



treasuretrove

in Scotland

ANNUAL REPORT BY THE QUEEN'S AND THE LORD TREASURER'S REMEMBRANCER

04/06



Treasure
Trove

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TREASURE TROVE IN SCOTLAND - REPORT BY QUEEN'S AND LORD TREASURER'S REMEMBRANCER

30 November 2004 – 31 March 2006

I have pleasure in presenting this first report on the operation of the Treasure Trove system in Scotland and covering the period 30 November 2004 – 31 March 2006. This is the first of what will in future be Annual Reports. It has been prepared and published in implementation of Recommendation 28 of the “Review of Treasure Trove Arrangements in Scotland” (“the Review”), which was published by the Scottish Executive in October 2003 (www.scotland.gov.uk). This report is presented to the Scottish Parliament and is available on the Treasure Trove website (www.treasuretrovescotland.co.uk).

I hope that, on the basis of the contents of this first report, readers will recognise that changes are actively being considered and implemented, all with a view to improving the accessibility and operational timetables of the Treasure Trove system in Scotland.

The Treasure Trove system in Scotland depends on the work of the unpaid volunteers who constitute the Scottish Archaeological Finds Allocation Panel, which is chaired by Professor Ian Ralston and I would wish to thank them for their work over this period and in particular for their significant contribution to taking forward the recommendations of the Review. My thanks are also due to two small, but key, units - the Treasure Trove Unit, led by Alan Saville and the staff of the QLTR Unit in my own office, which each support the claiming and allocation process. I would wish to pay particular tribute to Dianne Howieson, who has recently retired as Solicitor to the QLTR for her work with me and with colleagues in the Panel and Treasure Trove Unit in taking forward the new arrangements and in the preparation of this first annual report.



Norman McFadyen

Queen's and Lord Treasurer's Remembrancer

29 January 2007

Introduction

1. This report covers Treasure Trove matters dealt with by the Queen's and Lord Treasurer's Remembrancer ("QLTR") and by the Scottish Archaeological Finds Allocation Panel ("SAFAP"), and by its predecessor the Treasure Trove Advisory Panel ("TTAP"), from the date of the publication in November 2004 of the Final Responses of the Scottish Executive to the Review, to 31 March 2006.

Context of Review

2. In 1999, the Scottish Executive published two booklets on Treasure Trove, one of which mentioned an intention to supply "a set of guidelines covering all aspects of Treasure Trove procedures, to be issued to the Scottish Museum community". It also stated that, "the criteria for allocation [of items claimed as Treasure Trove] and the allocation process will be reviewed in light of experience of their operation no later than two years after their introduction".

3. In November 2002, a special seminar on Treasure Trove was held in Edinburgh by the Society of Antiquaries of Scotland. At that seminar, it was noted that the review was overdue and that the two booklets were in need of updating. Also in 2002, the Scottish Executive consulted on the development of an action plan for Scotland's museums, in the course of which the more effective management of Scotland's Treasures was discussed, so as to bring them to a wider audience. In addition, in the same year, a United Kingdom Parliamentary Group chose to investigate archaeological practices and in January 2003 published its report entitled "The Current State of Archaeology in the United Kingdom".

4. All these events prompted the Scottish Executive, in November 2002, to instruct its own review of Treasure Trove arrangements in Scotland. This was carried out by Andrew Normand CB, the then QLTR. His Review findings were, as already mentioned, published in October 2003 and the majority of his recommendations were accepted by the Scottish Executive in November 2004.

Summary of Recommendations

5. A summary of the recommendations in the Review was set out at pages 63-65. The majority of those recommendations were accepted by the Scottish Executive, which published their acceptance by issuing their “Final Responses” in November 2004 (www.scotland.gov.uk/Publications/2005/01/20480/49405). A copy of both the numbered recommendations of the Review and the Final Responses to each of those recommendations is reproduced at **Appendix 1** to this report.

Implementation of Recommendations

6. The Scottish Executive took the view that the Treasure Trove system in Scotland could be modernised by administrative arrangement and without the need for promoting legislation.

7. Consistent with the recommendations of the Review, the QLTR’s aims are to deal with Treasure Trove in a consistent and transparent manner, to ensure greater publicity than currently exists for the rules of the Treasure Trove system and to encourage more active participation from the public in matters of Treasure Trove, either as possible finders or as museum visitors.

Operation of system immediately before November 2004

8. Since publication of the Final Responses, various structural and procedural recommendations from the Review have been implemented – and these will be described below - but it may be convenient briefly to summarise the legal background to dealing with items of Treasure Trove and the administrative arrangements, which operated immediately prior to November 2004.

9. The legal basis of Treasure Trove rests on Scots common law and long established custom and practice. The Crown has the right to all ownerless goods

(known as “*bona vacantia*”) in accordance with the principle “*Quod nullius est fit domini Regis*” (That which belongs to no-one falls to the Crown.) Treasure Trove is a specialised form of *bona vacantia* in that it covers what may be described as “portable antiquities”. The operation of the system is supported by the Scots criminal law, including the common law of theft.

10. The Treasure Trove system was administered by the QLTR on the advice of the TTAP assisted by its Secretariat, both of which were still in operation in November 2004. The role of the TTAP was as an independent advisory panel to the QLTR. The members were appointed by Scottish Ministers and were unpaid. The TTAP gave advice to the QLTR on valuations of items claimed as Treasure Trove and on which museums should be allocated the claimed items. The decisions taken as to claiming, fixing the level of reward (the reward is the valuation placed upon the item by the TTAP) and allocation were, however, all taken in name of the QLTR.

Creation and remit of SAFAP

11. In accordance with Recommendation 22 of the Review, the functions of the then existing Finds Disposal Panel (“FDP”) and of TTAP were to be amalgamated. This resulted in the creation, with effect from 1 April 2005, of the SAFAP.

12. A list of the names and professional status of the current members of SAFAP, all of whom, as before, are appointed by Scottish Ministers and serve unpaid, is provided in **Appendix 2** to this Report.

13. This report therefore covers one full year of the operation of the SAFAP, which meets approximately every four months. In the course of that year (1 April 2005 to 31 March 2006), much effort has been put by the SAFAP into formulating its own Terms of Reference, in the light of the Review’s recommendations and the Scottish Executive’s Final Responses. Those Terms of Reference were approved by the Scottish Executive on 10 March 2006 and are reproduced in **Appendix 3** to this report.

