

Collections Development Policy

Name of museum: Sainsbury Centre for Visual Arts

Name of governing body: University of East Anglia

Date on which this policy was approved by governing body: May 2022

Date at which this policy is due for review: July 2027

Policy review procedure:

This Collections Development Policy will be published and continually reviewed and reflected upon with a more formal review at least once every five years.

Arts Council England will be notified of any changes to the Collections Development Policy, and the implications of any such changes for the future of collections.

1. Relationship to other relevant policies/plans of the organisation:

1.1. The museum's statement of purpose is:

The Sainsbury Centre is one of the most important university art museums in Britain, and a major national centre for the study and presentation of art. The care, development, research, interpretation and enjoyment of the collections are the essential elements of the institutions strategic mission.

This Policy provides an overview of the art collection held by the Sainsbury Centre for Visual Arts (SCVA). It describes the rationale for future collection building and sets out the institution's legal and ethical framework on decisions concerning acquisitions or deaccessioning. The cultural and artistic value of the art collection is increased by their judicious development in scope, depth and quality so that they continue to engage, inspire, excite and inform visitors and other users of the SCVA.

This Policy demonstrates that the SCVA and the governing body, University of East Anglia (UEA), are aware that they hold the art collection in the public domain and acknowledge their long-term obligations towards stewardship of the collection proactively engaging stakeholders in order to effectively respect those obligations.

This Policy is framed to comply with the requirements of the Accreditation Scheme for Museums and Galleries in the United Kingdom (2011). It reviews the present state and use of the collections, ensures that all acquisition and disposal decisions are made according to a formally approved and recognised strategy and serves as a reference document to guide curatorial decisions.

1.2. The University of East Anglia (UEA) holds legal title to all objects in the Sainsbury Centre art collection. They are held in the public domain, and the University acknowledges its long-term obligations and stewardship. These obligations were laid down by its benefactors who donated objects for the benefit of the University and the public at large. As the University art museum, the Sainsbury Centre is responsible for the management of the art collection. Robust curatorial reasons are established before consideration is given to any acquisition to the collection and likewise with

any decision to deaccession or repatriate a work from the collection. The Sainsbury Centre will ensure that both acquisition and deaccessioning are carried out openly and with transparency.

- 1.3. The Sainsbury Centre recognises its responsibility, when acquiring works to its art collection, to ensure that care of collections, documentation and use of collections will meet the requirements of the Museum Accreditation Standard. This includes using SPECTRUM primary procedures for collections management. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.
- 1.4. The museum will undertake due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object unless the University or responsible officer is satisfied that the museum can acquire a valid title to the item in question.
- 1.5. Deaccessioning may be considered but only where motivated by sound and comprehensively well-informed reasons. (See 15)
- 1.6. The Sainsbury Centre will acknowledge and fully investigate claims and issues of restitution and repatriation relating to the context and circumstances of colonial practice and spoliation. The policy ensures that all claims are considered openly and with transparency. (See 14)

2. History of the collections

The Sainsbury Centre for Visual Arts (SCVA) opened in 1978 with the support of one of the nation's great philanthropic families. Sir Robert and Lady Sainsbury donated one of the most extraordinary yet non-conformist art collections in the world which includes works dating from prehistory to the present day and from all across the globe. Robert Sainsbury had started collecting around 1929 and in 1937 he married Lisa van den Bergh from which point the collection became a joint one. They said that a person's relationship with a work of art was more akin to the relationship with another person than with an inanimate object. In 1973 Robert and Lisa donated their art collection to the University and their son, David (Lord Sainsbury of Turville), funded the museum building on the university campus. The building was designed by Norman Foster (Baron Foster of Thames Bank) and now has grade II* listed status. For the Sainsburys, the power of art was universal and amplified by the active conversations between works across time and culture of origin. To achieve this alternative way of 'doing art' they ended up needing an entirely different type of art museum to be built. Today the Centre holds one of the most impressive art collections outside of the national institutions. Alongside the works donated by Robert and Lisa Sainsbury the Centre's holdings have continued to grow and now form some 5,000 works in total. Shortly after the Centre opened in 1978, Sir Colin Anderson a friend of Robert and Lisa donated a collection of works related to the Art Nouveau movement. A collection dedicated to Abstract and Constructivist Art had been established by the University in 1968 and was fully absorbed into the Centre's holdings in 1990. The Sainsbury Centre has since benefited from a number of benefactors who have supported the growth of the art collection. The collection continues to grow in a judicious and sustainable manner. The Sainsbury Centre is committed to the collaborative study and presentation of its collection.

