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Historic Environment Division

Guidance for the treatment and care of human remains from archaeological excavations in Northern Ireland

April 2024



Historic Environment Division's Aim

“Helping communities to enjoy and realise the value of our historic environment”

We do this by:

- Recording, protecting, conserving, advising, promoting and enhancing its value
- Utilising and growing our specialist knowledge and expertise in collaboration with a wide range of groups and individuals
- Contributing to the Executive's objectives as laid out in the Programme for Government

Our historic environment provides authentic and attractive places which increase our pride, character and identity, lead to improved wellbeing and community engagement, and to prosperity through tourism, investment, skills, regeneration and creativity. It is a precious and finite resource available to present generations, and with appropriate management, to future generations.



This document provides information on the treatment and care of human remains from archaeological excavations in Northern Ireland. It should be read in conjunction with Guidance for conducting licensed

archaeological excavation in Northern Ireland (DfC, 2024) and associated guidance documents which can be obtained from the Department for Communities website:

www.communities-ni.gov.uk

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Preamble

Historic Environment Division (HED) within the Department for Communities (DfC) is the government lead on the historic environment of Northern Ireland. This document has been prepared by HED, in partnership with the Chartered Institute for Archaeologists (CIfA), the Institute of Archaeologists of Ireland (IAI) and National Museums Northern Ireland. It deals with the licensed excavation, ethical treatment, analysis, reporting and preparation of an appropriate archive for human remains recovered from archaeological contexts, and how this should be conducted to meet agreed professional standards in Northern Ireland.

DfC requires all licensed archaeological work in Northern Ireland to:

- comply with professional standards
- be led by a competent and experienced archaeologist
- be conducted giving due regard to supporting professional guidance.

Professional standards and guidance

Professional standards provide a set of principles and define the required outcomes of an archaeological activity that must be met. The supporting guidance provides practical advice on how those outcomes should be achieved, in accordance with current best practice. As the guidance provided by CIfA, IAI and the British Association for Biological Anthropology and Osteoarchaeology (BABA0) on how to meet the professional

standards applies across various jurisdictions, with differing legislative basis, policies and procedures, it is recognised that it needs to work alongside specific national or regional requirements.

This detailed guidance, specific to Northern Ireland, has been produced by HED (as the regulatory body with responsibility for excavation licensing) in collaboration with CIfA and IAI. It aims to provide clarity for practitioners on meeting the required professional standards, and both institutes recommend their members adhere to it when working in Northern Ireland. Over time, as the three organisations revise and update their related documents, every effort will be made to ensure ongoing alignment.

In addition to this guidance on the treatment and care of human remains, HED, in partnership with CIfA and IAI, have also produced the following:

Guidance for conducting licensed archaeological excavation in Northern Ireland. Department for Communities (DfC, 2024)

Guidance for the creation and care of archaeological archives in Northern Ireland. Department for Communities (DfC, 2024)

Guidance for the creation and management of digital archaeological archives in Northern Ireland. Department for Communities (DfC, forthcoming).

1 Introduction

1.1 Definition of human remains

The term ‘human remains’ in this document refers to the following when derived from an archaeological context:

- osteological material (whole or part skeletons, individual bones or fragments of bone) of once-living people
- remains recovered from both inhumation burials and cremations
- well-preserved human remains, such as those described as ‘bog bodies’
- soft tissue including organs, skin and embryos.

1.2 Professional standards

Professional standards for excavation, recording and post-excavation research have been set through the following:

- Code of Practice of the British Association for Biological Anthropology and Osteoarchaeology (BABAO)¹
- The Treatment of Human Remains: Technical Paper for Archaeologists (IAI)²
- Updated Guidelines to the Standards for Recording Human Remains (CIFA)³

Professional standards for the archiving and storage of human remains are set through:

- Guidance for the Care of Human Remains in Museums (Department for Digital, Culture, Media & Sport)⁴

As detailed guidance is already available from experts in the subject, this document does not provide a step-by-step manual on the treatment of human remains during excavation, post-excavation research and archiving. Rather, it outlines issues specific to Northern Ireland.

HED recognises that human remains cannot be regarded simply as artefacts or samples for scientific research but must at all times be treated with the utmost care, respect and dignity.

