

ABSTRACTS SELECTED

HERITAGE, ETHICS AND CRIME

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The Role of Museum Codes of Ethics in Combating Heritage Crime.

This paper focuses upon the codes of ethics which apply to the museum sector. These codes are intended to provide a series of principles which will guide museum professionals and assist them 'to navigate through contested moral territory' (Besterman: 2006). One might have expected these codes to be solely preoccupied with professional ethics. However, the Code of Ethics provided by the UK's Museums Association contains many provisions which seem to be preoccupied with the law and, in particular, money laundering legislation.

This paper asks "Do ethical principles work better than the law to help museums avoid acquiring or accepting objects which have been stolen or illicitly imported?". To answer this question involves disentangling the legal rules from ethical principles in the Museums Association's Code of Ethics. It prompts discussion concerning whether the code has become too legal in character, with too much emphasis placed upon the role of money laundering legislation in combating trade in cultural property of uncertain provenance. It also involves exploring the question of whether ethical principles should be given greater prominence and developed further. As part of this debate, the paper considers the relevant provisions of the Code of Ethics for Museums produced by the International Council of Museums (ICOM).

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Janet has postgraduate degrees in Law from Harvard Law School and Cambridge University. She has carried out research in relation to moveable property and focused, in particular, on fraud and also cultural property. She has written a book entitled 'Commercial Fraud - Civil Liability, Human Rights, and Money Laundering' which was published by OUP in 2006. She has also written 'The Illicit Trade in Art and Antiquities: International Recovery and Criminal and Civil Liability,' published by Hart Publishing in 2012.

Janet's recent work has been concerned with the museum sector. She obtained a short AHRC Placement Fellowship which involved working at the Museums Association and drawing up guidelines on financially motivated sales of collections; these guidelines have been published in March 2014 as part of a revised Disposal Toolkit. Janet has now been awarded a 18 month AHRC Fellowship to work with public sector bodies on the legal and ethical aspects of museum collections.