

Heritage Bill Team
Cadw
Welsh Government
Plas Carew
Unit 5/7 Cefn Coed
Parc Nantgarw
CARDIFF
CF15 7QQ

07 April 2014

Dear Sir / Madam,

Consultation on proposed amendments to the criminal offences and defences in sections 2, 28 and 42 of the Ancient Monuments and Archaeological Areas Act 1979

Thank you for the opportunity to comment on this consultation.

The Institute for Archaeologists

The Institute for Archaeologists (IfA) is a professional body for the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves.

IfA has over 3,000 members and more than 70 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

IfA's Wales / Cymru Group has over 300 members practising in the public, private and voluntary sector in Wales.

Proposed amendments to the criminal offences and defences in sections 2, 28 and 42 of the Ancient Monuments and Archaeological Areas Act 1979

General

IfA responded to *The future of our past: A consultation on proposals for the historic environment of Wales* by letter dated 10 October 2013. In that letter at paragraph 48.2 the Institute suggested that one of the areas in which the proposals then under consideration was lacking was '*consideration of modification of the defence of ignorance in relation to scheduled monuments (notwithstanding issues of legislative competence)*'.

The Institute agrees with the view of Welsh Government expressed in the current consultation that modification of the defence of ignorance in sections 2, 28 and 42 of the Ancient Monuments and Archaeological Areas Act 1979 will make the Act more effective in its protection of protected monuments and places. Consequently, IfA welcomes the proposal contained in this consultation.

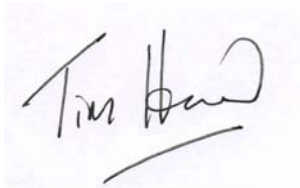
Specific Question

Do you agree with the proposed amendments to the criminal offences and defences in sections 2, 28 and 42 of the Ancient Monuments and Archaeological Areas Act 1979?

Yes, for the reasons outlined above. Similar provisions in section 3 of the Historic Environment (Amendment) (Scotland) Act 2011 have been successfully implemented.

If there is anything further that I can do to assist please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink that reads "Tim Howard". The signature is written in a cursive style with a long horizontal stroke at the end.

Tim Howard LLB, Dip Prof Arch
Policy Advisor