3. Overview of the collections

3.1. Sainsbury Collection

The Sainsbury collections are of international importance and consist of works of human creativity dating from prehistory to the present day from across the globe, celebrating the universality of art and human creativity. There are major holdings of art from Oceania, Africa, the Americas, Asia, the ancient Mediterranean classical cultures of Egypt, Greece and Rome, and medieval Europe. The Centre is particularly strong holdings of Twentieth Century Art including significant number of works by Pablo Picasso (5 works), Jacob Epstein, Francis Bacon (13 works), Henry Moore (34 works), Alberto Giacometti (36 works), Elisabeth Frink (29), Amedeo Modigliani (3 works), Leonora Carrington, Edgar Degas – including his famous sculpture, *Little Dancer Aged Fourteen*, one of the most important works in the collection. The collection is perhaps most notable for its collection of sculpture from ancient to modern. However, there is a significant body of paintings not least from the School of London and École de Paris of the post second world war period. There is a strong preference for lyrical abstraction and Tachism, art movements that flourished in France from 1945 to roughly 1960 and exhibit an expressive calligraphic style, away from the hard-edged geometric abstraction of the pre-war period. Notable artists included in the collection are Jean Fautrier, Charles Maussion, Mübin Orhon, André Lansky, Léon Zack, Bernard Dufour, and Jean-Marie Calmettes. From the School of London, there are outstanding works by Frank Auerbach and a remarkable group of 13 paintings by Francis Bacon, perhaps the single most important British painter of the last century. Full details on all of the individual works in the collections is publicly available through the online catalogue that is actively promoted and includes all available information on provenance and history.

There are significant and extensive holdings of Abstract Art, notably those artists associated with Constructivism, the English Vorticists, the Russian Suprematists, the Dutch De Stijl Group and the German Bauhaus School. There are international artists working in the field of abstract and Constructivist Art such as Josef Albers, Lygia Clark, Sonia Delaunay, Sofie Taeuber-Arp, Eduardo Chillida, Raoul Dufy, Jean Tonguey, Cesar Domela, Charles Biederman, John Ernest and Hans Hartung. The highlights by British artists include works by Victor Pasmore, Mary Martin, Gillian Wise, Kenneth Martin, Anthony Hill, Anthony Caro, Stephen Gilbert, Michael Kidner, Winfield Nicholson, Tess Jaray. There are a significant and important group of sculptures by the important British artist Robert Adams. The collection includes furniture and architectural models as well as paintings, sculpture, reliefs, multiples, and works on paper.

There are significant and extensive holdings of studio ceramics. The collection includes a major group of work by Lucie Rie and Hans Coper of national and international importance. It also includes major works by Bernard Leach and Shōji Hamada, James Tower, Ewen Henderson, Claudi Casanovas, Rupert Spira, Jennifer Lee, Julian Stair, Sara Radstone, Gabriele Koch, and Ian Godfrey.

There is notable collection of works relating the Art Nouveau period of national importance. It represents the French exponents of Art Nouveau associated with the École de Nancy and makers who, both in France and Britain, worked across a range of disciplines and materials such as glassware and furniture, metalware and jewellery. The collection includes pieces by leading exponents of Art Nouveau such as Louis Comfort Tiffany, Émile Gallé and René Lalique.

The permanent art collection is principally displayed across the ground floor of the museum. The collection extends outside across the campus Sculpture Park.

In the 20th Century, the Sainsbury Centre was one of the first museums in the world to display art from all around the world and from all time periods equally and collectively. In the 21st Century it is the first museum in the world to formally recognise the living lifeforce of art. It continues to break boundaries with how the power of humanity is encapsulated and communicated to anyone who comes to visit. The Sainsbury Centre is an institution that transcends traditional barriers between Art, Architecture, Archaeology and Anthropology and focuses collectively on shared essential questions within which the material manifestations of human creativity are given voice to answer them.

The creation of the Living Area display in the 1970s was one of the first times in any museum setting that different works of art from across the world were displayed equally and in conversation across a contemporary gallery platform. We welcome this platform of equality and open engagement with the power of works of art activated to address issues of meaningful human learning and understanding. In 1978 an unencumbered relationship with art was prioritised above telling people how they should enjoy it. Releasing the anima of works of art through views from lived experience, practitioner and scholarship can help engage people in sharing stories and building relationships with works of art. The Sainsbury Centre is committed to making sure that all collection information, provenance research and diverse interpretations are publicly accessible. This is how stories can be shared and art can help engage people with the fundamental questions of humanity. Acquisitions to the collection are an important part of this equation.