14. The SAFAP has now turned to the task of drafting the terms of its Code of Practice. There were previously no written guidelines as to the procedures of the TTAP. Various of its functions were implemented through its modestly staffed secretariat (known as the Treasure Trove Unit), which aimed to act in accordance with the summarised terms of the two booklets published in 1999. It has therefore proved a valuable - but time consuming - exercise to consider past practices, elicit, confirm or amend policy lines, discuss practicalities and then put into written form the draft terms of a proposed Code. The proposed Code will have a wide scope and there has been a need to re-examine the validity of past practices. The process of preparation of the Code is therefore still in hand, but the exercise should be well worth the time which the SAFAP is devoting to it, while at the same time, of course, continuing to implement its accepted functions of advising the QLTR on matters of valuation and allocation of Treasure Trove items. The draft Code will in due course be submitted to the Scottish Executive for approval.

Changes introduced since November 2004

15. There are listed briefly below the changes already implemented since November 2004, in accordance with the letter or the spirit of the recommendations made in the Review.

- Issue of finders' certificates
- Appointment of Chair and Members of SAFAP
- Publication of the written Terms of Reference of SAFAP
- Publication of the cut-off date for intimating of past "acquisitions" by museums of potential Treasure Trove items, which had not previously been properly reported through the Treasure Trove system
- Development of Treasure Trove website
- Streamlining of administrative procedures so as to accelerate the payment of rewards
- Processing of all finds from Archaeological projects in Scotland through SAFAP
- Renaming the Secretariat to the SAFAP as the Treasure Trove Unit

Interesting Cases

16. While the Review has focused attention on improving or supplementing the structural system of and administrative procedures associated with the operation of the Treasure Trove system, there is significant public interest in the details of particular finds and some of these are now described, with background details and photographs.

COTT.36/04 15th-16th century copper alloy annular brooch from Helmsdale, Highland. Allocated to Inverness Museum



Annular brooches of this type were common across Western Europe in the 12-13th centuries but remained in fashion in the Scottish Highlands long after they had passed out of use in the rest of Britain. Rather than indicating a cultural stagnation the brooches developed into a particularly Scottish artefact type, which was also open to wider European influences by borrowing, for example, Renaissance motifs.

COTT.07/05 Romano-British penannular brooch, 1st-2nd centuries AD, Benbecula, Western Isles. Allocated to Museum nan Eilean, Stornoway



Although common in southern Britain where they were manufactured, such brooches are rare in the Hebrides and this represents a high quality example of the type. The quality of this piece and the effort needed to acquire it some distance from the area of manufacture suggest it functioned as a prestige item and illustrates the links between the Roman provinces and the further reaches of Iron Age Scotland.

COTT.10/05 Late 15th/early 16th century gold finger ring, from Dumfries. Allocated to Dumfries Museum



Such relatively plain gem set rings were in fashion from the late 15th century and can be seen depicted in a number of formal portraits of the period. Analysis has shown that the gold content of the ring corresponds to the 20-carat standard of Scottish medieval gold. This, and the fact that the stones are agates, a type prevalent in Scotland, suggests local manufacture of a wider European style, an example of the manner in which mainstream European tastes had integrated themselves into everyday Scottish culture.

COTT.11/05 13th-14th century gold finger ring, Kirkwall, Orkney. Allocated to Orkney Museums Service.



Prior to the emergence of modern gem cutting techniques during the Renaissance it was often the case that rings would be designed around an existing rough stone rather than the stone being cut to fit a particular mount. Indeed rings of this type were designed specifically to show off the gem, it being a common belief that each gem had a specific 'vertu' or magical property which would benefit the wearer of the stone. In particular sapphires were held to induce pious thoughts in members of the clergy and a visually identical ring with a sapphire setting is held by the Musée de Cluny

COTT.13/05 Middle Bronze Age flanged-axe head 15th-12th centuries BC, near Dunblane, Stirling. Allocated to Dunblane Museum



By the Bronze Age the tools and weaponry in everyday use had acquired a secondary role as powerful cultural and ritual signifiers that set them apart from daily life, often used as votive deposits or offerings buried or cast into watery areas to mark these as landscapes of ritual importance. This axe head was found in an area in which a number of similar axe heads have been found, suggesting the area had particular significance and that individual axe heads were deposited at the spot over a period of time.

COTT.60/05 Neolithic polished flint axe head, Banchory-Devenick parish, Aberdeenshire. Allocated to Marischal Museum, Aberdeen



Like their Bronze Age successors Neolithic axe heads enjoyed a role in society, which sat between their prosaic function as a tool and a ritual object. It is clear that some axe heads were heavily used while others, like this example made from highly polished flint were intended primarily for display and functioned as a prestige object.

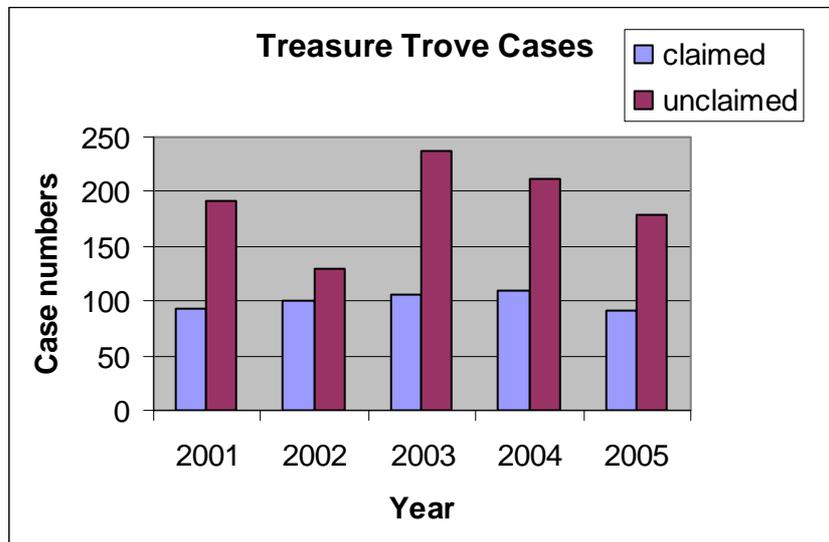
COTT.62/05 Lead-jacketed gun stone from Kelso, Scottish Borders. Allocated to National Museums of Scotland



Although not exclusive to Scotland such ammunition is particularly prevalent in Scotland and appears to be an attempt to solve the difficulties faced by the Scots in acquiring modern weaponry. The cast bronze ordnance of the early 16th century required cast iron or lead shot, the former which the Scots could not produce and the latter which was expensive. Such ammunition appears to be an attempt to navigate a course between these difficulties by both economising on lead and producing a shot, which was of the correct weight to substitute for cast iron shot.



Treasure Trove



Year	Treasure Trove rewards
2001	£23,631
2002	£12,023
2003	£10,785
2004	£11,325
2005	£11,774
TOTAL	£69,538

Statistics

17. **Appendix 4** to this report lists the finds claimed as Treasure Trove, with information as to each find spot and where the item found was allocated in 2005 or 2006. Finders are not named in this report, since the present procedures do not provide for the consent of finders to publication.

