



# **The Treatment of Human Remains in the Care of Oxford Archaeology**

*POLICY DOCUMENT*



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## INTRODUCTION

- 1.1.1 The purpose of this document is to establish the conditions under which Oxford Archaeology (OA) handles and deposits human remains and associated funerary artefacts from archaeological sites.
- 1.1.2 The primary goals of this document are twofold:
- To ensure that the treatment of human remains is undertaken with care and respect and in a manner that does not cause offence.
  - To maximise the scientific value of the remains.
- 1.1.3 This document is based on the following source material:
- *Guidance for Best Practice for Treatment of Human Remains Excavated from Christian Burial Grounds in England*. (Church of England and English Heritage 2005).
  - *Guidance for the Care of Human Remains in Museum Collections* (DCMS 2005)
  - *Human Bones from Archaeological Sites* (English Heritage 2002)
  - Papers presented at the *Care of Human Remains in Museum Collections* symposium (Museum of London 2007).
- 1.1.4 This policy document will be subject to periodic review in accordance with advances in knowledge and moral, ethical and legal debate.

## BACKGROUND

- 1.1.5 Through its specialist burials department, Heritage Burial Services, OA provides services to public and private organisations for the excavation and analysis of human remains from archaeological sites. Every year, ahead of development, hundreds of human skeletons, burnt and unburnt, and ranging in date from Neolithic to post-medieval, are excavated, processed and examined by OA staff. The vast majority of these are of unknown personal identity.
- 1.1.6 As an RAO, OA agrees to abide by a *Code of Conduct* which demands high ethical standards for all aspects of the company's work, and the company's work is governed by a raft of standards, the most relevant of which is the IFA publication *Guidelines to the Standards for Recording Human Remains* (Brickley and McKinley 2004).
- 1.1.7 OA subscribes to the code of ethics set out by the British Association for Biological Anthropology and Osteoarchaeology (BABAO) (<http://www.babao.org.uk/index/ethics-and-standards>). This code sets out recommendations for the treatment of human remains in osteoarchaeological research and professional practice.

- 1.1.8 All human remains are handled by OA staff with utmost dignity and respect at all times. Where special requests by relatives or interest groups are made for handling or storage, OA does its best to honour these, where appropriate.

#### **LEGAL, SCIENTIFIC AND ETHICAL CONSIDERATIONS**

- 1.1.9 OA recognises that any decisions relating to the treatment of human remains from archaeological sites must be carefully balanced against different people's attitudes and beliefs. Genealogical descendants, cultural communities, custodians and the worldwide scientific community are among the main groups who claim rights over human remains. The ideas, both legal and ethical, held by these different groups are complex and multi-layered, being based on interests and beliefs that may not always coincide.
- 1.1.10 OA also recognises that ideas relating to the treatment of human remains from archaeological sites are not static, but are rapidly changing. Ethical and moral aspects are also an area of continued debate. Thus, great importance is placed on OA's engagement with, and contribution to, current issues and the formulation of national policies and guidelines, as well as the continued need to review its own human remains policy.

#### **Legal considerations**

- 1.1.11 No human remains are excavated until the relevant licence and / or faculty has been obtained from the Ministry of Justice and / or the Church.
- 1.1.12 OA expects all staff, both ethically and under common law, to treat human remains with respect.

#### **Scientific considerations**

- 1.1.13 Human remains and their context (for example, grave goods, coffins and monuments) are of intrinsic significance in understanding the human condition through research, teaching and public display. Their study is key to advancing knowledge in the areas of evolution, archaeology, history, palaeodemography, palaeopathology, forensics, genetics, human migration, medicine and in burial practices, beliefs and traditions.
- 1.1.14 OA regards all types of human remains as a valuable research resource. It is also recognised that their potential will vary depending on numerous factors, such as their preservation, nature and date.
- 1.1.15 OA assesses the scientific value of human remains on a case by case basis and makes recommendations to relevant parties (i.e. clients, museums, the County Archaeologist, national bodies) concerning the most appropriate course of action (for example, level of recording, reburial, additional study, or permanent curation). This is undertaken in accordance with national standards (Brickley and McKinley 2004; Mays 2005).