4. Themes and priorities for future collecting

New acquisitions are the lifeblood of any collection as they allow existing collections to stay alive, dynamically engaged and active within an ever-changing world. The Sainsbury Centre follows the inspiration of the original benefactors. The Sainsburys never followed a traditional model of 20th Century art collection. They were universal in focus and global in interest. Always seeking out works of art that emotionally connected with them. The Sainsbury Centre has become a destination for international artists in recent years to create new works in response to and engagement with existing collections. This reflects the Sainsburys innovative practice of sponsoring comparatively unknown artists to grow the careers of some of the greatest artists of the 20th Century. They acquired works considered by the art establishment at the time with disdain which are now considered some of the most important art works in the world. This approach to acquisition is one that has kept the Sainsbury Centre at the forefront of the art world often displaying international and young artists for the first time before they go on to create hugely successful careers. The unique reputation, egalitarian principles and committed social engagement is what continues to attract talent and exciting new acquisitions to join the world-class collection of the Sainsbury Centre.

The development of the art collection is a fundamental activity of the institution and reflects our desire to bring to our visitors the best possible enjoyment and education concerning the arts. But any growth in our collections will be measured against sustainable growth and how we can care for the collections.

SCVA is fortunate in that as a relatively young institution and there is display and storage space for growth and good conservation facilities. The Centre is actively pursuing the enhancement of its collection and continues to judiciously develop the collection in scope, depth and quality. There is a strong desire to acquire contemporary art practice that relates and complements the historic holdings. The cope of this is international

complementing the global reach of the collection. Acquisitions must be of comparable quality and relate or inform the existing collection. A key aim is to build on the original Sainsbury gift and retain its integrity but allow the institution to grow and develop where it is appropriate to do so. We wish to simultaneously acknowledge this extraordinary gift but prevent it from becoming a time capsule. The art collection celebrates the universality of art and human creativity from prehistory to the present day. There is a desire to enrich the value of the collection for research and teaching by acquiring archives of work by artists represented in the collections. In addition, archives that more generally relate or inform the collections will be considered as valuable assets in enriching SCVA holdings and providing the intellectual substance for future research.

4.1. Augmenting the Sainsbury Collection

It is stated in the various deed of gift from Sir Robert and Lady Sainsbury that the benefactors acknowledge the development of the art collection. Within the memorandum accompanying the deed of gift, it is indicated that, within the constraints of the funding available to UEA, the SCVA might acquire additional works:

“Works of art (which shall include so-called ‘primitive sculpture’ and ethnographical artefacts and shall not be confined to the fine arts, but include applied arts and the decorative arts) ... which may be considered to be in accord, in principle, with the ‘Sainsbury Collection.’”

In the same document, the benefactors also hoped that, in the event of the university acquiring works of art after the death of Sir Robert Sainsbury, it would, in particular, concentrate its efforts in two directions:

- i. “In augmenting and complementing the sculptures comprised in The Sainsbury Collection so that they may become as far as possible, a study collection for all periods and civilisations.”*
- ii. “In acquiring sculptors’ and sculptural drawings and prints using the word drawing in its fullest sense. (“Drawings”, here in shall include pastels, gouaches, watercolours and the like”*

It is the policy of SCVA to be sensitive to the spirit of the original gift of the Robert and Lisa Sainsbury Collection, to be reflexive to the subsequent collecting activity of Robert and Lisa Sainsbury and to acknowledge their intentions.

The SCVA intends, therefore, to acquire items which will build on the strengths of the collection in a way that augments their scope and quality.

5. Deaccession

5.1. The museum does not intend to deaccession during the period covered by this policy. During this period, deaccessioning or disposals as sometimes referred to in museum policy literature will only be undertaken for legal, ethical, safety, care and conservation reasons.

5.2. In exceptional cases, some of which are laid out below, deaccessioning may be considered but never motivated by financial reasons. Deaccessioning may be considered but only where motivated by sound curatorial reasons. All deaccession

will be undertaken with reference to the SPECTRUM Primary Procedures on deaccession.