18. In the period covered by this report, rewards paid ranged from £10 to £2500. In one case the finder chose to forgo the reward, which meant that the item could be allocated to the particular museum without payment.

Allocation procedures

19. **Appendix 5** contains Flow Charts, which illustrate:

- (1) The procedures followed between the reporting of a chance find and the paying out of the reward and allocation of the find to the museum; the typical time span for these various procedures is within 12 months from date of reporting; and
- (2) The process in relation to items recovered in the course of an archaeological dig.

Funding

20. The operational expenses of the SAFAP and TTU comprise mainly staff costs and Administration costs which amount to around £65,000 per annum. The costs are met by grant-in-aid from the Scottish Executive Education Department to the National Museums of Scotland, which houses the TTU.

Looking Forward

21. As already mentioned, the Panel has been engaged in developing a new Code of Practice. It is envisaged that the Code will help more clearly to define the roles of SAFAP and the Treasure Trove Unit and emphasise the independence of the Treasure Trove procedures. The Panel has not in recent times met outside Edinburgh and members would wish to increase the profile of the reporting and allocation process by taking the opportunity, in future, normally to hold one of the meetings of the panel each year in other parts of the Country.

Contact details of TTU

22. The names of the staff of the TTU are contained in **Appendix 6** to this report together with their contact details and the website address. Readers are encouraged to contact the TTU with any Treasure Trove query the answer to which is not dealt with on the website. The members of the Unit are always pleased to help with enquiries from members of the public and have many years' experience of dealing with Treasure Trove matters.

Comments from Readers

23. **Appendix 7** to this report is a feedback form. The QLTR and SAFAP are keen to obtain readers' comments on the contents of this report. These can be sent on a photocopy of Appendix 5 or by letter or email to the QLTR Unit (COQLTR@copfs.gsi.gov.uk). Readers' comments will be taken into account in the preparation of further reports.



NORMAN MCFADYEN

Queen's and Lord Treasurer's Remembrancer

Crown Office

25 Chambers Street

Edinburgh

EH1 1LA

29 January 2007

Appendix 1 – Numbered Recommendations and Final Responses

Appendix 2 – Names and professional status of members of SAFAP

Appendix 3 – Terms of Reference of SAFAP

Appendix 4 – List of allocated Finds, their find spots and recipient museums

Appendix 5 - 2 Flow Charts – Chance finds and Archaeological assemblages

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Appendix 1

SUMMARY OF RECOMMENDATIONS

GENERAL

I **recommend** a clear and authoritative statement of policy, affirming the Scottish Executive's commitment to the preservation and protection of Scotland's portable heritage and public access to it. (*Paragraph 6.2*)

I **recommend** that action is taken to ensure that the development of the arrangements for Treasure Trove is fully co-ordinated with, and those arrangements are consistent with, the new museums strategy and the related Action Plan that is proposed, once that issues from the Scottish Executive. (*Paragraph 6.5*)

I **recommend** that a Code of Practice should be produced covering all aspects of the Treasure Trove system in Scotland. (*Paragraph 6.6*)

FINDING AND REPORTING

I **recommend** the creation of a clear statutory reporting requirement to apply to all finders, whether chance finders, metal detectorists or archaeologists in the course of any fieldwork/excavation. There should be a time requirement for reporting and offence provisions covering both failure to report and possession of unreported finds. Removal of finds from the Scottish jurisdiction without reporting should be prohibited by law, with penal sanction. (*Paragraph 6.12*)

CLAIMING AND DISCLAIMING

I **recommend** that the criteria for claiming should be defined and articulated as clearly as possible and they should be publicised. They should relate to the "significance" of a find. The guidance in the 1999 information booklet on *Guidelines for Fieldworkers*, should be retained meantime, informed as appropriate by the National Audit definitions. Consideration should be given to an expert consultation exercise to devise more specific criteria. (*Paragraphs 6.18 and 6.19*)

I **recommend** that the claiming procedure should also be more clearly stated. (*Paragraph 6.20*)

I **recommend** that the Treasure Trove Advisory Panel should only be consulted exceptionally about the claiming of finds in difficult or unusual cases and that consideration should be given to producing appropriate internal guidance. (*Paragraph 6.24*)

I **recommend** that the existing delegation to the Secretariat of authority to disclaim finds should be maintained, it continuing to be open to the Secretariat to consult the Q<R's advisers (the Panel and the Q<R's solicitor) about disclaiming, as necessary. (*Paragraph 6.27*)

I **recommend** that there should be appropriate consultation with and information to local museum(s) before and after a find is disclaimed. Finders should be kept fully informed throughout process, including if possible being provided with information about the object. There should also be appropriate acknowledgment of their reporting of the object. (*Paragraph 6.27*)

ALLOCATION

I **recommend** that there should be standard, basic allocation criteria and a fast-track procedure for normal cases, with more detailed criteria and more complex procedure only necessary for the smaller number of contested cases. (*Paragraph 6.29* and see *Paragraphs 6.30* and *6.46-6.47* further as to criteria and procedure.)

I **recommend** that the approach to the allocation of objects, as between the national museum and local museums or between separate local museums, should be consistent with the policy and strategic approach to the organisation and functions of museums in Scotland. As the relevant review and the preparation of an Action Plan remain to be completed I do not feel able to offer a final concluded view on what should be the criteria that should be applied by the TTAP and the Q<R to determine the allocation of TT finds in cases where more than one museum applies for allocation. (*Paragraph 6.35*)

I **recommend** that wherever possible consideration should be give to the use of joint ownership or loan arrangements to secure resolution of otherwise contested allocation. (*Paragraph 6.31*)

I **recommend** the retention of existing criteria relating to “special” circumstances, such as special conservation requirements, preservation of integrity of assemblages and research. (*Paragraph 6.32*)

I **recommend** retention of the current arrangements for review and appeal. (*Paragraph 6.49*)

I **recommend** that consideration should be given to all finds from archaeological excavations being dealt with by a single Panel. (*Paragraph 6.50*)

I **recommend** that consideration be given to the introduction of follow-up or audit arrangements, specifically relating to TT finds. (*Paragraph 6.51*)

VALUATION

I **recommend** that the TTAP should make greater use of outside experts and consideration should be given to establishing a list of approved experts who should be consulted on values. (*Paragraph 6.53*)

REWARD

I **recommend** that rewards should continue to be based on market value. (*Paragraph 6.54*)

I **recommend** the retention and clarification of arrangements for the abatement or non-payment of rewards. Finders should continue to be made aware of the option to decline a reward. (*Paragraphs 6.55 and 6.56*)

I **recommend** that the process of valuation should be more transparent and finders who are eligible to receive a reward should have greater opportunity than at present to be informed of the indicative valuation and to challenge it. (*Paragraph 6.58*)

I **recommend** that the system should provide other forms of reward or recognition than financial reward. (*Paragraph 6.59*)

