

University Collections Restitution and Return Procedure

- 1 The University holds its collections in trust for the benefit of research, teaching and the wider public, and has ongoing responsibilities associated with the items in the collection as well as the express and implied wishes of collectors, donors, and stakeholders. However, much of collection was formed at a time when universities were at the centre of political power, with the result that some items were acquired in circumstances that are now considered to have been illegal, unethical, without full consent, or in circumstances of inequality. As universities now aspire to be places where people are encouraged to encounter, research, enjoy and learn from a variety of human experiences, continuing to hold some items must be reconsidered.
- 2 The term 'item' is used in this policy to refer to many things, including objects, specimens, and samples, but also to ancestral (human) remains and sacred items: the use of the term 'item' in this guidance does not diminish their importance or the greater appropriateness of other terminology.
- 3 This procedure enables the University Court to respond promptly and fairly to proposals for the restitution or return of items in the University's collections. At all times, the principle of full disclosure should apply, subject to legal restrictions. Account will also be taken of the Museums Association's Code of Ethics for Museums, and Guidance for the Care of Human Remains in Scottish Museums issued by Museums Galleries Scotland and the Guidance for Restitution and Return of items from university museums and collections issued by the International ICOM Committee for University Museums and Collections. Except for some clearly recorded loans, conditional gifts, and donations under the Anatomy Acts and Human Tissue (Scotland) Act 2006, the University Court is the only body able to agree to the transfer of items in the collections. Ideally, the discussion will be consensual, but cases for and against return can be presented for consideration at all stages of the process.
- 4 Initial discussions concerning restitution or return should be with the Head of University Collections. While the case is being considered, there should be a joint approach to publicity by the University and proposed recipient, and should involve outside parties only after discussion and agreement with each other. Where appropriate, arrangements for the loan of the item for a renewable period of up to five years, rather than legal transfer, can be made by the Head of University Collections.
- 5 The Advisory Group on Collections Deaccessioning, Restitution and Return will consider proposals for the restitution, return or other proposals for deaccessioning from the University's Collections, and to make recommendations to the University Senior Management Team and University Court. The Advisory Group will consist of individuals appointed by the University Secretary, with the standing membership comprising:
 - Convener*
 - A Vice-Principal
 - Members*
 - A Professor with relevant research expertise
 - Director of Digital & Information Services
 - Head of University Collections
 - A Member of the University Court

If the standing members consider that a proposal does not relate to an item in the collections or is vexatious, they may recommend that it be rejected by the University Senior Management Team. Before considering a proposal, the standing members will co-opt up to six additional members, including a member of the University's academic staff with relevant specialist knowledge, a museum professional from elsewhere in Scotland, and at least one member nominated by the proposed recipient.

- 6 The proposal will be considered on its individual merits, under five headings, with evidence including documents, photographs, and oral testimony.
 - *Identity of the item(s)*
Evidence relating to the identification of the items concerned to demonstrate that they are those being proposed for return.
 - *History of possession and/or ownership of the item(s)*
Evidence about the provenance of the items prior to its acquisition by the University, and evidence relating to the University's legal title and/or rights of possession. The use and treatment of the item(s) since acquisition by the University should also be noted.
 - *Connection between the item(s) and the proposed recipient*
Evidence to demonstrate the connection between the proposed recipient and the item(s). This may include evidence of the continuity of practices or group identity between the original possessors and the proposed recipient. If an intermediary is acting on behalf of another person or group, evidence must also be presented to demonstrate that they have the right to be a representative.
 - *Significance of the item(s) to the proposed recipient and to the University*
Evidence to demonstrate the significance of the item(s) to both the proposed recipient and to the University. This may include issues such as religious, cultural, historical, or scientific importance, or use in teaching, research, and public engagement.
 - *Consequences of return to the proposed recipient or retention by the University*
Evidence about the proposed future of the item(s) if it is returned or if retained by the University. This may include information about aspects such as display, research, teaching, destruction, alteration, or restrictions on access. Evidence relating to the broader implications of a decision to return or not to return should also be considered. Issues such as the responsibility for costs relating to the return, creation of a replica, additions to the University's collections, the use of images, research, publication, and communications can also be discussed.
- 7 The Advisory Group will recommend how information gained during discussions and in written submissions will be used, considering both a desire for openness and the sharing of information while recognising the sensitivity of some information. The Advisory Group will submit a report to the University Senior Management Team, including its recommendations. These may also include proposals for further collaboration between the University and the proposed recipient, recommended conditions for the return (such as indemnification of the University) or arrangements for the transfer. A copy of this report will be provided to the proposed recipient who may, if they wish, present an independent statement which will be considered alongside the report written by the Advisory Group. The recommendation of the University Senior Management Team (and any additional statement by the proposed recipient) will be passed to the University Court for decision. The decision of the University Court is final.

This is an extract (section 12) of the University of Aberdeen Collections Development Policy 2025-30.