- 1.1.16 It is most likely that some level of analysis, either low or high resolution<sup>1</sup>, is recommended by OA. This even applies to badly preserved remains or remains that are few in number.
- 1.1.17 Unstratified remains are of limited scientific value and, apart from exceptional circumstances, they are rapidly scanned on site by a qualified Osteologist and reburied, wherever possible (bearing in mind the project design, weather conditions, site access and other such factors).

### **Ethical considerations**

- 1.1.18 Human remains from archaeological sites have come, in recent years, to be regarded as of especial cultural sensitivity, having a personal, cultural, symbolic, spiritual or religious significance to individuals and, or, groups. This is fuelled by factors such as the multi-cultured nature of modern society, modern religious and humanist philosophies, medical ethics, museological and legal concerns and concerns expressed by indigenous populations from outside the UK.
- 1.1.19 In its treatment of human remains, OA always strives to work closely with all interested parties. There is no property in a corpse and, as such, no interested party - landowner or religious community - has an automatic right to decide the fate of human remains. However, any recommendations made by OA regarding the fate of human remains are evaluated in the context of their beliefs and concerns, and decisions are not made without their consultation, where appropriate.

### **REBURIAL**

- 1.1.20 Where applicable, OA expects the method of ultimate disposal to be clearly set out in the burial licence or faculty and that reburial or retention will be included as a condition of the licence or faculty.
- 1.1.21 While the long term retention of human remains is an important component of scientific research and education, OA recognises that this is not always appropriate, or justifiable, for all human remains.
- 1.1.22 Any requests for the immediate re-burial of human remains are addressed by following the guidance set out by the DCMS (2005), where applicable. Ideally this is undertaken before any excavation takes place. Cases where immediate re-burial goes ahead usually involve a low resolution examination of the remains on site by a qualified Osteologist. OA expects that all costs for re-burial are borne by the client who is notified of this at the outset of a project.

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<sup>1</sup> High resolution analysis refers to the estimation of sex, age and stature, in addition to more detailed metrical, non-metrical and palaeopathological analysis. This is usually undertaken at OA's premises or in suitable on-site accommodation.

Low resolution analysis refers to the estimation of sex, age and stature and noting gross pathological changes. This is usually undertaken on site.

- 1.1.23 There are currently no national guidelines relating to the practical aspects associated with the re-burial of human remains. OA adopts the principle that any articulated remains should be re-buried in a manner that will allow researchers to access them again in the future. This would normally involve the deposition of the remains as discrete skeletons, in permeable shrouds (for example, such as agricultural fleece), in a linear cut. A register of contexts that are re-buried should be kept, as well as a record of the location.
- 1.1.24 All re-burial is undertaken in consultation with relevant parties. Primarily this is in a manner that respects, as closely as possible, the burial rites adopted by the cultures associated with the remains. For example, this includes factors such as whether the remains are re-buried in consecrated or un-consecrated ground. Any requests by relevant groups to attend the re-burial and/or organise a ceremony are accommodated, wherever practicable.
- 1.1.25 Associated funerary artefacts are intrinsically linked to the human remains that they accompany. Together, they reflect the burial rites of those who deposited them, and therefore, their beliefs. OA recognises that to divorce such artefacts from the human remains with which they are associated is disrespectful. However, it is not unlawful. Thus, by negotiation with relevant parties (in particular, the holding museum and landowners), OA endeavours to re-bury human remains with all of their associated funerary artefacts, as far as possible.
- 1.1.26 Human dignity and belief are of paramount importance when considering the re-burial of human remains. OA does not, therefore, consider it acceptable to alter the mode in which an individual had been buried by, for example, cremating skeletons, despite the fact that this may make more economic sense.