ORGANISATIONAL ARRANGEMENTS

I **recommend** the retention of the TTAP, clear restatement of its responsibilities and that consideration should be given to merging the FDP with the TTAP. (*Paragraphs 6.60 and 6.61*)

I **recommend** that the Panel should sit more frequently than at present – say six times a year. (*Paragraph 6.62*)

I **recommend** that the Panel should be chaired by an independent chair and should have at least one independent “lay” member, but that otherwise its members should be representatives of the main relevant constituencies. The number of members should be increased. The Chairperson should be remunerated. (*Paragraph 6.63*)

I **recommend** that the position of the TTAP Secretariat be clarified and that the wider role that the Secretariat plays in the system should be recognised by re-badging it as the “TT Secretariat” and appointing one of its staff as “TT Registrar”. (*Paragraphs 6.68 and 6.69*)

I **recommend** the appointment of Liaison Officers or Co-ordinators to be located around Scotland. (*Paragraph 6.70*)

I **recommend** that time targets should be set for the process in Scotland. (*Paragraph 6.73*)

PUBLICITY

I **recommend** that an annual report should be produced. (*Paragraph 6.75*)

I **recommend** that representative bodies, such as the NCMD should be encouraged to give more publicity to the Scottish TT system and to re-draft/expand their conduct codes to cover Scottish circumstances specifically.

SCOTTISH EXECUTIVE RESPONSE

SCOTTISH EXECUTIVE RESPONSE

NORM AND REVIEW RECOMMENDATION

SCOTTISH EXECUTIVE RESPONSE

GENERAL

<p>1. I recommend a clear and authoritative statement of policy, affirming the Scottish Executive's commitment to the preservation and protection of Scotland's portable heritage and public access to it. <i>(Paragraph 6.2)</i></p>	<p>The Treasure Trove system forms an important part of the Scottish Executive's approach to the preservation of our cultural heritage. The Treasure Trove system will be used to safeguard Scotland's heritage of portable antiquities and archaeological objects by preserving significant claimed objects in the public domain. In accordance with the Executive's policy of increasing access to, and understanding of, our cultural heritage, claimed objects will be held by suitable institutions (usually the National Museums for Scotland or a local museum) for the benefit of the Scottish public. The presumption will be that display worthy objects will be placed on exhibition and, where appropriate, will be made available on loan to other museums.</p>
<p>2. I recommend that action is taken to ensure that the development of the arrangements for Treasure Trove is fully co-ordinated with, and those arrangements are consistent with, the new museums strategy and the related Action Plan that is proposed, once that issues from the Scottish Executive. <i>(Paragraph 6.5)</i></p>	<p>Initially, the Executive proposed that Regional Development Officers would also provide local advice on Treasure Trove issues. In the course of the consultation, the museum sector was unanimous in the view that this is not a practical proposal (see recommendation 26 for a fuller discussion). However, the recently established Regional Development Challenge Fund will, among other requirements, raise awareness locally on Treasure Trove issues.</p>

<p>3. I recommend that a Code of Practice should be produced covering all aspects of the Treasure Trove system in Scotland. <i>(Paragraph 6.6)</i></p>	<p>Agreed. A comprehensive and authoritative Code of Practice should be drawn up by the TTAP to reflect the Executive’s response to the recommendations and the best practice identified in the Normand Review.</p>
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FINDING AND REPORTING

<p>4. I recommend the creation of a clear statutory reporting requirement to apply to all finders, whether chance finders, metal detectorists or archaeologists in the course of any fieldwork/excavation. There should be a time requirement for reporting and offence provisions covering both failure to report and possession of unreported finds. Removal of finds from the Scottish jurisdiction without reporting should be prohibited by law, with penal sanction. <i>(Paragraph 6.12)</i></p>	<p>The Executive is not persuaded of the case for new legislation. The publication of the Code of Practice and new guidance material on Treasure Trove could significantly improve matters in Scotland. The effectiveness of these should be monitored before new legislation is considered, as was suggested in the majority of responses.</p>
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CLAIMING AND DISCLAIMING

<p>5. I recommend that the criteria for claiming should be defined and articulated as clearly as possible and they should be publicised. They should relate to the “significance” of a find. The guidance in the 1999 information booklet on Guidelines for Fieldworkers, should be retained meantime, informed as appropriate by the National Audit definitions. Consideration should be given to an expert consultation exercise to devise more specific criteria. <i>(Paragraphs 6.18 and 6.19)</i></p>	<p>Agreed. The Treasure Trove Advisory Panel should review the current criteria used and prepare guidance material setting out the criteria for claiming.</p>
<p>6. I recommend that the claiming procedure should also be more clearly stated. <i>(Paragraph 6.20)</i></p>	<p>Agreed. This will be set out in the new Code of Practice on Treasure Trove.</p>

<p>7. I recommend that the Treasure Trove Advisory Panel should only be consulted exceptionally about the claiming of finds in difficult or unusual cases and that consideration should be given to producing appropriate internal guidance. <i>(Paragraph 6.24)</i></p>	<p>Agreed. The network of regional museum development officers will provide a source of local advice on the claiming process which should minimise the numbers of cases on which the Treasure Trove Advisory Panel should be consulted.</p>
<p>8. I recommend that the existing delegation to the Secretariat of authority to disclaim finds should be maintained, it continuing to be open to the Secretariat to consult the Q&LTR's advisers (the Panel and the Q&LTR's solicitor) about disclaiming, as necessary. <i>(Paragraph 6.27)</i></p>	<p>Agreed.</p>
<p>9. I recommend that there should be appropriate consultation with and information to local museum(s) before and after a find is disclaimed. Finders should be kept fully informed throughout the process, including if possible being provided with information about the object. There should also be appropriate acknowledgement of their reporting of the object. <i>(Paragraph 6.27)</i></p>	<p>Agreed. Proper recognition should be given to the finder in addition to any monetary award.</p>

ALLOCATION

<p>10. I recommend that there should be standard, basic allocation criteria and a fast-track procedure for normal cases, with more detailed criteria and more complex procedure only necessary for the smaller number of contested cases. <i>(Paragraph 6.29 and see Paragraphs 6.30 and 6.46-6.47 further as to criteria and procedure.)</i></p>	<p>Agreed. The aim should be to reduce the time taken to process all cases, but particularly those that are uncontested. The new procedures will be set out in the new guidance material on Treasure Trove.</p>
<p>11. I recommend that the approach to the allocation of objects, as between the national museum and local museums or between separate local museums, should be consistent with the policy and strategic approach to the organisation and functions of museums in Scotland. <i>(Paragraph 6.35)</i></p>	<p>Agree. Finds of national or international importance should not simply be offered to NMS in the first instance. This view was strongly expressed in the responses, including that from NMS.</p>

