

Toby Gane  
Wessex Archaeology  
Portway House  
Salisbury  
Wiltshire  
SP4 6EB

[mas@wessexarch.co.uk](mailto:mas@wessexarch.co.uk)

24 March 2016

Dear Toby,

### **Consultation on a Marine Antiquities Scheme<sup>1</sup>**

Thank you for the opportunity to comment on the proposals for a Marine Antiquities Scheme.

#### The Chartered Institute for Archaeologists

The Chartered Institute for Archaeologists (CIfA) is the leading professional body representing archaeologists working in the UK and overseas. CIfA promotes high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provides a self-regulatory quality assurance framework for the sector and those it serves.

CIfA has over 3,200 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.

In matters relating to maritime archaeology CIfA is advised by its Maritime Affairs Group (MAG), to which most professional maritime archaeologists belong. The Group exists to:

- advance the practice of maritime archaeology by promoting professional standards for the management, conservation, understanding and enjoyment of the maritime archaeological resource;
- provide advice and commentary to CIfA on matters relating to maritime archaeology;
- aid in the development of professional guidelines and standards for the execution of maritime archaeological work;
- promote the training of archaeologists and others in maritime archaeological practice; and,
- facilitate the exchange of information and ideas about maritime archaeology and to communicate these to the wider profession.

## **A Marine Antiquities Scheme**

### **General**

CIfA welcomes the aim to develop a scheme to record material of an archaeological nature located in a marine or intertidal environment which would complement the Portable Antiquities Scheme (PAS) in a terrestrial context. This has great potential to enhance our knowledge of the marine historic environment.

However, while the Institute is strongly supportive of this project, its detailed formulation and implementation requires careful consideration. The following specific concerns should not detract from CIfA's support for the project and can, in our view, be overcome, but need to be addressed.

### **Specific concerns**

#### **Requirements of the Merchant Shipping Acts**

1.1 The scheme should not in any way undermine the work of the Receiver of Wreck and the operation of the duty to report 'wreck' under section 236 of the Merchant Shipping Act 1995. The ideal solution would be to assimilate the reporting of 'wreck' recovered to the Receiver of Wreck (and compliance with the requirements of the Merchant Shipping Acts) with the recording of archaeological material under the scheme. One of the scheme's strengths is its development of innovative and simple app- and web-based methods of recording. Although the need for a 'wet signature' to satisfy the provisions of the Merchant Shipping Acts may currently constrain the dual use of such technology without more, there is still scope for a marine antiquities scheme to facilitate the reporting of wreck.

1.2 If it is not possible simultaneously to record material under the scheme and report such material (where it constitutes 'wreck') to the Receiver, it will be necessary unambiguously to spell out (and draw to the attention of users) that 'wreck' which has been recovered has to be reported to the Receiver regardless of recording through the scheme and that failure to do so is a criminal offence. This should also be accompanied by clear guidance that material can be recorded in situ and, where possible, material should not be recovered.

1.3 It might also be possible to structure the scheme so that recording of material constitutes an 'opt in' for data protection purposes allowing details of the finder as well as the find to be passed to the Receiver. However, prevention is better than cure and it would be preferable to facilitate compliance with the Merchant Shipping Acts rather than enforcement of any breach.

#### **Consistency with policy and best practice for divers and other sea users**

2.1 Invaluable work has been done and much has been achieved by a number of bodies and individuals to gain widespread acceptance of the principles in the *'Respect Our Wrecks'* initiative. There is real concern that a recording scheme might encourage recovery of material and undermine those principles.

2.2 This is best addressed by ensuring that the scheme conveys clear and consistent messages through appropriate channels to reach likely key users. It might be appropriate to re-invigorate the *'Respect Our Wrecks'* initiative as part of this scheme.

### **The need for the scheme to be supported by appropriate archaeological expertise**

3.1 However innovative it may be, technology is only as good as the expertise which maintains and supports it. Without appropriate archaeological expertise, heritage records can be a closed book and, what is more, the huge potential for outreach and engagement with the public and other stakeholders which this scheme provides is diminished or lost.

3.2 We are pleased to see that the scheme envisages an Implementation Service (in the first instance to be provided by Wessex Archaeology) to provide such expertise and heartened by the willingness of the Crown Estate to consider the ongoing requirements of any scheme.

3.3 In truth, the service required is not just an implementation service but should be an ongoing support service. It would be helpful to make this clear by referring to a 'support service' rather than an 'implementation service'. Moreover, that service needs to continue to be provided by those with archaeological expertise. Wessex Archaeology is a ClfA Registered Organisation with appropriate archaeological and ethical competence (<http://www.archaeologists.net/regulation/organisations>). Any successor should be able to demonstrate expertise and compliance with appropriate professional standards (both technical and ethical).

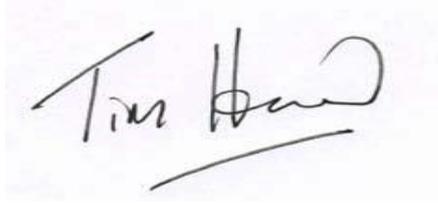
### **The need for consistency with other records**

4.1 If this scheme is to realise its full potential, datasets to which it gives rise should so far as possible be consistent with and complement those contained in other records such as the Portable Antiquities Scheme and Historic Environment Records.

The Institute and its Maritime Affairs Group (MAG) would be happy to contribute further to the development of this scheme.

In the meantime, if there is anything further that I can do to assist, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink on a light-colored background. The signature reads "Tim Howard" in a cursive style, with a horizontal line underneath the name.

Tim Howard  
CIfA Senior Policy Advisor

---

<sup>1</sup> <http://marinefinds.org.uk/>