#### **HUMAN REMAINS OF MORE RECENT ORIGIN**

- 1.1.27 Material in this category is of considerable scientific value given the abundance of written sources that exist to underpin analyses and interpretations. It also forms a backdrop against which hypotheses may be tested. Some such human remains may be of known identity (for example, by an associated breastplate or other inscription) and (by reference to genealogical sources) this provides the opportunity to reconstruct biographies for the individuals. The remains also provide the rare opportunity to refine existing methods that are used by Osteologists to estimate biological age and sex, and develop new ones.
- 1.1.28 OA acknowledges that human remains in this category require special consideration, their use in science being more controversial and emotive (especially following the Bristol baby and Alder Hey scandals), and are subject to the Human Tissue Act 2004. This act regulates the removal, storage and use of human tissue (including human bone).
- 1.1.29 Justifications for the archaeological excavation, specialist analysis and retention of such remains are considered in accordance with guidelines set out by English Heritage (in progress).

- 1.1.30 No remains that are less than 100 years old are excavated without any living descendants being traced and without their prior consent.

#### **EXCAVATION PROTOCOL**

- 1.1.31 Human remains are excavated by OA in accordance with national guidelines (IFA, Church of England and English Heritage) and OA's Field Manual (Wilkinson 1992).
- 1.1.32 Except under certain circumstances, there is no legal obligation to inform interested parties (for example, land owners and religious groups) of exhumations that are taking place. However, on ethical grounds, OA recognises the importance of this and, to this end, strives to consult all relevant parties, as appropriate.
- 1.1.33 OA places great importance in the controlled and careful excavation of human remains. This ensures that they are screened from public view during excavation, that their excavation and recovery is undertaken with care and respect and that the amount of information that may be retrieved from the material is maximised. In undertaking this work, OA will not violate standard professional protocol, except where extenuating circumstances (for example safety, nighthawks, weather, etc.) prevail.
- 1.1.34 Prior to the excavation of human remains OA requires a Written Scheme of Investigation that has been agreed by the County Archaeologist, Diocesan advisor or English Heritage, as appropriate.
- 1.1.35 Where any soft tissue survives and/or materials (for example, inner coffins, mattresses and other paddings) soaked in body liquor, no excavation or handling of the remains takes place until an appropriate risk assessment has been undertaken. Protocols (i.e. Cox 2001) for dealing with fleshed human remains are adhered to and adapted at the discretion of the Head of HBS or project manager, as appropriate.
- 1.1.36 OA will not deal with sealed lead coffins. When these are encountered, a specialist firm is contracted by OA to undertake their safe removal and disposal.
- 1.1.37 Only appropriately trained staff excavate and recover human remains. To qualify, they should have at least an undergraduate degree in Archaeology (or have worked in archaeology for the equivalent number of years it takes to obtain a degree) and have at least 12 months field experience. Staff who have not excavated human remains before are closely supervised. All excavation takes place under the supervision of an Osteoarchaeologist who is expected to maintain regular contact with HBS staff.

#### **POST-EXCAVATION PROTOCOL**

- 1.1.38 Human remains are processed according to the guidelines set out by the IFA (McKinley and Roberts 1993).
- 1.1.39 The packing and storage of human remains is undertaken in accordance with the recommendations set out by Janaway *et al.* (2001) and McKinley and Roberts (1993).

- 1.1.40 Human remains are analysed by appropriately trained staff, namely those who have a Masters degree in Osteology or a related subject.
- 1.1.41 All human remains are examined in accordance with accepted practice (Brickley and McKinley 2004). This relates to traditional methods for examining human remains (for example, macroscopic observations). The application of more specialised methods, such as radiography and isotope analysis, is recommended where appropriate.
- 1.1.42 All analysis and processing are undertaken either on OA's premises or, if on site, in a suitable work space that is away from public view. No eating or drinking is permitted when handling human remains.
- 1.1.43 Assessing human remains to determine their long term retention (or not) is an important aspect of analysis. To this end, OA provides recommendations to relevant parties based on the scientific potential of the remains. Where the long term retention of a human bone assemblage cannot be agreed by all relevant parties, OA recommends the involvement of the committee that has been set up by English Heritage (Mays 2005).