<p>12. I recommend that wherever possible consideration should be give to the use of joint ownership or loan arrangements to secure resolution of otherwise contested allocation. <i>(Paragraph 6.31)</i></p>	<p>AGREED. In addition, recently concordats have been drafted in two parts of the country to avoid competing applications. The Executive would encourage more concordats to be concluded with a view to achieving national coverage in due course.</p>
<p>13. I recommend the retention of existing criteria relating to “special” circumstances, such as special conservation requirements, preservation of integrity of assemblages and research. <i>(Paragraph 6.32)</i></p>	<p>Agreed.</p>
<p>14. I recommend retention of the current arrangements for review and appeal. <i>(Paragraph 6.49)</i></p>	<p>Agreed.</p>
<p>15. I recommend that consideration should be given to all finds from archaeological excavations being dealt with by a single Panel. <i>(Paragraph 6.50)</i></p>	<p>Agreed. See recommendation 22.</p>
<p>16. I recommend that consideration be given to the introduction of follow-up or audit arrangements, specifically relating to TT finds. <i>(Paragraph 6.51)</i></p>	<p>Agreed. The Treasure Trove Advisory Panel will keep a register of allocations and those institutions acquiring Treasure Trove finds should be asked to inform them of any changes in the ownership of the find or if the item is to be withdrawn from exhibition to the public.</p>

VALUATION

<p>17. I recommend that the TTAP should make greater use of outside experts and consideration should be given to establishing a list of approved experts who should be consulted on values. <i>(Paragraph 6.53)</i></p>	<p>It will be for the TTAP to consider whether greater use of outside experts should be made, while bearing in mind the low commercial value of many finds and the limited expertise available outwith the TTAP.</p>
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REWARD

<p>18. I recommend that rewards should continue to be based on market value. (Paragraph 6.54)</p>	<p>Agreed.</p>
<p>19. I recommend the retention and clarification of arrangements for the abatement or non-payment of rewards. Finders should continue to be made aware of the option to decline a reward. (Paragraphs 6.55 and 6.56)</p>	<p>Agreed.</p>
<p>20. I recommend that the process of valuation should be more transparent and finders who are eligible to receive a reward should have greater opportunity than at present to be informed of the indicative valuation and to challenge it. (Paragraph 6.58)</p>	<p>Finders would be advised by the TTAP secretariat of the provisional valuation in time to allow them to make representations to the TTAP. Any challenge would need to be supported by relevant evidence to support the challenge.</p>
<p>21. I recommend that the system should provide other forms of reward or recognition than financial reward. (Paragraph 6.59)</p>	<p>Agreed. The Executive supports the view that finders should receive proper recognition. It supports the proposal of the Chair of the TTAP that finders should receive a certificate from the Q&LTR giving relevant details about the find.</p>

ORGANISATIONAL ARRANGEMENTS

<p>22. I recommend the retention of the TTAP, a clear restatement of its responsibilities and that consideration should be given to merging the FDP with the TTAP. (Paragraphs 6.60 and 6.61)</p>	<p>The role and responsibilities of the TTAP will be set out in the revised guidance material on Treasure Trove. The Executive agrees, in principle, that the TTAP and the FDP should be merged to provide a coherent service. Discussions are therefore underway with TTAP, FDP, National Museums of Scotland, Historic Scotland, Queen's and Lord Treasurer's Remembrancer and the Crown Office with a view to achieving that outcome as soon as practicable.</p>
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<p>23. I recommend that the Panel should sit more frequently than at present - say six times a year. <i>(Paragraph 6.62)</i></p>	<p>The Executive believes that the introduction of a fast-track procedure should reduce the workload of the TTAP, so that it may not need to meet more than four times a year. The frequency of meetings held following the merger of TTAP and FDP should reflect the resultant workload</p>
<p>24. I recommend that the Panel should be chaired by an independent chair and should have at least one independent “lay” member, but that otherwise its members should be representatives of the main relevant constituencies. The number of members should be increased. The Chairperson should be remunerated. <i>(Paragraph 6.63)</i></p>	<p>The Executive agrees with the proposed composition of the Panel. A new Panel has now been established with an independent Chair, a lay member, and five other members representing the main relevant constituencies (an increase to seven members in total). The Chair will not be remunerated.</p>
<p>25. I recommend that the position of the TTAP Secretariat be clarified and that the wider role that the Secretariat plays in the system should be recognised by re-badging it as the “TT Secretariat” and appointing one of its staff as “TT Registrar”. <i>(Paragraphs 6.68 and 6.69)</i></p>	<p>Agreed. The revised guidance will set out the role of the TTAP secretariat. It will also set out the arrangements for servicing the TT secretariat.</p>
<p>26. I recommend the appointment of Liaison Officers or Co-ordinators to be located around Scotland. <i>(Paragraph 6.70)</i></p>	<p>Responses to the consultation were strongly in favour of the establishment of a network of dedicated Finds Liaison Officers in Scotland. Respondents took the view that this function could not be comprehensively discharged by regional museum development officers. However desirable it might be in practice to establish such a network, the Executive is not persuaded that re-prioritising funding available for the museum sector to implement this recommendation would produce correspondingly improved arrangements across the board. The issue will, therefore, be kept under review in the light of the restructuring of the TTAP and the availability of increased resources for the TTAP Secretariat.</p>

<p>27. I recommend that time targets should be set for the process in Scotland. (Paragraph 6.73)</p>	<p>Agreed. Maximum of 12 months recommended as target.</p>
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PUBLICITY

<p>28. I recommend that an annual report should be produced. (Paragraph 6.75)</p>	<p>Agreed. The Q&LTR will present this to the Scottish Parliament and it will be available on the Scottish Executive website.</p>
<p>29. I recommend that representative bodies, such as the NCMD should be encouraged to give more publicity to the Scottish TT system and to re-draft/expand their conduct codes to cover Scottish circumstances specifically.</p>	<p>Agreed. The Executive will work with the NCMD to achieve this.</p>

Appendix 2

SAFAP

Protecting our Archaeological Heritage for the Nation

SCOTTISH ARCHAEOLOGICAL FINDS ALLOCATION PANEL

The Scottish Archaeological Finds Allocation Panel members are appointed by Scottish Ministers, except in the case of the representatives from the National Museums of Scotland (NMS) and the Scottish Museums Council (SMC) who are nominated by the respective directors of NMS and SMC on behalf of Scottish Ministers.

The current composition of the Panel is as follows:

Chair

Professor Ian Ralston, School of Arts Culture & Environment, University of Edinburgh

Members

Mr Adrian Cox, Post-Excavation Manager and Artefacts Researcher, Scottish Urban Archaeological Trust, Perth now Inspector of Ancient Monuments, Historic Scotland, Edinburgh

Ms Jane Robinson, Assistant Director (Stewardship), Scottish Museums Council, Edinburgh now Head of Museum Development, Scottish Museums Council, Edinburgh

Dr Alison Sheridan, Assistant Keeper, Archaeology Department, National Museums of Scotland, Edinburgh, now Head of Early Prehistory, National Museums of Scotland, Edinburgh

Mr Ronald Smith, Managing Director, Edinburgh Solicitors Property Centre (UK) Ltd, Edinburgh

Ms Patricia Weeks, Assistant Curator (Archaeology), Inverness Museum & Art Gallery, now Education Officer (North), Inverness Museum, now Education Officer (North), Historic Scotland

Appendix 3

SCOTTISH ARCHAEOLOGICAL FINDS ALLOCATION PANEL

TERMS OF REFERENCE

Status

1. The Panel is a non-statutory advisory committee established to assist the Queen's and Lord Treasurer's Remembrancer (QLTR) in discharging his functions in relation to portable antiquities. Scottish Ministers appoint the Panel and provide resources in order to allow the Panel to carry out its remit.
2. The Panel is supported in its work by a secretariat. The secretariat is currently hosted by the National Museums of Scotland (NMS). A separate Service Level Agreement sets out the services provided to the Panel and the funding arrangements for these.

Membership

3. The Panel comprises a Chair and five members. The Chair and Panel members are appointed for a fixed term (renewable) by Scottish Ministers, except in the case of each of the two ex officio members, one from each of the NMS and the Scottish Museums Council (SMC), who are nominated by the respective directors of NMS and SMC on behalf of Scottish Ministers. The Panel will be quorate when two members and the Chair are present, and at least one of the members is a ministerial appointment. The Chair may nominate another Panel member to act in his stead at a Panel meeting (or other occasion when he would be representing the Panel), which he is unable to attend.
4. Members of the secretariat attend Panel meetings to provide information as required by the Chair and to record the Panel business.
5. The QLTR is entitled to attend Panel meetings and members of the QLTR staff may attend Panel meetings with the agreement of the Chair.
6. Other individuals may on occasion be invited to attend Panel meetings at the discretion of the Chair.

Remit

7. The Panel's role is to advise the QLTR on valuations and allocations of portable antiquities claimed by the Crown. In carrying out its valuation and allocation work in relation to portable antiquities the Panel is to apply the criteria and follow the procedures set out in the Code of Practice. When considering the valuation and allocation of any claimed item, the Panel may recommend disclaiming to the QLTR.
8. The Panel will respond to requests from the QLTR for advice, comment or action.

9. The Panel will respond to requests from Scottish Ministers.
10. The Chair will liaise with other relevant bodies at his discretion.
11. The Panel will, as required by the QLTR, assist in the definition and dissemination of good practice in relation to Scottish portable antiquities and will assist the QLTR in the production of an annual report on the work of the Panel.

Meetings

12. The Panel will normally meet three times a year. Additional meetings may be held if required by the Chair. The Chair has the power to deal with items of business other than at Panel meetings, in urgent and exceptional cases.
13. The Panel and its secretariat will meet annually with the QLTR to review the year's business and discuss items of mutual concern.

Appendix 4

TREASURE TROVE ADVISORY PANEL/SCOTTISH ARCHAEOLOGICAL FINDS ALLOCATIONS PANEL

ALLOCATIONS 2005/2006

The following is a summary checklist of material recently claimed by the Crown and allocated to the museums or museum services indicated. The list comprises material dealt with by the Panel at its meetings of February, May and October 2005 and March 2006, and is organised by the Council area in which finds were discovered. (NMS = National Museums of Scotland)

ABERDEENSHIRE	Findspot	Allocation	TT.no
18th-century military badge	Banchory	NMS	55/04
17th-century inscribed silver brooch	Inverboynie	Aberdeenshire Heritage	62/04
15th-century bronze signet ring	Banff	Aberdeenshire Heritage	71/04
Medieval penny of Alexander III	Rosehearty	Aberdeen City	75/04
Seven medieval and later finds	Ratray	Aberdeen City	76/04
Copper-alloy Viking kidney-ringed pin	Whitehills	Marischal College	89/04
Two 18 th -century Jew's harps	Banff	Aberdeen City	90/04
Two medieval carved stones	Aberdeenshire	Aberdeenshire Heritage	93/04
Neolithic polished axe head	Crathie	Marischal College	05/05
Iron Age excavation assemblage	Inverurie	Aberdeenshire Heritage	38/05
Medieval heraldic pendant	Lonmay	Aberdeenshire Heritage	43/05
Bronze Age excavation assemblage	Kintore	Marischal College	90/05
Prehistoric excavation assemblages	Tomnaverie, Cothiemuir Wood, and Aikey Brae	Marischal College	116/05

ANGUS	Findspot	Allocation	TT.no
Medieval base metal brooch	Montrose	Angus Council	44/04
Neolithic polished axe head	Tealing	Angus Council	86/04
Cup- and ring-marked stone fragments	Forfar	Angus Council	21/05
Medieval pilgrim's badge	East Haven	Angus Council	33/05
Iron Age excavation assemblage	West Grange of Conon	NMS	117/05

ARGYLL & BUTE	Findspot	Allocation	TT.no
Neolithic stone axe head	Ballybrennan	Argyll and Bute Council	49/04
Bronze Age flint knife	Lochgilphead	Kilmartin House	52/04
Prehistoric shale/jet bangle fragment	Kilmartin	Kilmartin House	64/04
18 th -century lead amulet	Salen, Mull	NMS	59/04
Five medieval finds	Ardchattan	NMS	27/05
Bronze Age excavation assemblage	An Sithean, Islay	Museum of Islay Life	112/05
Medieval bronze crucifix	Salen, Mull	Glasgow City	5/06
Medieval strapend	Gorstan, Mull	NMS	9/06

CITY OF ABERDEEN	Findspot	Allocation	TT.no
Twenty-three Baltic bale seals	Dyce	Aberdeen City	63/04

DUMFRIES & GALLOWAY	Findspot	Allocation	TT.no
Bronze Age palstave	Dumfries	Dumfries	51/04
Hoard of three medieval pennies	Dumfries	Dumfries	56/04
Neolithic polished axe head	Annan	Annan	65/04
Roman sestertius	Kirkmaiden	Stranraer	69/04

Five Roman coins	Kirkton	Dumfries	70/04
Medieval gold finger ring	Kirkton	Dumfries	10/05
Medieval silver brooch	Stranraer	Stranraer	12/05
Bronze Age axe-hammer	Stranraer	Stranraer	20/05
Neolithic polished axe head	Ae	Dumfries	41/05
Roman/later finds	Kirkton	Dumfries	104/05

CITY OF EDINBURGH	Findspot	Allocation	TT.no
19th-century print block with arms of Sir Walter Scott	Ratho	NMS	91/04
Anglo-Saxon ring-headed pin	Edinburgh	Edinburgh City	22/05

EAST AYRSHIRE	Findspot	Allocation	TT.no
Medieval/later assemblage	Galston	NMS	97/05
Prehistoric excavation assemblage	Darvel	Glasgow City	98/05

EAST LOTHIAN	Findspot	Allocation	TT.no
Roman excavation assemblage	Inveresk	NMS	38/04
Prehistoric/later excavation assemblage	Dunbar	NMS	61/04
Neolithic polished axe head	Dunbar	East Lothian Council	68/04
Medieval heraldic pendant	Tranent	East Lothian Council	16/05
17/18 th -century gold posy ring	Tranent	East Lothian Council	24/05
Medieval pewter annular brooch	Seton Sands	East Lothian Council	35/05
Medieval excavation assemblage	Coulston Pottery	NMS	119/05

EAST REFRESHIRE	Findspot	Allocation	TT.no
Medieval/later excavation assemblage	Neilston	NMS	95/05

EDINBURGH CITY	Findspot	Allocation	TT.no
Medieval excavation assemblage	Canongate	Edinburgh City	37/04
Roman pottery jar	Cramond	Edinburgh City	106/05
FALKIRK	Findspot	Allocation	TT.no
Roman field walking assemblage	Falkirk	Falkirk	39/04
17 th -century inscribed lead button	Larbert	Falkirk	45/04
Hoard of five medieval coins	Carriden	Falkirk	46/04
Hoard of three Roman denarii	Carriden	Falkirk	47/04
Hoard of three Roman denarii	Carriden	Falkirk	48/04
Roman trumpet brooch	Polmont	Falkirk	17/05
Medieval gold brooch	Carriden	NMS	2/06
FIFE			
Medieval bronze stud	Newburgh	Fife Council	40/04
16 medieval and later finds	Culross	NMS	77/04
Medieval silver spoon and lead whorl	Culross	NMS	81/04
Bronze Age excavation assemblage	Leven	NMS	84/04
Medieval decorated buckle	Ballingry	NMS	85/04
16-17 th century lead toy figure	Falkland	Fife Council	14/05
Four medieval finds	Anstruther	Fife Council	28/05
Ten medieval and later finds	Crail	Fife Council	31/05
Roman trumpet brooch	Dunfermline	NMS	103/05
Prehistoric/later finds	Tentsmuir	Fife Council	105/05
Neolithic stone axe head	Auchtermuchty	Fife Council	3/06

GLASGOW	Findspot	Allocation	TT.no
19th-century excavation assemblage	Verreville Pottery	Glasgow City	91/05
19th-century excavation assemblage	Verreville Pottery	Glasgow City	92/05
20th-century excavation assemblage	Newton Mearns	Glasgow City	93/05
19th-century excavation assemblage	Verreville Pottery	Glasgow City	114/05

HIGHLAND	Findspot	Allocation	TT.no
Copper-alloy Romanesque buckle	Auldearn	Inverness Highland Council	58/04
Medieval carved stone fragment	Rosemarkie	Groam House Rosemarkie	67/04
Roman denarius	Wick	Dunbeath Heritage	73/04
Neolithic stone axe head	Beauly	Inverness Highland Council	83/04
18 th -century silver toilet implement	Dornoch	Inverness Highland Council	88/04
176 medieval and later objects	Fortrose	Groam House Rosemarkie	01/05
42 post-medieval coins and objects	Ardersier	Inverness Highland Council	02/05
Twenty medieval and later objects	Dornoch	Inverness Highland Council	03/05
Medieval bronze seal matrix	Dornoch	Dornoch	30/05
Early Bronze Age metalwork hoard	Tarradale	Inverness Highland Council	36/05
7 th century Anglo-Saxon gilded mount	Dornoch	Inverness Highland Council	39/05
Modern excavation assemblage	Helmsdale	Timespan Helmsdale	111/05
Bronze Age/later excavation assemblage	Arisaig to Kinsadel road works	Inverness Highland Council	113/05
Post-medieval excavation assemblage	Badentarbat	Ullapool	120/05
Bronze Age bronze spearhead	Glendale, Skye	Inverness Highland Council	10/06
Bronze Age bronze axe head	Auldearn	Inverness Highland Council	11/06
Bronze Age socketed axe head	Glenelg	Inverness Highland Council	12/06

MIDLOTHIAN	Findspot	Allocation	TT.no
Neolithic polished axe head	Penicuik	NMS	19/05
NORTH AYRSHIRE	Findspot	Allocation	TT.no
Prehistoric flint knife/scrapper	Arran	NMS	04/05
NORTH LANARKSHIRE	Findspot	Allocation	TT.no
Medieval silver coin	Kilsyth	Glasgow City	25/05
Post-medieval/later excavation assemblage	Bathgate to Newarthall pipeline	NMS	100/05
ORKNEY ISLANDS	Findspot	Allocation	TT.no
Prehistoric bone comb	Shapinsay	Orkney	42/04
Medieval gold finger ring	Kirkwall	Orkney	11/05
Iron Age stone whorl and bone comb fragment	Broch of Burrian	NMS	15/05
PERTH & KINROSS	Findspot	Allocation	TT.no
Early Historic chip-carved mount	Abernethy	Perth	41/04
Bronze Age flanged axe head fragment	Meigle	Perth	54/04
Medieval jeton	Kinnesswood	Perth	57/04
Five multi-period finds	Meigle	Perth	60/04
Inscribed Roman patera handle	Cardean	Perth	72/04
Medieval heraldic pendant	St Madoes	Perth	74/04
Romanesque strap end	Birnam	Perth	80/04
Bronze Age axe-hammer	Moulin	Perth	06/05
Four medieval and later finds	Milnathort	Perth	18/05

Seven Iron Age and Roman finds	Strageath	NMS	26/05
Medieval lead alloy crucifix	Coupar Angus	Perth	32/05
Twelve medieval finds	Dunkeld	Perth	34/05
Post-medieval excavation assemblage	Dunkeld House	NMS	101/05
Medieval/modern excavation assemblage	Dull	Perth	102/05
Three Roman finds	Meigle	Perth	109/05

RENFREWSHIRE	Findspot	Allocation	TT.no
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Bronze Age flanged axe head	Lochwinnoch	Glasgow City	6/06
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SCOTTISH BORDERS	Findspot	Allocation	TT.no
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Early Historic silver ingot	Kelso	NMS	43/04
Iron Age finger ring	Coldstream	NMS	50/04
Stone double mould	Newstead	NMS	53/04
Medieval mount	Foulden	NMS	66/04
Seven medieval and later finds	Eyemouth	NMS	78/04
Fifteen medieval and later finds	Soutra	NMS	79/04
Medieval harness pendant	Duns	NMS	08/05
17th-century bronze cauldron	Hownam	NMS	110/05
Iron Age/later excavation assemblage	The Dod	NMS	115/05
Iron Age terret ring fragment	Cockburnspath	NMS	7/06
Medieval silver chape	Kelso	NMS	8/06