¹ Code of Practice (British Association for Biological Anthropology and Osteoarchaeology, 2019). <https://www.babao.org.uk/publications/ethics-and-standards/>

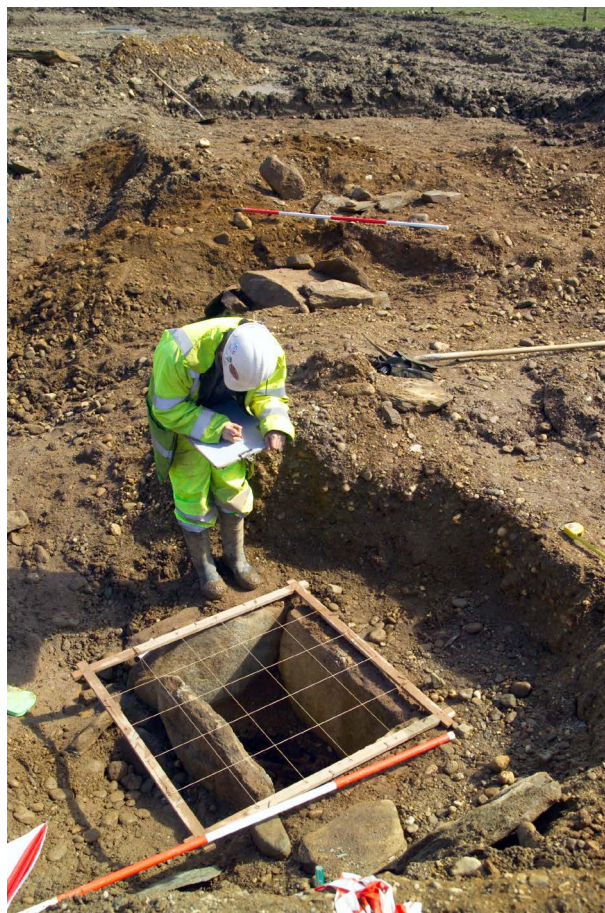
² The Treatment of Human Remains: Technical Paper for Archaeologists. (Buckley, L, Murphy, E, Ó Donnabháin, B, Institute of Archaeologists of Ireland, 2004). <http://www.iai.ie/wp-content/uploads/2016/03/The-Treatment-of-Human-Remains.pdf>

³ Updated Guidelines to the Standards for Recording Human Remains. (Mitchell, P D and Brickley, M, (eds) 2017, CifA Professional Practice Paper) <https://www.archaeologists.net/publications/papers>

⁴ Guidance for the Care of Human Remains in Museums (Department for Digital, Culture, Media & Sport, 2005) <https://www.gov.uk/government/publications/guidance-for-the-care-of-human-remains-in-museums>

This document is aligned with the BABAO Code of Ethics⁵ and with the International Council of Museums (ICOM) Code of Ethics for Museums⁶, specifically with regards to storage, display, research and retention of human remains. HED applies Guidance for Human Remains Collections in the Care of Historic Environment Division⁷ which can be accessed on the DfC website. This aligns with the Human Remains Policy of National Museums NI⁸.

All excavation and on-site recording of human remains must be carried out under a Licence to Excavate for Archaeological Purposes from DfC (see Section 4). Work must be conducted under the direction of field archaeologists who are experienced in the excavation, recording and recovery of human remains, and with guidance from a suitably qualified osteoarchaeologist.



Ballyoan cist burial cemetery, Co. Londonderry

⁵ Code of Ethics (British Association for Biological Anthropology and Osteoarchaeology, 2019). <https://www.babao.org.uk/publications/ethics-and-standards/>

⁶ Code of Ethics for Museums (International Council of Museums (ICOM), 2013) <https://icom.museum/en/resources/standards-guidelines/code-of-ethics/>

⁷ Guidance for Human Remains Collections in the Care of Historic Environment Division (DfC, June DfC 2024)

⁸ Human Remains Policy <https://www.nationalmuseumsni.org/policies-procedures>

2 Legislation and permissions relating to the excavation of human remains

2.1 The Human Tissue Act 2004

The Human Tissue Act 2004 regulates the removal, storage and use of human tissue and applies to human remains under 100 years old. It is not anticipated that an archaeological excavation licence will be issued if it is thought that the remains encountered will fall under the terms of the Human Tissue Act.

2.2 Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995

The archaeological excavation of human remains in Northern Ireland is licensed by DfC under the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995, which regulates searching for archaeological material. **Undertaking archaeological excavation without a Licence to Excavate for Archaeological Purposes is an offence and may result in criminal prosecution.** Further information is provided in Section 4 below.

2.3 The Burial Grounds Regulations (Northern Ireland) 1992

Under The Burial Grounds Regulations (Northern Ireland) 1992 **it is an offence to remove buried human remains from a council-owned graveyard**, except where DfC has given written consent to an exhumation application.⁹ Departmental consent is not required where a coroner gives a direction under Section 11 of the Coroners Act (NI) 1959.

Burial grounds or areas within burial grounds that contain burials over 100 years old must be archaeologically evaluated under a Licence to Excavate for Archaeological Purposes before any exhumation takes place. Any subsequent exhumations must also be conducted under an archaeological excavation licence. Please refer to Section 4 below.

2.4 Protection of Military Remains Act 1986

The Protection of Military Remains Act 1986 is designed to protect all potential military grave sites. All military aircraft are automatically protected under this legislation and the Act applies to all military aircraft crash sites, regardless of whether these sites are recorded on the Northern Ireland Sites and Monuments Record. **It is an offence to interfere, without a licence from the Ministry of Defence (MoD), with the wreckage of any crashed, sunken or stranded military aircraft or designated vessel.** This is irrespective of loss of life or whether the loss occurred during peacetime or wartime. There are no ships in Northern Irish waters protected under this Act.

Any proposed activity on the wreckage of any crashed, sunken or stranded military aircraft or designated vessel requires a Licence from the Ministry of Defence in addition to a Licence to Excavate for Archaeological Purposes (see Section 4 below). Applications for a Ministry of

⁹ Revised Policy Guidance on Exhumations (DfC) <https://www.communities-ni.gov.uk/articles/revised-policy-guidance-exhumations>

Defence licence should be undertaken in line with the Ministry of Defence, Crashed Military Aircraft of Historical Interest: Licensing of Excavations in the UK: Notes for Guidance of Recovery Groups¹⁰. Should human remains be discovered, they should not be touched, but must be reported immediately to the Ministry of Defence, Police Service of Northern Ireland (PSNI) and to HED.

It is an offence to tamper with human remains protected under this Act.

2.5 Church of Ireland Faculty

Church sites are often sensitive areas in which to work, and in the case of the Church of Ireland, a **Faculty** must be requested from the Diocesan Registrar.

This is a permission granted for work to be carried out on consecrated buildings and land, which will usually include the church and churchyard. Any work that falls into this category will normally have been discussed with the relevant Select Vestry in advance. The Faculty will specify where and when such work can take place and may include certain conditions with regard to noise, dirt/dust, access and reconstitution. If human remains are uncovered during licensed archaeological excavation, conducted under the permission of a Faculty, this must be discussed with the religious body and agreement made with regard to the treatment of the remains.



Truscott Lodge, Killea graveyard, Co. Londonderry

¹⁰ Ministry of Defence, Crashed Military Aircraft of Historical Interest: Licensing of Excavations in the UK: Notes for Guidance of Recovery Groups (Revised 2018). https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/916555/20180514_Licence_NotesforGuidance_2018-3.pdf

3 Unexpected finds of human remains, outside of licensed archaeological excavation

Unexpected discoveries of human remains, uncovered outside of the context of an archaeological excavation occasionally occur. Recent examples have included human remains exposed as a result of coastal erosion and during renovation works at a church without an associated graveyard. Human remains, sometimes with a heightened level of soft tissue preservation such as ‘bog bodies’, may also be uncovered through the peat cutting/management processes. **If human remains are discovered unexpectedly, the PSNI must be contacted immediately, and any related work stopped until the circumstances have been investigated.**

The police, in conjunction with advice from an osteoarchaeologist/HED, will determine whether the human remains are historic – if so, advice can be sought from HED about the next steps. The PSNI will inform the coroner if relevant. Further licensed archaeological excavation to retrieve the human remains may be required, where appropriate (see Section 4). HED can provide advice about the type of archaeological specialist(s) required to be on site for these works.



Erosion at Magilligan Point, Co. Londonderry

4 Licensed archaeological excavation of human remains

4.1 Licensing and discovery

Any work carried out to recover human remains deemed to be archaeological must be conducted under a Licence to Excavate for Archaeological Purposes from DfC. Guidance for conducting licensed archaeological excavations in Northern Ireland¹¹ provides full details of how to apply for a licence, and the associated requirements.

In all Programmes of Works (POW)/Written Schemes of Investigation (WSI) or research design documents accompanying an excavation licence application, it must clearly state whether human remains are likely to be present (ie on sites of known graveyards), or include proposed contingency action if human remains are uncovered unexpectedly.

Any discovery of human remains must be reported immediately to the PSNI and to HED.

It is also good practice to inform the landowner and/or client who has commissioned the work. The human remains should be covered and left in situ until discussion with PSNI and HED takes place.

If human remains are uncovered unexpectedly within the context of the excavation, and once the PSNI are satisfied of the archaeological nature of the remains, a detailed, site-specific

methodology must be agreed with HED as an addendum to the existing POW and implemented on site.

Where it is known that excavation is likely to uncover human remains, an osteoarchaeologist must be involved in both the preparation and implementation of the POW. A detailed methodology for excavation and post-excavation treatment of human remains, based on the professional standards listed above, must be included in the POW submitted with the licence application. There must be discussion with HED during the preparation stage of the POW in advance of the submission of the licence application, and well in advance of the project commencement date. This will allow careful consideration of the proposed evaluation methodology, ensuring the correct mitigation strategy is in place to avoid any mechanical damage to human remains.

4.2 Excavation and recovery

Where site context or archaeological potential strongly suggests the presence of human remains, hand-excavation, as part of an initial exploratory phase, will normally be required before any use of a machine on site can be considered. All excavation must then take place in accordance with the agreed POW. If unforeseen circumstances arise during excavation that require amendment or updating of the methodology relating to the excavation

¹¹ Guidance for conducting licensed archaeological excavations in Northern Ireland. (DfC, 2024)

and recording of human remains, this must be discussed and agreed in writing with HED.

Burials (including features suspected of being burials) must be fully excavated. Human remains whether within a formal burial or not must be excavated in accordance with the POW, with due care and consideration given to the processes of excavation and to the storage of the excavated remains – both on-site and during the post-excavation and reporting stages – and following the standards and guidelines referenced above in Section 1.2.

In addition to ensuring the appropriate recording and recovery of human remains the burial context must be examined and recorded in line with standard excavation practice. In particular, soil samples from grave fill remaining on the floor of the grave should be recovered as three sub-samples from the head, torso and leg/foot areas and processed for the recovery of small bones. In the case of infant burials, bulk soil samples should be taken around the hands and feet to ensure complete recovery of preserved small bones. Soil samples should be bagged separately and cross-referenced with the excavated skeletal material.

If human remains are found to extend outside the proposed area of excavation, HED must be consulted. How this is dealt with will be informed by the site-specific circumstances. For example, in some cases it may be appropriate to extend the area of excavation by a small amount to remove an articulated individual burial, while in a dense medieval or post-medieval cemetery this may not be appropriate.

When human remains are uncovered during an evaluation, the circumstances will be reviewed and where possible mitigation will be sought to protect and leave the remains in situ. It may be appropriate, depending on context, to remove a small sample for dating purposes.

The level of preservation and integrity of articulated human remains, as well as site conditions, will inform how skeletal remains are lifted and bagged. In cases of fragile or neo-natal remains, it may be more appropriate to block-lift with the surrounding soil rather than lifting individual bones.

When recovering human remains on site, they should be placed in perforated, self-sealing polythene bags with write-on panels, using permanent black pens to record details of the site, including licence number, context information and details of the skeletal elements placed in the bag.

4.3 Recording

Human remains may be recorded in a number of ways, and the most suitable method will vary on a site-to-site basis, but they include traditional on-site drawing using planning frames, and photogrammetric recording, ensuring the location of all ground markers are recorded using GPS survey equipment. All drawings must be fully labelled and be typically completed at a scale of 1:20, though specific areas may require a more detailed 1:10 plan (such as the hands or feet; or those remains where artefacts survive on or around the skeleton). Specific pro-forma recording sheets must be completed for each individual skeleton; this also includes

individual cremations. These pro-forma sheets are available in the standards and guidance documents listed in Section 1.2.

4.4 Cremated bone

Cremated bone found in the archaeological record may often have been subject to post-mortem processing, including crushing or sorting of individual skeletal elements, particularly where multiple individuals were being interred together. In order for the osteoarchaeologist to accurately distinguish between cultural behaviour and taphonomic changes occurring at the time of excavation, strict protocols must be followed to ensure minimum disturbance of the deposit.

Cremated remains found within a pot or urn must be left in situ and only removed under controlled laboratory conditions.

Where cremated remains are found within a pit with no associated container, the cremation should be excavated in 5cm spits, bagged and labelled according to each level, with accompanying survey data. Bone should be bagged along with the associated soil matrix.

Cremated remains must be processed in full by the osteoarchaeologist to prevent any loss of information.

4.5 Bog bodies and soft tissue human remains

Bog bodies or remains with soft tissue are rarely found on archaeological excavations, but where found they must be treated with the utmost care. HED must be informed immediately if human remains with preserved soft tissue are uncovered, as these require both highly specialised on-site treatment and enhanced storage facilities. The human remains must be retained within the burial matrix where possible until an appropriate excavation strategy can be implemented. Minimal excavation of the body should be done on site; the body is best lifted with soil surrounding it, both for support and to maintain the conditions surrounding the body. Excavation or removal of the soil surrounding the body should only be completed under controlled conditions, collaboratively and by specialists within this field. While archaeological human skeletal remains rarely pose any special health and safety risk, appropriate personal protective equipment must be worn if soft tissue is encountered.

5 Post-excavation analysis and reporting

5.1 Specialist assessment and report

An assessment of the condition of human remains must be made by a qualified conservator and all recommendations must be implemented. Cleaning and processing of human remains during post-excavation must be carried out under the direction of an osteoarchaeologist and following the guidance referenced in Section 1.2.

Reports on the human remains recovered must be carried out by an osteoarchaeologist, working in conjunction with the excavation licensee with regard to the context and interpretation of the site. The osteoarchaeologist must, after discussion with the licensee, make recommendations for the selection, retention or reburial of human remains, in line with the site-specific selection strategy. This may include consideration of the reburial of grave goods. These recommendations must, as far as possible, take into account the research potential of the assemblage.

5.2 Reburial

Where the osteoarchaeologist has recommended that the remains should not be retained for archival purposes, they must be formally reburied in an appropriate location; no other form of disposal is deemed acceptable for human remains. This should be considered in conjunction with stakeholders – for example, church authorities, local communities and sponsors. If the remains are from a consecrated place, generally they should be reinterred in a similar burial ground, unless there are extenuating circumstances. If reinterment is to be within an existing burial ground consideration must be given to the possibility that further human remains may be uncovered during reburial. The potential implications for the future archaeological record must also be considered and steps should be taken to both mark the reburial and record its location. The decision-making process and the location of reburied remains must be recorded in the site archive.

Reburial within an appropriate religious or council graveyard would require permission from the relevant church and/or local authorities, where applicable.

6 Preparation of the archive

6.1 General requirements

Preparation of the archive for long term storage should take place as an integral part of the post-excavation reporting process. Recommendations for reburial must be implemented before completing the site archive. Guidance for the Creation and Care of Archaeological Archives in Northern Ireland¹² details general archiving requirements and is supplemented by the specific advice for human remains provided below.

It is the responsibility of excavation licensee to ensure that archives are created and maintained to the standards set out in these documents, as required by the conditions of the Licence to Excavate for Archaeological Purposes. HED may conduct inspections of archives from licensed excavations to ensure these standards are being appropriately and consistently applied.

6.2 Archival procedures for human remains

An individual within the organisation or institution undertaking post-excavation work and archiving must be nominated to take care of the human remains, to ensure that correct archival procedures are followed:

- all skeletal material must be fully recorded by a suitably qualified osteoarchaeologist, and a full report completed before archiving
- there is no requirement that human remains be physically numbered for archiving purposes in Northern Ireland
- all skeletal material must be cleaned and fully dried before being packaged for long-term storage
- the archival procedures for soft tissue remains must be assessed on an individual basis by an appropriately qualified conservator specialist
- human remains, including cremated remains, must be packed under the direction of the osteoarchaeologist
- remains should be packed in clean, appropriately sized re-sealable plastic bags with opaque write-on strips. The bags should be clearly labelled using archival black permanent marker. Bags must not be over-filled
- an acid-free label giving relevant information, using archival black permanent marker, must also be included in the bag
- material used in packaging must be inert, acid free and the boxes large enough to store the different skeletal elements without causing damage
- robust stackable plastic containers with non-collapsible lids are recommended. These will be required if it is intended to officially deposit the archive with DfC in future. Standard plastic box sizes to be used are set out below in Table 1
- appropriate cushioning/lining must be used within boxes