#### **ASSOCIATED DOCUMENTATION**

- 1.1.44 All documents associated with human remains are maintained and returned to either the Head of Burials, Project Manager or Head of Archives, as appropriate.
- 1.1.45 OA does not allow original documents used by visiting researchers to be taken from OA's premises. Photocopies may be made, but copyright remains with OA and any information taken from the documents should be referenced to OA.
- 1.1.46 A copy of any independent reports resulting from the analysis of human remains by researchers should be forwarded to OA for inclusion in the site archive. This applies even if the aims and objectives of the research lie beyond the scope of the site report.
- 1.1.47 Copies of burial licences (where relevant), faculties, licence and faculty applications and correspondence regarding licences and faculties are forwarded to the Head of Archives for inclusion in the site archive.

#### **MARKING AND LABELLING**

- 1.1.48 All material is clearly labelled on the outside of the boxes and also on labels that are placed within each bag that contains bone.
- 1.1.49 Human remains are individually labelled with indelible ink if they are to be retained as a teaching collection, or are to be put on display. This is because human remains in this category are at significant risk of becoming separated from their labelled packaging and associated elements.
- 1.1.50 Human remains that are not used for teaching or display are at less risk and, as such, they are not marked. Marking bone is a labour intensive and costly process and

cannot realistically be applied to all human remains that OA deals with. There is little benefit to be gained from marking bones that are not used for display and/or teaching because the likelihood that they will become disassociated from their labels is minimal. To some individuals this is regarded as unnecessarily invasive and disrespectful.

## **CONSERVATION**

- 1.1.51 The conservation of human remains (for example, the application of a consolidant) will not be undertaken unless it is required for display, to prevent the loss of information or for publication. Conservation will not be undertaken unless it has been approved by the Head of Heritage Burial Services.
- 1.1.52 Conservation will be conducted by a suitably qualified conservator and will be supervised by a qualified Osteologist. This is to ensure that no procedure is implemented that would unintentionally destroy some aspect of the research potential of the material (for example, DNA or chemical analyses). Materials and treatments will be employed that will not compromise future analysis, as far as possible.
- 1.1.53 No conservation is undertaken until a qualified Osteologist has undertaken a detailed examination of the remains.

## **ACCESS, EDUCATION AND USE**

- 1.1.54 OA fully supports the use of human remains in research and education, provided that they are treated with care and respect.
- 1.1.55 In making human remains accessible for research, education and media, OA subscribes to the guidance set out in *Guidance for the Care of Human Remains in Museum Collections* (DCMS 2005). This also applies to the destructive sampling of human remains.
- 1.1.56 All loans are documented via an agreement letter between OA and the borrower. This letter sets out the agreement to restrict access of the remains to specified users and defines the length of time that the remains are to be loaned for.
- 1.1.57 No human remains are loaned out by OA without prior agreement of the receiving curator (where applicable).

## **Research Access**

- 1.1.58 Access to collections is not usually granted until the primary analysis of the remains has been completed by HBS staff. This is because research usually requires the primary data to select an appropriate study sample. Without this, loss of valuable/key information is likely.
- 1.1.59 Applicants who wish to gain access to collections must complete the relevant form, include a research proposal and one academic reference and agree to the conditions and regulations set out by OA for accessing human remains (Appendix 1 and 2).

1.1.60 Access to material is not granted without the express permission of the relevant receiving museum. This must be gained by the applicant. The applicant will not be able to work on any human remains without proof of the relevant museum's permission.

1.1.61 Sampling will not be authorised without the permission of the receiving museum.

#### **Educational use**

1.1.62 OA will not loan human remains for educational use without the prior permission of the receiving museum.

1.1.63 Human remains will not be loaned by OA unless the borrowing institution is able to satisfy the legal, ethical and practical considerations that are set out in *Guidance for the Care of Human Remains in Museum Collections* (DCMS 2005).

#### **Media use and use for publication**

1.1.64 Use of human remains by the media (including publication of images) is acceptable as long as the remains are presented in a sensitive and respectful manner, relevant curators are consulted and the views of cultural communities and genealogical communities are considered (if known).