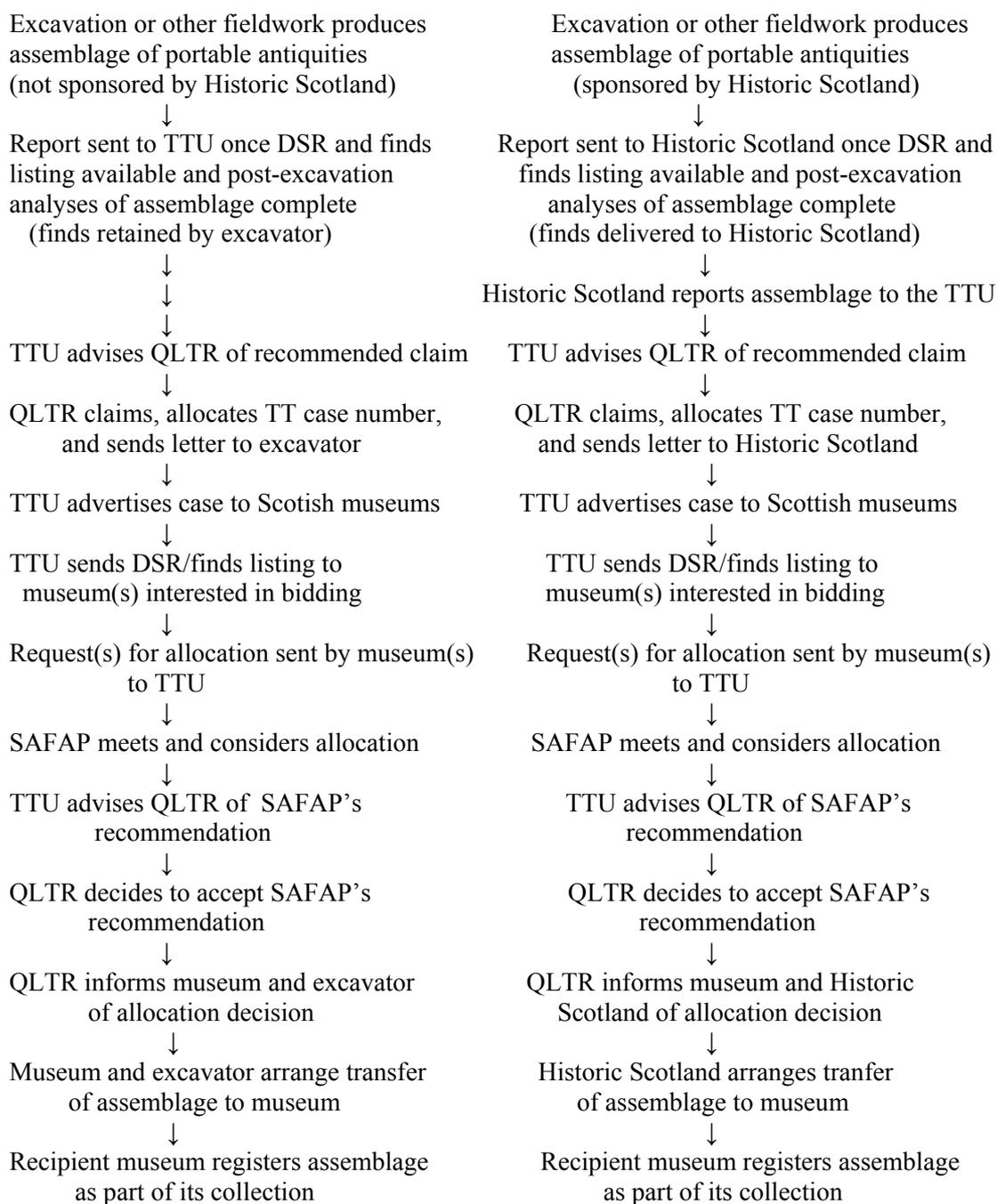
SOUTH AYRSHIRE	Findspot	Allocation	TT.no
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nscribed medieval brooch and lead badge	Troon	South Ayrshire Council	82/04
Bronze Age excavation assemblage	Heads of Ayr	South Ayrshire Council	37/05
Medieval/later excavation assemblage	Citadel Place, Ayr	NMS	94/05

Prehistoric/later excavation assemblage	Ballantrae	NMS	96/05
STIRLING	Findspot	Allocation	TT.no
MBA flanged axe head	Dunblane	Dunblane	13/05
18 th -century inscribed silver heart brooch	Stirling	Stirling The Smith	29/05
Prehistoric perforated stone	Balfron	Stirling The Smith	42/05
Neolithic stone axe head	Larbert	NMS	1/06
WEST DUNBARTONSHIRE	Findspot	Allocation	TT.no
19 th -century Reform medal	Balloch	NMS	92/04
WESTERN ISLES	Findspot	Allocation	TT.no
Prehistoric/later excavation assemblage	St Kilda	Glasgow City	87/04
Romano-British penannular brooch	Benbecula	Museum nan Eilean	07/05
Iron Age pottery sherds and bone tool	Benbecula	Museum nan Eilean	23/05
Iron Age excavation assemblage	Achmore Lewis	Museum nan Eilean	117/05
WEST LOTHIAN	Findspot	Allocation	TT.no
Medieval/later assemblage	Linlithgow Palace	Historic Scotland	99/05
Post-medieval/later excavation assemblage	Bathgate to Newarthall pipeline	NMS	100/05

TREASURE TROVE PROCESS FLOW-CHART: EXCAVATION ASSEMBLAGES

(n.b. there are slightly divergent pathways for assemblages depending on whether or not they derive from projects sponsored by Historic Scotland)



Abbreviations

TTU: Treasure Trove Unit

QLTR: Queen's & Lord Treasurer's Remembrancer

SAFAP: Scottish Archaeological Finds Allocation Panel

DSR: Data structure report

Appendix 6

Secretariat (Treasure Trove Unit)

Mr Alan Saville, Head of Unit (part-time) Senior Curator of Earliest Prehistory,
National Museums of Scotland

Ms Jenny Shiels, Administrator (full-time)

Mr Stuart Campbell, Assistant Administrator (full-time)

Website addresses:

www.treasuretrovescotland.co.uk

Appendix 7

Feedback form

Readers' comments are sought on the content and format of this inaugural report. Any comments will be welcome, but views are in particular invited on the following points:

Should this report include individual details of all cases allocated during the period covered? If so, how much and what kind of detail is desirable?

Should valuations be included?

Should finders'/excavators' names be included?

Please return your comments to:

The QLTR Unit
Crown Office
25 Chambers Street
Edinburgh
EH1 1LA

(COQLTR@copfs.gsi.gov.uk)

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