

<b>Institution: University of Central Lancashire</b>
<b>Unit of Assessment: 17 Geography, environmental studies and archaeology</b>
<b>Title of case study:</b> Bones without barriers: engaging with ancient human remains
<p><b>1. Summary of the impact</b> (indicative maximum 100 words)</p> <p>Archaeologists routinely investigate human remains which play a vital role in understanding past societies. In recent years, however, increasing restrictions have impeded excavation and research and this has affected public engagement as applied to skeletal material. The 'bones without barriers' case study is underpinned by research into the ethics of burial archaeology which supports the need for openness and debate. This research prompted the mobilisation of the archaeological community to challenge the conditions being implemented by the Ministry of Justice. The result has been a significant change in governmental attitude which has far-reaching implications for the whole heritage sector.</p>
<p><b>2. Underpinning research</b> (indicative maximum 500 words)</p> <p>The study of human remains is central to archaeology. One of this UoAs key specialist areas is the study of skeletal remains; our investigations focus on scientific analysis, but also consider their cultural value. In particular research has focussed on the ethics surrounding the excavation, analysis and presentation of skeletal material to the public, both on site and in museum contexts. In 2009 an <i>Antiquity</i> debate asked 'Is there a crisis facing British Burial Archaeology?' This opinion piece laid the foundation for Sayer's subsequent research carried out at UCLan. Comprehensive follow-on investigation revealed deeply entrenched problems with the excavation, study and display of human remains, particularly, but not entirely, resulting from the interpretation of law in England and Wales. The state of play in 2010 was that archaeologists needed a licence from the Ministry of Justice (MoJ) in order to excavate and remove human remains. Furthermore, restrictions were in place which required human remains to be reburied two years after excavation, and for excavations to be screened off, therefore limiting the scrutiny of the general public. Sayer's research at UCLan questioned the 'taboo' nature of human remains and highlighted a pressing need to challenge the establishment interpretation of the law as it stood. Research demonstrated that while archaeologists were aware of the broader issues surrounding human remains' retention, they needed to work together in order to advise the government about the negative impact their regulation had on internationally important archaeological projects, for example: the Stonehenge Riverside Project or the Global History of Health Project. Furthermore, because of the RCUK shift towards public engagement in the humanities and sciences there needed be to a radical reappraisal of how the public engage with the excavation of human remains.</p> <p>The result of this was that the archaeological community rallied together to request a change to the interpretation of the law. Consequently in 2011 the Ministry of Justice accepted that the law as it stands was unworkable. In their own words they 'looked again and came to the conclusion that there was room to apply more flexibility' to the issue. After consultation the MoJ redrafted the application process for the licence to remove human remains. Now all human remains of national significance do not have to be reburied within two years and can be retained in archaeological collections. Furthermore, archaeologists were widely consulted about this process. The result of this has been the reinterpretation of the conditions attached to the 1857 Burial Act. While the bulk of Sayer's research at UCLan has focussed on these issues in a British context, this research has much wider reaching implications, particularly for countries who have limited experience of dealing with the archaeological recovery of human remains. This research thus provides the starting point for the creation and implementation of legislation in Europe and across the world.</p> <p><i>Key researchers:</i> Dr Duncan Sayer (Lecturer in Archaeology at UCLan), employed from January 2010, has been working on the ethics of burial archaeology since 1999, with academic publications appearing from 2004.</p>

### 3. References to the research (indicative maximum of six references)

- Parker Pearson, M., Pitts, M. & Sayer, D. 2013. Changes in Policy for Excavating Human Remains in England and Wales. In M. Giesen, (ed.), *Caring for the Dead: Changing Attitudes towards Curation of Human Remains in Great Britain*, 148-157. Woodbridge, Boydell & Brewer.
- Sayer, D. 2011 Bows, Bobbins and Bones: Resolving the human remains crisis in British archaeology, a response. *Papers from the Institute of Archaeology*, 21: <http://pia-journal.co.uk/article/view/pia.370/431>
- Sayer, D. 2010. *Ethics and burial archaeology*. London, Duckworth.
- Sayer, D. 2010. Who's afraid of the dead. Archaeology, modernity and the death taboo. *World Archaeology* 42(3), 481-491. Peer-reviewed journal article.
- Sayer, D. & Pitts, M. 2010. The human remains crisis. *British Archaeology* 115, 34-35.

