

THE BRITISH MUSEUM
MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
HELD ON 23RD MARCH 2006
AT
THE BRITISH MUSEUM

PRESENT

Sir John Boyd (Chairman)
Mr Hasan Askari
Lord Broers
Sir Ronald Cohen
Professor Barry Cunliffe
Mr Francis Finlay
Mr Niall Fitzgerald, KBE
Mr Stephen Green
Ms Bonnie Greer

Dr Olga Kennard
Baroness Kennedy QC
Mr David Lindsell
Mr Tom Phillips
Lord Powell
Mr David Norgrove
Mr Vikram Seth
Sir Keith Thomas
Sir John Tusa

Apologies had been received from Chief Emeka Anyaoku, Miss Val Gooding, Mr Richard Lambert, Mrs Edmée P Leventis, Mr Eric Salama

IN ATTENDANCE

Mr Neil MacGregor	- Director
Dr Andrew Burnett	- Deputy Director
Dr Christopher Herring	- Director of Finance and Administration
Ms Zoe Hancock	- Head of Planning and Programmes
Miss Heidi Weeks	- Directorate Manager

For item 5	- Mr Tony Doubleday, Head of Legal Services
	- Dr Jonathan King, Keeper Department of Africa, Oceania and the Americas
	- Ms Lissant Bolton, Curator Department of Africa, Oceania and the Americas
	- Ms Joanna Mackle, Director of Communications

The reports and minutes referred to below may contain exempt information within the meaning of Part II of the Freedom of Information Act 2000.

1. DECLARATION OF INTEREST

1.1 No conflicts of interest were declared.

2. TRUSTEE BUSINESS

2.1 The Chairman informed the Board that the Hon Philip Lader had resigned from the Board of Trustees, with effect from 22 March 2006.

2.2 The Board endorsed the recommendation of the Nominations and Governance Committee to appoint Mr Niall Fitzgerald as a Trustee of the Museum for a term of four years commencing 23 March 2006.

- 2.3 The Chairman formally welcomed Mr Fitzgerald to the Board.
- 2.4 The Trustees agreed that Mr Fitzgerald would be appointed to the role of Chairman on the retirement of Sir John Boyd on 3 July 2006. Trustees agreed that the timing of the announcement should preferably be no later than the week following Easter.
- 2.5 The Chairman pointed out to the Board that there were currently two Deputy Chairmen in post and one vacancy and suggested that Mr Fitzgerald would want to review these appointments when in post.

3. CHAIRMAN'S REPORT

- 3.1 The Chairman confirmed that this would be his final Board meeting and thanked the Trustees for their support. The Chairman commended the Director and his colleagues and their achievements during the past four years.

4. MINUTES AND MATTERS ARISING

- 4.1 *Minutes of the Meeting of the Board of Trustees: 17 November 2005*
The Minutes were approved and the Chairman was authorized to sign them as a true record.
- 4.2 *Pay and Grading:* The Director reported on discussions that had now been completed with the Unions. A final offer had been made by the Museum. Each member of staff had received a letter detailing their individual circumstances. The next three weeks would be critical as Union members cast their votes on whether to accept the offer.

5. HUMAN REMAINS – TASMANIAN CLAIM

- 5.1 The Board discussed the claim from the Tasmanian Aboriginal Centre Inc. ("TAC") for the repatriation of two ash bundles in the Museum's collection (Oc.1882,1214.1 and Oc.1882,1214.2) having regard to the Trustees' power under s.47 Human Tissue Act 2004 and their policy on human remains dated 3rd October 2005.

The Board were satisfied that, on balance of probabilities: (1) the bundles contained the human remains of Tasmanian Aboriginal people who died less than 1000 years ago; and they were bound up in animal skin, with which the remains were so mixed up as to render separation undesirable, indeed probably impracticable; (2) had the traditional treatment of the remains not been interrupted, they would probably have been subject to eventual mortuary disposal within the ancestral landscape of the deceased; (3) the interruption of the mortuary disposal of the remains had taken place in a manner inconsistent with the traditional practices of the community of the deceased; (4) the TAC was the sole recognised modern representative of the Tasmanian Aboriginal community; it had ancestral continuity with the deceased; and was endorsed and supported by the Australian Government; (5) the bundles had been studied and recorded and information concerning the beliefs and cultural practices they represented had been extracted and published, and was available to the public;

(6) the bundles did not provide information of value for the study of human beings that would be lost if the bundles were transferred; (7) although it was not possible to know what investigative processes might exist in the future, no new information could be extracted from the bundles using current scientific techniques; (8) the bundles were of cultural and spiritual significance to the Tasmanian Aboriginal people and it was understandable that the continued postponement of mortuary disposal might be the cause of considerable grief to the Tasmanian Aboriginal people; and therefore that (9) as the human remains of deceased members of the Tasmanian Aboriginal community who would have expected to have been laid to rest in their ancestral landscape, the cultural and religious importance of the ash bundles to the TAC would outweigh the public benefit to be derived from their retention in the Museum's collection provided they were now subjected to a mortuary disposal in accordance with Tasmanian Aboriginal tradition.

