed consent of the indigenous community/peoples.

10.4 Governmental Agency in Country of Origin

Claims by governmental agencies will only be considered if they are being made on behalf of Indigenous communities/peoples (where the community of origin is known) and with the free, prior, and informed consent of the Indigenous community/peoples.

11. Priority Areas for Repatriation

The Hunterian will be proactive in seeking repatriation in three priority areas of cultural significance, while remaining open to Repatriation Claims for other areas.

11.1 Human Remains

The Hunterian Human Remains Policy defines human remains as:

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, body fluids, slide preparation of human tissue, DNA samples and other biological material. The Human Tissue Act does not include hair and nails as 'human remains', but these are included in The Hunterian definition due to their cultural significance in some societies.

Human remains also include 'artefactual' human remains (also referred to as modified human remains). These are any of the above which have been modified or incorporated into artefacts together with other materials. Examples are cups made from human skulls or wooden clubs inlaid with human teeth. Specimens of other hominids, hominins and apes are not covered by this policy.

11.2 Culturally Significant Heritage Items

Items which are recognised to be culturally significant by their community of origin, or items recognised as having ancestral value by the community.

11.3 Unethical Acquisition by Collectors/Donors/Vendors

The Hunterian has a long and complex history of acquisition, and items almost certainly exist in the collection which were acquired by their collectors/donors under unethical circumstances during and after the period of European colonial occupation, oppression and violence. A non-exhaustive list of justifiable claims made on this basis may include items:

- (a) acquired as the spoils of war;
- (b) acquired through the desecration of graves or sacred sites;
- (c) acquired by theft, or under duress;
- (d) acquired without necessary permits and authority which were in place at the time of collecting;
- (e) which have been subject to spoliation in Europe between 1933 and 1945.

APPENDIX 1

The Hunterian, University of Glasgow - Repatriation Claim Form	
<p>Prior to submitting a Repatriation Claim please consult The Hunterian's Repatriation Policy (available online at https://www.gla.ac.uk/hunterian/about/reportsandpolicies).</p>	
Repatriation Claimant:	
Repatriation Claimant Address: Email: Telephone number:	
Principal Contact Person:	
Principal Contact Address: Email: Telephone number:	
Secondary Contact Person:	
Secondary Contact Address: Email: Telephone number:	
Relationship between Repatriation Claimant and Repatriation Claim Item(s) (see Repatriation Policy section 10): 	

Description of Claim Item(s):

Hunterian Collection Object Number(s) (if known):

Please provide as much information as possible to support your Repatriation Claim:

Please list any supporting documentation you are submitting:

Signature:

Date: