Collections Development Policy

Name of museum: Sainsbury Museum and Art Centre

Name of governing body: University of East Anglia

Date on which this policy was approved by governing body: May 2025

Date at which this policy is due for review: July 2030

Policy review procedure:
This Collections Development Policy will be published and continually reviewed and reflected upon with a more formal review at least once every five years.

Arts Council England will be notified of any changes to the Collections Development Policy, and the implications of any such changes for the future of collections.

1. Relationship to other relevant policies/plans of the organisation:

1.1. The museum's statement of purpose is:

The Sainsbury Museum and Art Centre is an international art museum which has always had a unique perspective on how art can foster cultural dialogue and exchange. The Sainsbury Museum and Art Centre is a museum that formally recognises the living lifeforce of art. The primary role of the museum is to give the living artworks in the collection their best lives. This is primarily done by activating people's relationships with them in unique and specific ways to fulfil their meaning in life.

The approach of the museum is that people's relationships with these artworks, with these living, cultural materialisations of some of the most interesting people, movements, and cultures from across time and space, can help people explore and then address the most important questions they have in their lives. It is not a museum to only learn more about the artists, cultures or movements themselves, like Francis Bacon, the Tang Dynasty or Modernism, it is a place of experience, where the collections are animate, and visitors are emotionally connected to them. Our purpose is to find the right ways to help people build these relationships on a case-by-case basis and that through building them successfully, they can experience the life enhancing inspirations and imaginations of the world that a relationship with an artwork can enable.

One of the first museums in the world to display art from all around the globe and from all time periods equally and collectively, Sir Robert and Lady Lisa Sainsbury created one of the most sought after yet non-conformist art collections. In 1973 they donated their collection, which transcended traditional barriers between art, architecture, archaeology and anthropology, to the UEA, and created an entirely new type of museum opening in 1978. Housed in Sir Norman Foster's revolutionary first ever public building, the museum aims to create a unique interactive relationship between people, object and landscape, where art is placed within an open yet intimate 'Living Area'[1].

This Policy provides an overview of the collection held by the Sainsbury Museum and Art Centre. It describes the rationale for the collection development policy and sets out the institution's museological, legal and ethical framework on decisions concerning acquisitions or deaccessioning. The cultural value and powerful role the collection can play for the public's benefit is increased by their judicious development in scope, depth and quality so that they continue to engage, inspire, excite and inform visitors and other users of the Sainsbury Museum and Art Centre.

This Policy demonstrates that the Sainsbury Museum and Art Centre and the governing body, University of East Anglia (UEA), are aware that they hold the collection in the public domain and acknowledge their long-term obligations towards stewardship of the collection proactively engaging stakeholders. To effectively respect these obligations and reflective of the diversity of the collection, this work requires reaching out to engage stakeholders across the world and also to consider both ancestral and future communities and their relationships with the collection.

This Policy is framed to comply with the requirements of the UK Museum Accreditation Scheme (2024). It reviews the present state and use of the collections, ensures that all acquisition and disposal decisions are made according to a formally approved and recognised strategy and serves as a reference document to guide curatorial decisions.

1.2. The University of East Anglia (UEA) holds responsibility and legal title for the Sainsbury Museum and Art Centre collection. In accordance with their gifting,

[1] Further reading on the Living Art approach of the Sainsbury Museum and Art Centre:
Sainsbury Museum and Art Centre 2022 The Living Art Handbook
Sainsbury Museum and Art Centre 2022. 50 50 The Future of the Sainsbury Museum and Art Centre
The English language differentiates between subject and object, between active and passive, animate and inanimate. The museums living art approach challenges this dichotomy and so the right English word to describe the collection is challenging to find. The word artwork is used in this document to avoid the use of object. Artwork is by no means the best word for these living materialisations of human culture, but it is preferred to object for the purposes of this collections policy document.

they are held in the public domain for public benefit, and the University acknowledges its long-term obligations and stewardship. These obligations were laid down by its benefactors who donated objects for the benefit of the University and public at large. The Sainsbury Museum and Art Centre is responsible for the management of the collection and fulfilment of these obligations. Robust curatorial reasons are established before consideration is given to any acquisition to the collection and likewise with any decision to deaccession repatriate or restitute, an artwork from the collection. The Sainsbury Museum and Art Centre will ensure that both acquisition and deaccessioning are carried out openly and with transparency.

