



# TREASURE TROVE in Scotland:

## *principles and processes*

Antony Lee ACIfA (9014), Treasure Trove Officer, Scottish Treasure Trove Unit

The Scottish Treasure Trove Unit (TTU), based at National Museums Scotland, is responsible for assessing the significance of archaeological finds made across Scotland. The legal processes governing Treasure Trove in Scotland differ from the English and Welsh Treasure Act (1996) in that any ownerless goods ('bona vacantia'), regardless of their age or material composition, are Crown property. The Crown's representative in Scotland, the King's and Lord Treasurer's Remembrancer (KLTR), delegates responsibility to the TTU for the processing of any, inherently now ownerless, archaeological material found in Scotland and for making significant finds available for museum acquisition. Currently, only human-made objects classify as Treasure Trove, with natural material such as human/animal bone or fossils only assessed if found in association with human-made objects.

The work of the TTU is most publicly prominent with regard to 'chance' finds made by members of the public, not least through the increasing use of metal detectors. Finds reported to the Unit are researched by the team of six small-finds specialists, with support from the National Museum of Scotland's specialist curators and experts further afield when necessary. Limited excavations to investigate the depositional contexts of some finds, such as hoards or other significant assemblages, are also sometimes carried out. Finds considered significant are put forward to tri-annual meetings of an independent body the Scottish Archaeological Finds Allocation Panel (known as SAFAP), with the list of cases to be considered at each panel meeting made available to accredited museums, who can apply to acquire them. SAFAP makes recommendations on museum allocation based on these (sometimes competing) applications, and also determines the ex-gratia award, linked to market-value, to be paid to the finder, all of which is ultimately approved by the KLTR.

Finds made through structured archaeological projects also form a central aspect of the TTU's remit. The distinctive features of the Scottish legal system

regarding finds mean that fieldwork in Scotland, whether developer-funded, research-led or community-based, has to be conducted differently to similar projects in England and Wales. Perhaps most notable is that the museum which will be the eventual repository for the archive is not known at the outset but only determined through the SAFAP allocation process. However, to be included on a SAFAP case list, project archives must be completed and ready for museum allocation. The system does offer some advantages in that the deposition of large-scale projects crossing multiple local authority areas (eg pipelines) can be considered centrally. Finds sharing between museums, while not common, can also be discussed – for example, human remains or finds with particularly delicate conservation needs being held by larger and more specialised museums.

Selection and retention processes are crucial for the construction of accessible and interrogatable yet physically pragmatic archives which accurately reflect site archaeologies. Whereas the significance of casual finds reported to the TTU are, as described above, researched by the Unit, decisions on the significance of finds made during fieldwork are best made by those

most familiar with the specific site: the excavators and finds specialists working on it. However, the ultimate legal decision to disclaim and discard Crown property lies with the KLTR via the TTU, and the clarity of retention and disposal decision-making processes is essential. An easily overlooked aspect of the Treasure Trove system is that ownerless property should not leave Scotland without prior permission, and this includes being sent to other parts of the UK for specialist post-excavation analysis. Similarly, destructive analyses also require consultation with the TTU before being undertaken. New procedures and standards for the creation of archaeological project archives in Scotland are currently in the process of being written and consulted on as part of the Before the Museum project, part of Scotland's broader Archaeology Strategy.



### Antony Lee

Antony works for the Scottish Treasure Trove Unit at National



Museums Scotland and is an Honorary Research Fellow in Archaeology at Durham University. His background is in museum archaeology and he has previously curated the archaeological collections of Lincolnshire County Council and been the Regional Collections Development Officer for the East Midlands. His PhD, from Durham University, explored museum presentations of religious experiences in Roman Britain.





*Treasure Trove Unit excavating the site of a Roman hoard discovery at Duns in the Scottish Borders. Credit: Crown Copyright*



*The Bronze Age hoard from Peeblesshire, prior to block lift and lab excavation by the Treasure Trove Unit and colleagues from National Museums Scotland. Credit: Crown Copyright*