

 Executive 14 November 2012		Agenda Item No. <h1>13C</h1>
Title	Transfer of Egyptian Mummy case lid	
For further information about this report please contact	Jeff Watkin Jeff.watkin@warwickdc.gov.uk 01926 742708 Rose Winship Rose.winship@warwickdc.gov.uk 01926 456223	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Not previously considered	
Background Papers	Collections Development Policy 2012 – 2017	
Contrary to the policy framework:	No	
Contrary to the budgetary framework:	No	
Key Decision?	Yes	
Included within the Forward Plan? (If yes include reference number)	No	
Equality & Sustainability Impact Assessment Undertaken	No	
Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		Andrew Jones
Head of Service		Rose Winship
CMT		
Section 151 Officer		Mike Snow
Monitoring Officer		Graham Leach
Finance		Jenny Clayton
Portfolio Holder(s)		Stephen Cross
Consultation & Community Engagement		
Insert details of any consultation undertaken or proposed to be undertaken with regard to this report. Correspondence emails and telephone calls between Jeff Watkin and Dr James Hamilton, Curator of the University of Birmingham Collection.		
Final Decision?	Yes	
Suggested next steps (if not final decision please set out below)		

1. **SUMMARY**

- The University of Birmingham claims ownership of an Egyptian mummy case lid acquired in 1960 for the collections of Leamington Spa Art Gallery & Museum.
- The existing documentation does not conclusively establish the University of Birmingham's ownership of the mummy case lid, but it does seem to be part of a collection of Egyptian antiquities acquired by the university in 1904.
- The mummy case lid has been on loan to museums in Birmingham since 1991, because LSAG&M does not have the resources for its proper care or display.

2. **RECOMMENDATION**

- 2.1 The Executive approves the presentation of the Egyptian mummy coffin lid as a gift to the University of Birmingham.

3. **REASONS FOR THE RECOMMENDATION**

- 3.1 The recommendation follows a review, summarised below, of the provenance and likely ownership of the mummy coffin lid, together with its relationship to the Council's current Collections Development Policy.
- 3.2 The mummy case lid was donated to LSAG&M in January 1960, when the service was managed by the Library, Art Gallery and Museum Committee of Royal Leamington Spa Borough Council. Its donor was Councillor T A Dorey, a member of the committee and lecturer in classics at Birmingham University. The mummy case lid was said to date to around 550 BC.
- 3.3 The committee was informed by Dr Dorey that: *'from what I have been told, it was found abandoned on Tamworth Railway Station. The stationmaster took charge of it for a while before passing it on to Professor Thompson who, upon his retirement, gave it to Professor Dudley.'* (*Morning News*, 4 January 1960; see also *Courier*, 8 January 1960). Dr Dorey 'begged' the lid from Professor Dudley when it needed a 'good home' after the classics department moved to new offices.
- 3.4 A little later, it was reported in the local press that *'the Vice-Chancellor of Birmingham University has confirmed the gift of the mummy to Leamington.'* (*Courier*, 10 June, 1960).
- 3.5 The mummy case lid does not appear in LSAG&M's accessions register for 1960 but in 1991 was given the accession number M3541.1991.
- 3.6 The mummy case lid was on display for some years when LSAG&M was located on Avenue Road. However, when the galleries were refurbished in 1989 – 91 the new exhibitions, which focused on the visual arts from around 1600 to the present and on local history, did not offer a context in which it could be displayed. Moreover, the museum did not have the staff expertise or storage facilities to properly care for and interpret it.
- 3.7 The mummy case lid was therefore placed on loan in 1991 to Birmingham City Museum and Art Gallery. This has a substantial collection of ancient Egyptian artefacts, together with the necessary staff and supporting resources to care for and display them.