### 4. Details of the impact (indicative maximum 750 words)

The 'bones without barriers' project has had an enormous impact on many different sectors within society. Firstly, this research highlighted to the heritage sector the need for legislative reinterpretation in England and Wales. This research was a catalyst which mobilised professional archaeologists to challenge the current legal situation surrounding human remains. A 2010 article by Pitts and Sayer in *British Archaeology* raised the profile of the problems identified within the research; media interviews and letters written by Sayer and key colleagues to MPs and the Select Committee for Science and Technology raised the profile of the problem and solicited direct responses from cabinet ministers. In 2011 questions were asked in parliament and Parker Pearson, Pitts and Sayer organised a more extensive media campaign which centred on a letter to the Lord Chancellor, with signatures from 40 leading British professors, requesting a change to the law. At the same time the campaign encouraged individuals and organisations to write to the MoJ to express their concerns. As a direct consequence the Ministry reinterpreted legislation making it more flexible for archaeologists and curators of skeletal material. The opinions of professional archaeological bodies were recognised by the government. Impact has also been on academic and professional debate which has resulted in subject-wide dialogue. Various conferences have discussed these issues including in Durham in April 2012 (Whose Past? An Interdisciplinary debate on the repatriation of artefacts and reburial of human remains) and a Higher Education Academy workshop in March 2013 (Using human remains in teaching and learning). Further afield, an academic session at EAA in Oslo in 2011 focused on this topic, and *Papers from the Institute of Archaeology* published an entire edition on the human remains crisis. These debates have thus extended to include a European audience, not only academics, but also field archaeologists, heritage professionals and students.

The letter to the MoJ, and the issues it discussed, were also picked up by the media. The issue was featured on BBC Radio 4 (*Material World, Today and PM*), the Guardian and other British newspapers. It gained international attention from the BBC world service, Nature News and Reuters, and notable interest in Sweden and Canada. Thus this research has had a high impact in the world media. In particular the public's perception and engagement with archaeology, specifically human remains, has been challenged. Thus, what began as an issue within the academic and commercial sector has led to increased public engagement with this key research issue. This project has influenced people not just on a global and national level, but also at more local scales. The Oakington project in particular is an excellent example of this. In 2010 excavations at Oakington Anglo-Saxon cemetery obtained permission from the MoJ to allow the public to see the excavation of human remains without screens. Community Liaison Officers on the project ran open days and events for the public which highlighted the issues surrounding the excavation of human remains. The public responded positively, and some wrote letters of thanks. Ten notable letters were published in *British Archaeology* in 2011 feeding back the value of outreach into the archaeological community. Consequently this element developed into a Heritage Lottery funded 'young roots, bones without barriers' project. It involved groups from all over

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Cambridgeshire including YAC, Oakington School, Brownies, Scouts, Foxton special needs school and St Faiths school. This is a clear demonstration of how academic research and community engagement can come together in a dynamic and relevant way for all parties. As a direct result of the openness agenda a BBC news article about burial 80, a woman found with a cow, was read by 483,500 people in 12 hours, placing it at the top of the most-read news stories on June 22<sup>nd</sup> 2012. This article was syndicated by 47 home and overseas news agencies demonstrating the broad base of international interest in the project. Academic research has also been treated this way and a 2013 *World Archaeology* article paper used grave 57 as its point of departure. It was published open access and just eight weeks after publication it had been read by 1,296 people, extraordinary for archaeology, placing it as the most read article on the journal's website.

This case study demonstrates a clear link between academic research and its impacts on a variety of different people. It has led to the reinterpretation of the law, benefitting the whole heritage sector. This will go on to impact on the types of excavation and research that can be done. It has also had an impact on public engagement with the remains of the dead, and issues surrounding their excavation, retention and display.

**5. Sources to corroborate the impact** (indicative maximum of 10 references)

These sources all demonstrate the significance and reach of this case study: to professional archaeologists, both academic and practicing, to the public, and to the government, who has been forced to reassess the law in relation to this issue.

*Letter to the Lord Chancellor about the human remains issue*

[http://www.deathandsociety.org/uploaded-docs/BA\\_117\\_Professors\\_letter\\_to\\_Kenneth\\_Clarke\\_QC\\_MP.pdf](http://www.deathandsociety.org/uploaded-docs/BA_117_Professors_letter_to_Kenneth_Clarke_QC_MP.pdf)

*Articles in the Guardian on the human remains issue*

<http://www.guardian.co.uk/science/2011/feb/04/archaeologists-forced-to-rebury-finds>

<http://www.guardian.co.uk/science/2011/feb/04/reburial-requirement-impedes-archaeology>

*BBC Radio 4 Material world: Duncan Sayer discussing the human remains issue*

<http://www.bbc.co.uk/podcasts/series/material/all>

<http://www.bbc.co.uk/programmes/b00v730s>

*Archaeology Daily News in the human remains issue*

<http://www.archaeologydaily.com/news/201102056055/Legislation-forces-archaeologists-to-rebury-finds.html>

*Question in Parliament by Lord Renfrew of Kaimsthorn on 10<sup>th</sup> January 2011*

<http://www.publications.parliament.uk/pa/ld201011/ldhansrd/text/110110w0001.htm#11011012000693>

*Letters from the Ministry of Justice*

10/11/10 Letter from the Lord Chancellor

12/02/11 Letter from the Parliamentary Under-Secretary

30/11/10 Letter from the Parliamentary Under-Secretary