*Prepared by Louise Loe, Head of Heritage Burial Services, Oxford Archaeology, April 2008*

**APPENDIX 1**

**APPLICATION TO ACCESS HUMAN SKELETAL REMAINS FOR RESEARCH**

**NAME:** \_\_\_\_\_

**POSITION:** \_\_\_\_\_

**AFFILIATED TO  
(ADDRESS):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EMAIL:** \_\_\_\_\_

**NAME OF  
SUPERVISOR (PHD  
AND MASTERS  
CANDIDATES)** \_\_\_\_\_

*Please attach a signed and  
dated reference from your  
supervisor*

**MATERIAL WISHING  
TO ACCESS** \_\_\_\_\_

**PURPOSE OF  
RESEARCH** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Please attach a brief  
research abstract*

**METHODS TO BE  
EMPLOYED** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WILL DESTRUCTIVE SAMPLING BE  
EMPLOYED?** **Y/N**  
\_\_\_\_\_

**IF YES, DESCRIBE**

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*Please attach written permission to undertake destructive sampling from the relevant museum curator*

**PROPOSED DATES FOR ACCESS**

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**ALTERNATIVE DATES**

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**APPENDIX 2**

**REGULATIONS FOR INDIVIDUALS ACCESSING HUMAN SKELETAL REMAINS**

**Please read the following carefully.**

**Handling human remains**

- 1.1.65 Anyone who handles human remains will do so with extreme care and respect.
- 1.1.66 Human remains will only be worked on in designated areas. This will normally be at a work bench in either the Burials department or in the Finds department.
- 1.1.67 Always work on one skeleton at a time so as to avoid mixing elements between skeletons.
- 1.1.68 Never handle more than one bone at once and take care not to lift bones by holding them where they are most fragile (for example, the orbits of the skull).
- 1.1.69 Bones must be returned to the box from which they came. They should be packed exactly as found: heavy bones (e.g. long bones) should be at the bottom of the box, while lighter bones (e.g. vertebrae should be packed at the top of the box).
- 1.1.70 Never write on bones or use instruments that could damage them (e.g. adhesive tape, knives, scissors, correction fluid, or other such item).
- 1.1.71 Do not take photographs of the material without permission.

**ANY ACCIDENTAL DAMAGE MUST BE REPORTED TO THE HEAD OF BURIALS, OR HEAD OF FINDS, OR OTHER REPRESENTATIVE. OA RESERVED THE RIGHT TO PREVENT ACCESS TO HUMAN REMAINS IF HUMAN REMAINS AND THEIR ASSOCIATED DOCUMENTS ARE NOT BEING HANDLED ACCORDING TO THESE REGULATIONS.**

**I have read and agree to the above regulations**

**Signed:.....**

**Date:.....**

**BIBLIOGRAPHY**

Brickley, M, and McKinley, J, 2004 *Guidelines to the standards for recording human remains*, IFA Paper No. **7**

Cox, M, 2001 *Crypt archaeology. An approach*. IFA Paper No. **3**

DCMS, 2005 *Guidance for the Care of Human Remains in Museum Collections*

Janaway, R, Wilson, A, Caffell, A, and Roberts, C, 2002 *Human skeletal collections: the responsibilities of project managers, physical anthropologists, conservators and the need for standardized condition assessments*, in *Human Remains*, BAR International Series 934 (ed. E Williams), 199-208.

Mays, S, and Payne, S, 2006 *Archaeologists and the unexpected discovery of human remains*, in *The Archaeologist*, No. **60**, p11.

Mays, S, 2005 *Guidance for Best Practice for Treatment of Human Remains Excavated from Christian Burial Grounds in England*. Church of England and English Heritage.

Mays, S, 2002 *Human Bones from Archaeological Sites* English Heritage.

McKinley, J, and Roberts, C, 1993 *Excavation and post-excavation treatment of cremated and inhumed human remains*, IFA Technical Paper No. **13**

Wilkinson, D, 1992 *Oxford Archaeology Field Manual*. Unpublished OA document.