

# New developments in addressing Maritime Heritage Crime

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Site security champions. Credit: MSDS Marine

**As we look back over 50 years of the Protection of Wrecks Act (PWA) 1973, it is a useful opportunity to consider how it has influenced current and future protection and enforcement.**

In the last decade, there have been several changes to the way heritage agencies, the wider maritime heritage sector and enforcement agencies approach the issue of human-led harm to sites. The biggest change has been the recognition that there are a range of activities that together can be put under the umbrella of *heritage crimes*. The next edition of *The Archaeologist* (TA122) will focus on this developing area of partnership, and the creation of the new ClfA Heritage Crime Special Interest Group (HCSIG).

This article highlights some recent English marine-specific initiatives. More detailed case studies, including some of the technology and joint working impacting the marine sector, will be covered in TA122.

## Brief background

In a marine context, heritage crime can cover a range of both intentional and unintentional activity. This includes, but is not limited to, specific offences under the applicable Heritage Legislation (see the article by Hefin Meara on p.2), theft of historic artefacts from wreck sites and damage caused by anchor dragging or trawling.

A decade ago Historic England (HE), working with partners, began a number of successful prosecutions resulting in large fines and some custodial sentences for theft of artefacts and damage to a number of

protected wrecks. These cases used various legislation and sources of evidence.

## People solutions

One of the biggest achievements of the PWA was the establishment of a network of over 50 Wreck Licensees with over 200 volunteer team members (in England). The contribution they have made to identifying, researching, managing and protecting protected wrecks (and other undesignated ones) cannot be overemphasised. The value – academically, practically and financially – that they add to the limited resources of the heritage agencies is nothing short of remarkable.

These are the ‘eyes and ears’ of the heritage world and it is no surprise that when HE began to look into heritage crime, the intelligence provided by these volunteers meant marine challenges were among the core areas considered, alongside other terrestrial threats such as illegal metal detecting and theft of heritage metals.

Following the establishment of Heritage Watch schemes in England and Wales, HE supported MSDS Marine and the Protected Wrecks Association in developing a network of Site Security Champions. This scheme has since been used as a model for several other initiatives using its innovative Site Risk Assessment and reporting mechanisms.

## Partnership and common understanding

Early casework showed that one element of the challenge were organised criminal gangs (OCGs). Investigating, finding evidence and successfully prosecuting these groups required partnership between a wide range of heritage bodies, experts, law enforcement and maritime colleagues. The UK heritage agencies do not have any in-house vessels. Licensees and volunteers are useful but patrolling, evidence gathering and enforcement falls to a range of organisations including police marine units, Border Force, the Maritime & Coastguard Agency (Receiver of Wreck and enforcement teams), the Royal Navy, the Marine Management Organisation, and fisheries through Inshore Fisheries and Conservation Authorities (IFCAs) among others. Intelligence is shared via the National Maritime Intelligence Centre (NMIC), but it became clear that there was a need for operational guidance and training to give these a shared level of understanding.

The result is the soon-to-be-launched Common Enforcement Manual (CEM) commissioned by HE from Plymouth University and MSDS Marine. It has been designed in partnership with the various enforcement agencies to provide a useful tool for those involved in marine patrols and interdiction. It will form the basis for cross-agency training and operational practice going forward.

### New technology

HE, working in partnership with the Cultural Heritage Agency of the Netherlands (RCE), funded the development and piloting of an innovative new underwater forensic marking system which has been deployed on a number of protected wrecks. Meanwhile, the Maritime Archaeology Sea Trust, working with Oceanmind, have established the Maritime Observatory. This initiative is exploring the use of satellites, AI and other methods to monitor and identify unauthorised activity and recoveries from wreck sites.

Alongside other developing technologies, projects like these are helping agencies to identify and manage

human threats to our marine heritage. Both projects flagged above have attracted interest from around the world.

### The future?

No one solution mentioned above will be successful on its own, but in partnership we are beginning to see some really positive outcomes. Marine heritage, especially wrecks, are vulnerable to harm for many reasons. They are often out of direct sight. They may be hard to access for monitoring because of the environment or other factors. When harm occurs, investigation is often much harder to undertake, more challenging and more expensive than on a terrestrial site.

The combination of greater awareness, partnerships, intelligence-sharing and a growing track record of enforcement activity means that in practical terms our marine heritage is arguably better protected than ever. Technology is also making access to deeper wrecks easier for both researchers and criminals. There is still a long way to go and no room for complacency, but there is reason for hope.



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*Diver deploying protective markers. Credit: MSDS Marine*



### Paul Jeffery

Paul has spent over 30 years in various roles at English Heritage and Historic England. Prior to that he worked on excavations in southern England. Since 2008 part of his remit has included leading the team which manages activities related to the Protection of Wrecks Act. This has included helping to develop and provide training and operational support to police forces and the Maritime & Coastguard Agency. He is the current Chair of the ClfA Heritage Crime SIG and was one of the first cohort of internal Maritime Heritage Crime Advisers within HE.



*Paul Jeffery assisting on a warrant providing heritage crime and historic ordnance advice to partner agencies. Credit: Historic England*