

**Slipping Through the Net
Maritime Archaeological Archives in Policy and Practice**

**A discussion document by the Maritime Affairs Group of the Institute
of Field Archaeologists**

Response by the Joint Nautical Archaeology Policy Committee



April 2007

Introduction

The Joint Nautical Archaeology Policy Committee (“JNAPC”) welcomes the opportunity to respond to the discussion document *Slipping through the Net* by the Maritime Affairs Group of the Institute of Field Archaeologists.

The JNAPC was formed in 1988 from individuals and representatives of institutions who wished to raise awareness of the United Kingdom’s underwater cultural heritage and to persuade government that underwater sites of historical importance should receive no less protection than those on land. Some summary information on the JNAPC and its members is attached at the end of this response.

In May 1989 the JNAPC launched *Heritage at Sea* seeking better protection for our underwater cultural heritage, and followed this in 2000 with *Heritage Law at Sea*, which called for a review of the legislation affecting the protection of historic sites underwater. In 2003 the JNAPC published *An Interim Report on the Valletta Convention & Heritage Law at Sea*, which made detailed recommendations for legal and administrative changes to protect the UK’s underwater cultural heritage. JNAPC has also made a considerable contribution to the DCMS Consultation Document *Protecting our Marine Historic Environment: Making the System Work Better* and has been represented on one of the subsequent working groups.

We believe that this Discussion Document highlights a severe problem for which a solution needs to be found and it is helpful to quote the *European Convention on the Protection of the Archaeological Heritage (revised)*¹, which the UK Government has ratified. The Valletta Convention seeks to ensure that all UCH and its archives are properly resourced, managed and protected. In particular Article 4 (iii) states:

Each Party undertakes to implement measures for the physical protection of the archaeological heritage, making provision, as circumstances demand:

- i. for the acquisition or protection by other appropriate means by the authorities of areas intended to constitute archaeological reserves;*
- ii. for the conservation and maintenance of the archaeological heritage, preferably in situ;*
- iii. for appropriate storage places for archaeological remains which have been removed from their original location.*

We suggest that this obligation should be brought to the attention of DCMS in future discussions.

It should also be noted that the current EU Green Paper “*Towards a future Maritime Policy for the Union: A European vision for the oceans and the seas*” states that the 2004

¹ European Convention on the Protection of the Archaeological Heritage (revised) (ETS no.143). Hereafter ‘the Valletta Convention’.

Euroceans conference emphasised that alongside marine and maritime research, there is a need to support co-ordinated and sustained collection, archiving of and ready access to, comprehensive marine data sets.

General Comments

The JNAPC warmly welcomes the ‘Slipping Through the Net’ document as an important step in the assessment and articulation of the current situation facing maritime archaeological archives. The lack of provision for these important elements of our national heritage has long been a ‘hole’ in the current system and this document can now be used to promote the improvement of policy, standards and best practice for these collections.

Response to Specific Questions

Question One: ‘Slipping through the Net’ is intended as a statement of current circumstance, do you feel the document represents the current situation thoroughly?

This is an extremely important and very timely document that thoroughly encapsulates the current situation and the almost complete lack of attention to the curation of the maritime archive. These issues are extremely important and there are no signs that the Government, Heritage Organisations or Museums are addressing the problems at the present time. The document brings the issues into the public domain and should help to promote serious discussion in Government and museums communities so that the issues can no longer be avoided.

Question Two: Does Section 4 effectively summarise the issues facing the proper management of maritime archaeological archives?

Section 4 in particular very clearly outlines the breadth of the problem and the threats faced by the maritime archive if we continue to ignore this important data set. The fundamental problem that this document highlights is the fact that there is no single body who is responsible for the maritime archive and particularly in the current era of museum prioritisation of public access over curation, coupled with ever decreasing budgets, the likelihood of any one organisation offering to take responsibility for this archive is very unlikely i.e. ‘there is effectively no coherent system in place’ (p.25). Thus, this document highlights how action needs to be taken and urgently, if this ‘nationally important’ and ‘finite’ resource is to be preserved.

From the large number of both immediate and long-term issues for maritime archives it is clear that there is a need for urgent development of the management of maritime archaeological archives, and critically the provision of resources to support proper management.

The JNAPC have successfully lobbied for the development of policy in a number of areas related to maritime archaeology. We would like to reinforce a number of the issues raised:

Policy and legislation

It is clear that there is a need for clarification of the roles and responsibilities of a number of organisations in relation to archives. As the government department responsible for the long-term security of our heritage, DCMS should take a lead in the development of policy and investment in appropriate sources of advice, facilities and personnel. The extremely subordinate position of maritime archaeology within the museum sector – and within museums policy – is of particular concern. It is apparent that communication and development of cross-department and cross-agency policy is urgently required. It is simply inappropriate for DCMS departments to assume another is addressing the issue.