In these circumstances **the Trustees agreed** that it was reasonable and appropriate that their policy presumption in favour of the retention of human remains vested in the Museum's collections should not apply to this claim; and that the two ash bundles (Oc.1882,1214.1 and Oc.1882,1214.2) should be transferred from the Museum's collection to the TAC pursuant to s.47 Human Tissue Act 2004 on a date and in a manner to be determined by the Deputy Director in consultation with the TAC, on the presumption that the remains would then be disposed of in an appropriate mortuary fashion.

MATTERS REQUIRING BOARD APPROVAL

6. MUSEUM PLAN AND BUDGET

- 6.1 *Museum Plan and Budget*: The Board approved the recommendation of the Standing Committee and adopted the Plan before them.
- 6.2 The Director of Finance and Administration assured Trustees that the Building for the Future budget for capital spend was provisional and would require further authorisation.
- 6.3 The Director delivered a presentation on the Museum's current and future activities, including a report on his recent visit to the Capital Museum in Beijing for the opening of the exhibition: *Treasures of the World's Cultures*, for which there had been significant press coverage. Further coverage on the Museum's relationship with China was planned. The Director also informed the Board that the Museum (with the British Council, the Natural History Museum, the British Library, the V&A and Kew) had commissioned Demos to write a report on the value of cultural diplomacy.

7. LOAN TO THE ALTE PINAKOTHEK

- 7.1 *Loan to The Alte Pinakothek*: The Board approved the loan for the exhibition: *Leonardo: Madonna of the Carnation*.

8. LOAN TO THE METROPOLITAN MUSEUM OF ART

- 8.1 *Loan to The Metropolitan Museum of Art*: The Board approved the loan for the

exhibition: *Raphael: The Colonna Altarpiece*.

9. MANAGEMENT REPORT

- 9.1 *Catering*: The Director informed the Board that an agreement had been made with Do&Co, which had been approved by the Standing Committee. The contract would commence on 1 May 2006.
- 9.2 *Feldmann Claim*: The Director reported that the Spoliation Advisory Panel had convened and reached a decision on the claim. It was not known when the panel's decision would be published.
- 9.3 *Qatar*: The Director informed the Board of the Museum's relationship with the National Council, Arts and Heritage for the State of Qatar, and reported on the recruitment process now taking place.
- 9.4 *Dubai*: The Director confirmed that sponsorship had been secured for the entire Middle East Season from Dubai Holdings.

10. MINUTES OF COMMITTEES

- 10.1 The minutes of the Audit Committee held on 16 February 2006 had not yet been approved. The Chairman of the Committee informed the Board of the principal business discussed: 1) Management Structure remained an item on the risk register. 2) The Keeper of Conservation, Documentation and Science would report annually to the Trustees on the state of the Collection. 3) The work of BMCo should be brought more closely into the Museum. 4) The Audit Committee was one member short with the resignation of Ambassador Lader. The Chairman of the Board would speak to Mr D Norgrove concerning an appointment to this committee.

11. SCHEDULE OF TRUSTEES' BUSINESS 2006

- 11.1 The schedule of Trustees' business was noted.

12. SCHEDULE OF FORTHCOMING EVENTS

- 12.1 The schedule of forthcoming events was noted.

13. OTHER BUSINESS

- 13.1 *American Friends of the British Museum (AFBM)*: Mr F Finlay reported on the recent restructuring of the AFBM and reported that the Board looked forward to the Director's attendance at the meeting in New York next week. The Director would also speak at a dinner at the Metropolitan Museum of Art to celebrate the opening of the *Samuel Palmer* exhibition.
- 13.2 *Investment Sub-Committee*: The next meeting of the Investment Sub-Committee would be on 4 April. Lord Powell expected to be able to attend. The Board agreed that with a minimum of three Trustees present, the Sub-Committee might authorize the investment of up to £30 million.

- 13.3 *Chairman's Retirement:* Sir John Tusa paid tribute to the Chairman who would be retiring in July. He drew particular attention to the changes in governance and finances that had taken place in the last four years. Arrangements would be made for a farewell dinner to which all Trustees would be invited.

Date of next Board Meeting:

Thursday 6th July 2006, 3pm, Hartwell Room

Chairman