- 5.3. The decision to deaccession a work from the collection will be taken by the SCVA Director in consultation with the Centre's collections and curatorial teams. This will then be presented to the SCVA Board for consideration and approval with final ratification by the UEA Vice-Chancellor and UEA Council. Only after full consideration of the reasons for deaccessioning have been considered will this be approved. This includes the implications for the museum's collections and the public benefit of such as action. Expert advice may be sought where necessary and the views of stakeholders such as donors, researchers, local and source communities and others served by the museum will also be sought.
- 5.4. A decision to deaccession an object, whether by gift, exchange, sale or destruction (in the case of an item too badly damaged or deteriorated to be of any use for the purposes of the collections or for reasons of health and safety), will be the responsibility of the Director on the advice of the curatorial staff.
- 5.5. If a work is deaccessioned, priority will be given to retaining it within the public domain. In the case of restitution or repatriation careful discussion with all stakeholders will be had on the planned destination of deaccessioned works. For other works deaccessioned for other criteria detailed above they will be offered in the first instance, by gift, exchange or sale, directly to other accredited museums likely to be interested in its acquisition. If the material is not acquired by any accredited museum to which it was offered as a gift or for sale, then the museum community at large will be advised of the intention to dispose of the material normally through a notice on the MA's Find an Object web listing service, an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate). Preference will be given to expressions of interest from other Accredited Museums. A period of at least two months will be allowed for an interest in acquiring the material to be expressed. At the end of this period, if no expressions of interest have been received, the museum may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.
- 5.6. Any monies received by the museum governing body from the disposal of items will be applied solely and directly for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Advice on those cases where the monies are intended to be used for the care of collections will be sought from the Arts Council England.
- 5.7. Full records will be kept of all decisions on disposals and the items involved and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items concerned, including photographic records where practicable in accordance with SPECTRUM Procedure on deaccession.

6. Legal and ethical framework for acquisition and deaccession

- 6.1. The museum recognises its responsibility to work within the parameters of the Museum Association Code of Ethics when considering acquisition and deaccession. A process for the deaccession of works for circumstances of restitution and repatriation are detailed below.

7. Collecting policies of other museums

The museum will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. It will consult with these organisations where conflicts of interest may arise or to define areas of specialism, in order to avoid unnecessary duplication and waste of resources.

8. Archival holdings

8.1. As SCVA holds archives, including photographs and printed ephemera, the university will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (third edition, 2002).

9. Acquisition

9.1. The policy for agreeing acquisitions is:

9.1.1. All potential acquisitions are measured against the Policy to test they fit the collection building strategy. Acquisition proposals are discussed at the internal acquisitions committee before seeking approval to proceed by the SCVA Director. Acquisitions are then presented to the SCVA Board (UEA) for approval and final ratification.

9.1.2. SCVA will exercise due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object or specimen unless the university or responsible officer is satisfied that SCVA can acquire a valid title to the item in question.

9.1.3. In particular, SCVA will not acquire any object unless it is satisfied that the object has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).

9.1.4. In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from November 1 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the SCVA will reject any items that have been illicitly traded. The university will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

9.1.5. SCVA will not acquire archaeological antiquities (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.

9.1.6. Any exceptions to the above clauses 9.1a, 9.1b, 9.1c, or 9.1e will only be because SCVA is:

- acting as an externally approved repository of last resort for material of local (UK) origin

- acquiring an item of minor importance that lacks secure ownership history but in the best judgement of experts in the field concerned has not been illicitly traded
- acting with the permission of authorities with the requisite jurisdiction in the country of origin
- in possession of reliable documentary evidence that the item was exported from its country of origin before 1970

9.2. The museum will not acquire any object unless it is satisfied that it has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).

9.3. In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from 1 November 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the museum will reject any items that have been illicitly traded. The governing body will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

10. Human Remains

10.1. The museum does not hold or intend to acquire any human remains.

11. Archaeological material

11.1. The museum will not acquire archaeological material (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.

11.2. In England, Wales and Northern Ireland the procedures include reporting finds to the landowner or occupier of the land and to the proper authorities in the case of possible treasure (i.e. the Coroner for Treasure) as set out in the Treasure Act 1996 (as amended by the Coroners & Justice Act 2009).

12. Exceptions

12.1. Any exceptions to the above clauses will only be because the museum is:

- acting as an externally approved repository of last resort for material of local (UK) origin
- acting with the permission of authorities with the requisite jurisdiction in the country of origin

13. Spoliation

13.1. The museum will use the statement of principles 'Spoliation of Works of Art during the Nazi, Holocaust and World War II period', issued for non-national museums in 1999 by the Museums and Galleries Commission and incorporate that statement of principles within other global contexts for which it is relevant.