¹² Guidance for the Creation and Care of Archaeological Archives in Northern Ireland. (DfC, 2024)

Table 1. Standard plastic box sizes

Dimensions	Capacity
480 x 390 x 200	18 litres
480 x 390 x 310	35 litres
710 x 440 x 230	50 litres
710 x 440 x 310	64 litres

6.3 Non-cremated human remains

It is not acceptable to split the remains of an individual over more than one box. To maximise the potential use of space within boxes, however, it is acceptable to pack the remains of one or more individuals into a single box of an appropriate size. This is usually only feasible where the remains are incomplete. The remains of individuals must, however, be clearly separated and identified and boxes must not be overfilled.

The osteoarchaeologist should bag skeletal elements into the appropriate anatomical groups with small individual bones (less than 30mm), loose teeth and fragile elements (eg ear ossicles) placed separately in perforated re-sealable bags. When packing into the box larger and heavier elements such as limbs should be packed at the bottom and the skull and any pathological bones at the top.

6.4 Cremated human remains

The osteoarchaeologist must ensure that, where possible, individuals are packaged separately. More than one individual may be packed in a box but must be clearly separated and identified. Packaging should be carried out in a way that avoids damage or further fragmentation of remains:

- any soil and stone debris must be removed from the cremation deposits prior to packaging – this must be done under the direction of the osteoarchaeologist
- where a cremation deposit contains more than one individual, the remains must be clearly separated and labelled as far as possible
- cremated remains must be packed into unperforated plastic bags, which must not be over-filled
- identifiable elements should be bagged separately
- bags should not be placed on top of each other unless very light in weight.

7 Storage

Storage must at all times be ethically appropriate. Human remains should be stored separately from the remainder of the excavation archives/collections and not be publicly accessible. Details on appropriate storage conditions for human remains can be found in Section 2.6 of Guidance for the Care of Human Remains in Museums.¹³

Regular monitoring of the remains must be undertaken to ensure that they remain in a stable condition.

At present DfC is not in a position to accept transfer or deposition of archaeological

archives, including human remains, deriving from excavations. Moving forward, DfC is actively exploring options to enable archaeological archives to be stored and made accessible in a central repository, in line with the provisions of Article 4 of the European Convention for the Protection of the Archaeological Heritage.¹⁴

The preparation of archives deriving from excavations to recognised standards will enable efficient transfer to such a facility, and rapid access for research purposes etc, in future.



HED archaeological archive stores

¹³ Guidance for the Care of Human Remains in Museums (DCMS, 2005)

¹⁴ European Convention for the Protection of the Archaeological Heritage (Valletta Convention). (Council of Europe, 1992)

8 Contact details

For any queries relating to the excavation, recording or post-excavation research of human remains, please contact Historic Environment Division's Excavation Licensing Team:

General enquiries: **028 9081 9204**

Email: **ExcavationsandReports@communities-ni.gov.uk**

For any queries relating to archiving standards please contact staff of the Historic Environment Record of Northern Ireland:

Email: **HERoNI@communities-ni.gov.uk**

Tel: **028 9056 9701**

9 Further reading

Advisory Panel on the Archaeology of Burials in England (APABE).

Advisory Panel on the Archaeology of Burials in England (2017) Guidance for Best Practice for Treatment of Human Remains Excavated from Christian Burial Grounds in England.

Campbell, G, Moffett, L and Straker, V (2011) Environmental Archaeology. A Guide to the Theory and Practice of Methods, from Sampling and Recovery to Post-excavation (second edition: English Heritage).

Historic England (2018) The Role of the Human Osteologist in an Archaeological Fieldwork Project.

McKinley, J I and Roberts, C A, (1993) Excavation and post-excavation treatment of cremated and inhumed human remains. IFA Technical Paper 13.



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