

Professor Norman Palmer
Chairman
Working Group on Human Remains
Dept of Culture, Media and Sport
2-4 Cockspur St
London SW1Y 5DH
United Kingdom

Dear Professor Norman Palmer,

Thank you very much for passing on the below invitation to the Auckland War Memorial Museum (AWMM) to make a submission to the Working Group on Human Remains.

1. AWMM is the oldest and largest museum in New Zealand. It is governed by its own New Zealand Act of Parliament in which a Maori Advisory Committee, called the Taumata-a-Iwi, is legislated to assist the Museum in all issues concerning indigenous peoples' museum-held human remains and treasures.
2. AWMM is aware that in the late 1800s - early 1900s New Zealand's museums traded large numbers of Maori and Chatham Islands human remains with museums and medical institutions in the UK. In exchange New Zealand's museums received old world antiquities and other items of interest.
3. All human remains traded by AWMM originated from tribal burial sites throughout New Zealand without the permission of the descendant communities. They were delivered to UK museums and institutions accompanied by detailed accounts of the locality from where the remains originated, local habitat, and medical accounts. This practice is comparable to a patient being referred to a new doctor. His/her medical file is forwarded to the new doctor, or in the case of human remains to the new holding museum or institution.
4. AWMM also understands that in some instances taonga (treasures) that were discovered alongside the human remains, or have been inappropriately acquired by AWMM, may also have been traded. Where relevant, the return of such items - especially those accompanying human remains - will also be sought by the AWMM.
5. AWMM understands that since receipt, many of the UK museums and institutions have over the years, as a result of further curation, trade or exhibition, separated human remains from their accompanying documentation.
6. AWMM does not classify human remains as artefacts. All human remains currently in the custody of the AWMM are managed with the respect, dignity and integrity one would expect to be granted to any deceased person.

7. AWMM policy (2003) states it will facilitate the repatriation of all Museum-associated Indigenous Human Remains back to source. This statement is supported by the Taumata-a-Iwi who state in their guiding charter (Kaupapa):

The Taumata-a-Iwi acts in a trustee role in representing the interests of Maori and advising the Trust Board on matters of custodial policy and guardianship of taonga (Maori ancestral treasures) and any whakapakoko, uru moko and koiwi (indigenous human remains) held by the Museum.

8. Auckland Museum Trust Board, responsible for the discharging of the AWMM Act 1996, state in its recently adopted Guiding Principles (November 2001) that:

In giving effect to its special relationship with the Taumata-a-Iwi, the Trust Board recognises the following principles:

- a) The right of the Taumata-a-Iwi to advise the Trust Board;
- b) The principle of partnership;
- c) The principle of Trusteeship;
- d) Active protection to ensure physical and cultural safety;
- e) Resolution of past misunderstandings.

9. AWMM and its Taumata-a-Iwi wish to facilitate the return to source of all indigenous human remains AWMM's forebears traded to UK museums and institutions.

10. In preparation of this AWMM has contracted an international specialist curator of indigenous human remains to assist with the development of an inventory of all human remains for which the Museum has been responsible over the years. UK museums and institutions will be included on this inventory.

11. Thereafter, AWMM will seek the cooperation of all identified UK museums and institutions to assist in the return of any held Maori human remains back to source.

12. AWMM will only accept receipt back of any AWMM-originating human remains if the UK holding museum or institution can demonstrate:

- a) full and proper research of all original documentation has been conducted;
- b) all documentation has been collated and accurately reattached to correct human remains; and
- c) it has received authority from all relevant UK parties, officials and authorities to repatriate the human remains legally unencumbered.

13. AWMM requires all communications concerning AWMM-originating human remains held by UK museums or institutions be channelled through the AWMM Director Maori or his delegate.

14. Upon receipt at the AWMM the Taumata-a-Iwi will facilitate the final leg of the return of the human remains to their descendant communities.

In conclusion, AWMM hopes the information provided above assists your group with its deliberations. If in due course the opportunity presents itself, AWMM welcomes any invitation to speak directly with the Working Group on Human Remains.

Yours sincerely
Paul Tapsell

Dr Paul Tapsell
Director Maori

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22nd August 2001

WORKING GROUP ON HUMAN REMAINS

**WORKING GROUP INVITES SUBMISSION OF EVIDENCE FROM
INTERESTED GROUPS AND
INDIVIDUALS**

Working Group on Human Remains calls for submissions

The Working Group on Human Remains, which was established by the Minister for the Arts in May 2001 under the Chairmanship of Professor Norman Palmer (please refer to DCMS News release 165/01 8 May 2001) has today issued an invitation for the submission of evidence, either oral or written, from interested parties.

The Group was formed with the following Terms of Reference:

1. To examine the current legal status of human remains within the collections of publicly funded Museums and Galleries in the United Kingdom.
2. To examine the powers of museums and galleries governed by statute to deaccession, or to otherwise release from their possession, human remains within their collections and to consider the desirability and possible forms of legislative change in this area.
3. To consider the circumstances in which material other than, but associated with, human remains might properly be included within any proposed legislative change in respect of human remains.
4. To take advice from interested parties.
5. Consider the desirability of a Statement of Principles (and supporting guidance) relating to the care and safe keeping of human remains and to the handling of requests for return. If the Panel considers appropriate to draw up the terms of such a Statement and guidance. (The Group interprets 'care and safe keeping of human remains' as including all forms of treatment, including use and presentation).
6. To prepare a report to the Minister for the Arts and make recommendations as to proposals which might form the basis for a consultation document (to be used for consultation under the Regulatory Reform Act 2001).

The Group wishes to hear from any interested party, either within or beyond the United Kingdom who would like to make a contribution to the issues included within the Terms of Reference. Written contributions are requested in the first instance but the Group reserves the power to supplement these by inviting oral submissions.

Written contributions, of which at least one copy should be in English, should be received by the 30 November 2001 and sent to:

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