14. The Restitution and Repatriation of objects

14.1. The right of the museum to exist should never be taken for granted. The justification for an institution to care for and communicate to a public audience works of art created by different people, communities and societies throughout time and cultural context needs to be continually reflected upon, renewed and contextualised within contemporary debates. Many of the works in the Sainsbury Centre materialise hugely challenging aspects of personal trauma, social inequality and cultural exploitation in their creation or subsequent journey before arriving in the museum. The Sainsbury Centre will always acknowledge these difficult and contested histories. Within this context, this document aims to establish some of the legal and ethical frameworks within which a process of repatriation and restitution of works can be considered. The University of East Anglia (UEA) holds legal title to all objects in the Sainsbury Collection. They are held in the public domain, and the University acknowledges its long-term obligations and stewardship. These obligations were laid down by its benefactors who donated objects for the benefit of the University and the public. The Sainsbury Centre is a university art museum and all decisions are made in consultation between the Centre, its Board and the University as governing body. The Sainsbury Centre undertakes retrospective due diligence and provenance research of objects in the Collection. So that wherever possible the fullest account is available of the circumstances of acquisition - whether by purchase, gift or bequest. Where objects have challenging and complex histories of removal, such as from a historical military conflict or taken from an indigenous context exploiting colonial era imbalances of power, the circumstances of that event will be investigated, even if that historic acquisition predates acquisition by the benefactor and eventual donation to UEA. The cultural value of the Collection is increased by an open and transparent acknowledgment of the past circumstances. In the current period, all acquisitions adhere to the Collections Development Policy and due diligence process. This adjudicates if an object has been legally acquired by the vendor but also including historical provenance and legal trade.

14.2. Claims of Restitution and Repatriation

There are notable holdings and acknowledged masterpieces from many regions of the world that have been impacted by colonialism and historical injustice. The Sainsbury Centre is renowned for its research and commitment to collaborative scholarship and cultural exchange, particularly with members of the communities from which objects in the collection originate. As well as the curatorial staff of the Centre, there are two dedicated centres to span some of the cultural remit and global reach of the collections. The Sainsbury Research Unit (SRU) and the Sainsbury Institute for the Study of Japanese Arts and Cultures (SISJAC) have long worked on establishment of collaborative and meaningful community relationships with the development of world leading internationally staffed research projects. The Department of Art History also has a long and internationally recognised commitment to the study and practice of art from across the globe. The term World Art, to acknowledge art as a truly global enterprise, was coined by academic colleagues working in this Department in the late 20th Century. More recently a more nuanced and reflective approach has gained currency so that the study of world culture is not a Eurocentric enterprise. In this context, the Sainsbury Centre and the University proactively advocate debate concerning contentious and complex issues; are committed to an open and responsive approach to questions around the future care, circulation and destinations of cultural property; and are committed to research and transparency, concerning the histories of collections.

The Sainsbury Centre is supportive and engaged with research into the histories of collections. The Collection ranges widely over archaeological periods and from many cultures and inhabited regions of the world. Object genres and histories are notably heterogeneous, as are the circumstances of communities of origin in the present.

14.3. Eligibility

The Sainsbury Centre will investigate and respond to all claims of restitution and repatriation of works from its collection. The Sainsbury Centre encourages early dialogue and a collaborative approach to the process of restitution and repatriation claims. All claims will be discussed, investigated and then summarised and reported by the Director to the Board and the University. All decisions and judgements on restitution and repatriation will be proposed by the Director to the Board and the Board will then make a recommendation to the University's governing body (Council) for ratification.

Claims made by individuals, by institutions such as museums, or by national governments should be accompanied by evidence of formal support from source communities, the relevant representative organisations and stakeholders. Where possible, claims should be made by accredited and/or recognized organisations, representing the descendants of the customary owners of the objects in question. Individual claims should be supported by government authorities, or explicitly state why such support is inapplicable in the particular case. All claims made to restitution and repatriation will be considered on a case-by-case basis. The Sainsbury Centre will engage with all claimants and potential claimants in an open and respectful way. For historic objects not closely associated with communities of living descendants, claims may be made by relevant national governments, explaining why community support is inapplicable in the particular case. Claims made by third parties will only be considered if clear justification is given. In these circumstances the claimant bears the burden of proof with respect to a restitution request. If the status of claimants is disputed, the Sainsbury Centre will defer formal consideration of a claim until such issues are resolved.