Moreover, the effect of the isolation of maritime archaeology from terrestrial archaeology is highly evident in relation to archives. Improved communication and dialogue between relevant groups and organisations should be a priority.

We would particularly like to note that the effect of the current salvage regime on maritime archaeological archives has, in general, been detrimental. Removal of historic wreck from this regime must be a priority to help ensure that sites and their archives are properly considered in line with accepted standards, which apply to all other areas of archaeological practice. It is disappointing to note that the White Paper ‘Heritage Protection for the 21st Century’ does not include a commitment to address this issue.

The current situation in relation to development-control archaeology and the lack of archives willing or able to take maritime material is very worrying. This situation means that established best practice for archaeological archives is not possible. The development of policy and guidance in this area should also include an indication of responsibility for maritime archaeological material impacted through routine marine activities such as channel clearance. The Princes Channel wreck has been a pertinent illustration of lack of clarity in this area and the resulting unsatisfactory treatment of the site archive.

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JOINT NAUTICAL ARCHAEOLOGY POLICY COMMITTEE

THE JNAPC - PAST, PRESENT AND FUTURE

The JNAPC was formed in 1988 from individuals and representatives of institutions who wished to raise awareness of Britain's underwater cultural heritage and to persuade government that underwater sites of historical importance should receive no less protection than those on land.

The JNAPC launched *Heritage at Sea* in May 1989, which put forward proposals for the better protection of archaeological sites underwater. Recommendations covered improved legislation and better reporting of finds, a proposed inventory of underwater sites, the waiving of fees by the Receiver of Wreck, the encouragement of seabed operators to undertake pre-disturbance surveys, greater responsibility by the Ministry of Defence and the Foreign and Commonwealth Office for their historic wrecks, proper management by government agencies of underwater sites, and the education and the training of sports divers to respect and conserve the underwater historic environment.

Government responded to *Heritage at Sea* in its White Paper *This Common Inheritance* in December 1990 in which it was announced that the Receiver's fees would be waived, the Royal Commission on the Historical Monuments of England would be funded to prepare a Maritime Record of sites, and funding would be made available for the Nautical Archaeology Society to employ a full time training officer to develop its training programmes. Most importantly the responsibility for the administration of the 1973 Protection of Wrecks Act was also transferred from the Department of Transport, where it sat rather uncomfortably, to the then heritage ministry, the Department of the Environment. Subsequently responsibility passed to the Department of National Heritage, which has since become the Department for Culture, Media and Sport.

The aim of the JNAPC has been to raise the profile of nautical archaeology in both government and diving circles and to present a consensus upon which government and other organisations can act. *Heritage at Sea* was followed up by *Still at Sea* in May 1993 which drew attention to outstanding issues, the *Code of Practice for Seabed Developers* was launched in January 1995, and an archaeological leaflet for divers, *Underwater Finds - What to Do*, was published in January 1998 in collaboration with the Sports Diving Associations BSAC, PADI and SAA. The more detailed explanatory brochure, *Underwater Finds - Guidance for Divers*, followed in May 2000 and *Wreck Diving - Don't Get Scuttled*, an educational brochure for divers, was published in October 2000.

The JNAPC continues its campaign for the education of all sea users about the importance of our nautical heritage. The JNAPC will be seeking better funding for nautical archaeology and improved legislation, a subject on which it has published initial proposals for change in *Heritage Law at Sea* in June 2000 and *An Interim Report on The Valletta Convention & Heritage Law at Sea* in 2003. The latter made detailed recommendations for legal and administrative changes to improve protection of the UK's underwater cultural heritage.

The JNAPC has played a major role in English Heritage's review of marine archaeological legislation and in DCMS's consultation exercise *Protecting our Marine Historic Environment: Making the System Work Better*, and was represented on the DCMS Salvage Working Group reviewing potential requirements for new legislation. The JNAPC has also been working towards the ratification of the UNESCO Convention with the preparation of the *Burlington House Declaration*, which has been presented to Government.

Joint Nautical Archaeology Policy Committee

Members

Chairman

Robert Yorke

Organisations

Association of Local Government Archaeological Officers
British Sub Aqua Club
Council for British Archaeology
Hampshire & Wight Trust for Maritime Archaeology
Institute of Conservation
Institute of Field Archaeologists, Maritime Affairs Group
ICOMOS
National Maritime Museum
National Museums & Galleries of Wales
National Trust
Nautical Archaeology Society
Professional Association of Diving Instructors
Shipwreck Heritage Centre
Society for Nautical Research
Sub Aqua Association
United Kingdom Maritime Collections Strategy
Wessex Archaeology
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Environment Service, Northern Ireland
Foreign and Commonwealth Office
Historic Scotland
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