- 3.8 While at the City Museum, the mummy case lid was seen by the Curator of Collections of Birmingham University. He recognised it as a mummy case lid which had been excavated at Beni Hasan under the auspices of the University of Liverpool and presented to the University of Birmingham in 1904. The Curator of Collections contacted LSAG&M and raised the matter of the provenance and ownership of the mummy lid.
- 3.9 In 2000 it was agreed, with the consent of all parties, that the mummy case lid should be transferred on loan to the University of Birmingham. The university conserved it at a cost of £1,300 and had a bespoke display case made; it is now exhibited in the Institute of Archaeology and Antiquity Museum and used regularly as a teaching aid for university students and local schools.
- 3.10 An email dated 10 June 2000 from Gillian Shepherd, then Museum Curator and Lecturer in Classical Archaeology in the University of Birmingham, to David Howells, then Curatorial Officer at LSAG&M, states that the university have insured the mummy case lid for £10,000.
- 3.11 On 10 May 2011 the Curator of Collections wrote to LSAG&M asking if the Council would *'be prepared to return the object to the University of Birmingham under a deed of gift?'* As evidence that the mummy case lid really belonged to the University of Birmingham, he provided copies of:
- (a) A letter dated 18 February 1904 from Mr J H Hopkinson of the University of Birmingham to the Director of Excavations, Beni Hasan, requesting material from the site for the collection of the university's Classical Department.
 - (b) A letter dated 18 March 1904 from Mr J H Hopkinson thanking the Director for agreeing to the university's application and agreeing to meet the cost of packing and carriage of a *'wooden sarcophagus (or part thereof)'*.
 - (c) A letter dated 1 June 1904 from Mr J H Hopkinson acknowledging the safe delivery of the excavated items including the mummy case lid.
 - (d) A memo dated 22 January 1990 from Professor R A Tomlinson, Department of Ancient History and Archaeology, University of Birmingham, questioning *'whether Professor Dudley was authorised to give away what was clearly University property....at that time the relationship between Dudley and my predecessor, Tritsch, was extremely bad. I imagine it was sent to Leamington because Dr Dorey, of the Latin Department, was Mayor of Leamington Spa, and to spite Tritsch.'*
- 3.12 The Heritage & Arts Manager agreed he would review the existing documentation and recommend to the Council a solution which would resolve the matter, taking into account the legal situation, long term public benefit, and the Council's own Collections Development Policy.
- 3.13 After reviewing the documentation, the Heritage & Arts Manager has concluded:
- (a) The tale reported in the press in 1960 that the mummy case lid had been found abandoned on Tamworth Station is, in the absence of any indication when this happened, difficult to corroborate. It does, though, seem a curious explanation of how it came to be in the Classics Department of Birmingham University.
 - (b) The correspondence from 1904 suggests that in fact the mummy coffin lid is part of the group of antiquities excavated at Beni Hasan and given to the Classical Department of the University of Birmingham.

(c) The memo dated 22 January 1990 from Professor Tomlinson offers a credible explanation as to why the mummy case lid was given to LSAG&M. However, the implication that it was donated without the consent of the university appears to be contradicted by the report in the *Courier* of 10 June 1960 that *'the Vice-Chancellor of Birmingham University has confirmed the gift of the mummy to Leamington.'* This indicates that the Council now has legal title to the mummy case lid.

3.14 If a similar item was offered to LSAG&M today it would not be accepted. This is because (a) LSAG&M will only accept items to which the donor has indisputable legal title; and (b) it is a category of object excluded for acquisition under the Collections Development Policy 2012 - 17 (approved by Executive on 30 May 2012).

3.15 The Collections Development Policy, which follows the format required to meet the terms of the Arts Council England's Museums Accreditation Scheme, states that *'Warwick District Council will not acquire further archaeological finds for the collections of Leamington Spa Art Gallery & Museum.'*

3.16 The Collections Development Policy also states that *'Leamington Spa Art Gallery & Museum will only dispose of objects for curatorial reasons'*. Such a disposal requires the consent of the Council: *'The decision to dispose of material from the collections will be taken by the governing body only after full consideration of the reasons for disposal. Other factors including the public benefit, the implications for Leamington Spa Art Gallery & Museum's collections and collections held by museums and other organisations collecting the same material or in related fields will be considered.'*

3.17 If disposal is approved, the Collections Development Policy states that preference should be given to transfer to an Accredited Museum: *'Once a decision to dispose of material in the collection has been taken, priority will be given to retaining it within the public domain.... It will therefore be offered in the first instance, by gift or sale, directly to other Accredited Museums likely to be interested in its acquisition.'*

3.18 In February 2012 the University of Birmingham Collections received full Accreditation from Arts Council England.

3.19 Taking into account the above, it is the view of the Heritage & Arts Manager that there are sound curatorial reasons and it is to the public benefit for the Council to present the mummy coffin lid to the University of Birmingham. This will formally reunite it with other objects from the same excavation, permit its continued use as an exhibit and teaching aid, and ensure it is properly cared for by specialist staff.

3.20 Furthermore, as the mummy case lid was originally acquired as a gift from the university, and there remain doubts about the whether the Council has full legal title to it, it is suggested that it is presented as a gift.

4. **POLICY FRAMEWORK**

4.1 Disposal of the mummy coffin lid would be consistent with the review of the Council's Heritage & Arts Service currently being undertaken as part of the Fit for the Future programme.

- 4.2 The review seeks to ensure that the Heritage & Arts services have a strong focus on the needs of local residents and visitors, and are efficiently delivered at the least possible cost. The review will include a consideration of the future of LSAG&M's collections within the framework of the Council's Collections Development Policy. Disposal of the mummy case lid would be a useful contribution to this process.

5. **BUDGETARY FRAMEWORK**

- 5.1 There are no direct financial implications resulting from the proposed presentation of the mummy case lid as a gift to Birmingham University. Although the object has a significant potential market value, sale would be contrary to the Council's Collections Development Policy. Moreover, as the object was acquired by donation, and its ownership is contested by the University of Birmingham, which has paid for its recent conservation, any attempt at disposal by sale would be highly contentious.

6. **ALTERNATIVE OPTION(S) CONSIDERED**

- 6.1 The mummy coffin lid could remain on loan to the University of Birmingham, leaving the matter of its long term future unresolved; or it could be returned to LSAG&M, which would be detrimental to its long term care and use for the public benefit.