14.4. Criteria

The Director (or their delegate) will carefully consider whether objects were legitimately acquired: if they were, or may have been, acquired illegally, or exported from the nation of origin illegally if they were, or may have been, appropriated in the aftermath of violence, for example in the context of a colonial intrusion or war if they were, or may have been, acquired under circumstances whereby owners were compelled or coerced to sell them, or from people who were demonstrably not legitimate owners. In evaluating claims, the Sainsbury Centre will assess all relevant provenance information from available archives and the claimant. Where the written record bearing on an issue is inconclusive or unreliable, the claimant may satisfy its burden of proof through evidence derived from oral tradition, folklore, linguistics, geography, descent, kinship, archaeology, anthropology, historical patterns of ownership and/or control, expert opinion, or other relevant information. In keeping with a 'case by case' approach, claims may be based on histories of ownership/acquisition, the sacred nature of particular objects, educational and public benefit, or other grounds. Claimants should outline the significance of the object. Existing documentation and scholarship may not establish object histories authoritatively or definitively, and the Sainsbury Centre is committed to undertaking further research where required in order to clarify. Such research should draw on relevant expert advice, including from indigenous communities, and be undertaken in a consultative manner by curators and members of originating communities. It should, however, be acknowledged that even this additional research may not

produce conclusive object histories. The Director will work closely with all stakeholders to consider the academic, cultural and public benefits of restitution and repatriation to a community or nation of origin, taking into account considerations that may include:

Whether the continuing sacred significance of the object makes exhibition and/or continuing research access inappropriate or unethical

Whether specific object's may be of exceptional importance to communities and nations, such that their presence is vital to belief, culture and wellbeing. Objects of cultural patrimony with ongoing historical, traditional, or cultural importance

What educational, research and public value the objects have in their planned custodianship.

14.5. Process

All formal claims should be submitted in writing to the Director of the Sainsbury Centre. Claims will be acknowledged as soon as is practicable and within twenty working days of receipt. It is hoped that pre-existing relationships with many relevant stakeholders will already exist given the Sainsbury Centre's commitment to collaborative research however, this notwithstanding a formal process will begin. This process will draw on museum sector guidance and examples of best practice. (Please see relevant documents referenced below). The claim will begin a process of proactive stakeholder engagement, time invested in relationship building, provenance research and object specific investigation. This will be led by the Sainsbury Centre's Head of Collections and reported to the Board by the Director. The circumstances of acquisition and all available provenance information will be collated to fully investigate all aspects of the claim. The Director and Board will consult with the University, via the Vice Chancellor's Office. The Director will inform and consult with all relevant stakeholders and benefactors (or their descendants). The Director will consult legal documents such as relevant deed of gift so that any conditions of donation or acquisition can be considered. Prospective claimants are encouraged to liaise informally with the Director and curatorial staff of the Sainsbury Centre in advance of any formal claim. The Sainsbury Centre welcomes research visits from community members and prospective claimants which may clarify areas of common ground and help shape the most feasible and appropriate approaches to the future of particular objects and collections. The Sainsbury Centre will aim to respond to all claims of restitution and repatriation in a timely manner as the capacity of the museum allows and for more complex cases report back at interim stages. For more protracted claims, the Director may seek external expert advice. For example, to consider eligibility or to assess multiple claimants. It may be necessary to commission further research, which should normally be undertaken. During the assessment period, the claimants may be contacted for further information or with an update on progress.

14.6. Decisions

Once a decision is reached, the Director will advise the Board on the best course of action who will make a recommendation to the University, via the Vice Chancellor's Office. If the decision is to reconstitute or repatriate an object, the Director will seek approval and final ratification from the University Council. When a decision is made, the Director of the Sainsbury Centre will write formally to the claimant with a decision and setting out how the conclusion was reached. Following this all practical matters of the course of action will be addressed including national government policies and UK export license agreements.

Should the decision be taken not to reconstitute or repatriate, the claimant will be given the opportunity to appeal within three months of the decision. This opportunity will allow the claimant to see and discuss the reasons stated for not agreeing to reconstitute or repatriate and therefore have an opportunity to provide further

testaments. Following that a final decision will be made. If the decision is not to retribute or repatriate the Centre reserves the right not to consider the same claim unless further or new evidence is provided or institutional, national or international legislation requires it. Finally, the Sainsbury Centre will always look for ways of cooperation and proactively seek out dialogue and collaboration to find innovative ways to collaboratively address issues of colonial era injustice and the hugely contested and challenging narratives embodied within many works within the collection.

Further Reading and associated guidance

ICOM Code of Ethics

Museum Association Code of Ethics

Arts Council Restitution and Repatriation: A Practical Guide for Museums in England

National Museum Directors Council: Spoliation of Works of Art During the Holocaust and World War II Period