1.3. The Sainsbury Museum and Art Centre recognises its responsibility, when acquiring works to its collection, to ensure that care of collections, documentation and use of collections will meet the requirements of the Museum Accreditation Standard. This includes using SPECTRUM primary procedures for collections management. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.

1.4. The museum will undertake due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any artwork unless the University or responsible officer is satisfied that the museum can acquire a valid title to the artwork in question.

1.5. Deaccessioning may be considered but only where motivated by sound and comprehensively well-informed reasons. (See 15)

1.6. The Sainsbury Museum and Art Centre will acknowledge, discuss, consider and fully investigate claims and submissions that would require deaccession from the collection, including but not limited to issues of restitution and repatriation particularly relating to the context and circumstances of criminality, colonial practice and spoliation. The policy ensures that all claims are considered openly and with all expediency that the levels of museums staffing and limited resources can allow. (See 14)

1.7. The Sainsbury Museum and Art Centre aims to fulfil the wishes of its founders Sir Robert and Lisa Sainsbury of what a museum can do in society. That the museum can provide an opportunity for people to spend time with some of the most extraordinary materialisations of human culture. That this open and equal cultural dialogue across time and space can provide visitors a unique opportunity to connect with them. That ultimately museums can be places of empowerment that enable people to build relationships with people, societies and places they might not otherwise be able to do and in doing so discover answers to the most important questions they have about the meanings of human existence.

2. History of the collections

The Sainsbury Museum and Art Centre opened in 1978 with the support of one of the nation's great philanthropic families. Sir Robert and Lady Sainsbury donated an extraordinary collection, which includes works dating from prehistory to the present day and from all across the globe. Robert Sainsbury had started collecting around 1929 and in 1937 he married Lisa van den Bergh from which point the collection became a joint one. Robert and Lisa Sainsbury said that a person's relationship with an artwork was more akin to the relationship with another person than with an inanimate object.

In 1973 Robert and Lisa donated their collection to the University and their son, David (Lord Sainsbury of Turville), funded the construction of the museum building on the university campus. The building was designed by Norman Foster (Baron Foster of Thames Bank) and now has grade II* listed status. For the Sainsburys, the power of art was universal and amplified by the active conversations between artworks across time and culture of origin. To achieve this alternative way of 'doing art' they ended up needing an entirely different type of art museum to be built. Today the Centre holds one of the most impressive art collections in the United Kingdom. Alongside the works donated by Robert and Lisa Sainsbury the Sainsbury Museum and Art Centre's collection has continued to grow and now form some 5,000 artworks in total. Shortly after the Sainsbury Museum and Art Centre opened in 1978, Sir Colin Anderson a friend of Robert and Lisa donated a collection of artworks related to the Art Nouveau movement. A collection dedicated to Abstract and Constructivist Art had been established by the University in 1968 and was fully absorbed into the Sainsbury Museum and Art Centre's holdings in 1990. The Sainsbury Museum and Art Centre has since benefited from benefactors who have supported the growth of the collection. The collection continues to grow in a judicial and sustainable manner. The Sainsbury Museum and Art Centre is committed to the collaborative study and presentation of its collection.

3. Overview of the collections

3.1. Sainsbury Collection

The Sainsbury Museum and Art Centre's collections are of international importance and consist of artworks dating from prehistory to the present day from across the globe, celebrating the universality of art and human creativity. There are major holdings of art from Oceania, Africa, the Americas, Asia, and Europe.

The Oceania collection contains both rare and important Polynesian artworks, including a masterpiece of Polynesian sculpture, *Tangaroa/Fisherman's God* from Rarotonga/Cook Islands; one of only seven surviving examples from the early nineteenth century, a rare moaikavakava/ancestral figure from Rapa Nui/Easter Island. There are exceptional artworks from Aotearoa/New Zealand, including one of the finest examples of a Māori *whakapakoko rākau/god stick* from Te Ika-a-Māui/North Island. The collection also contains important artworks from Fiji, including one of only four known examples of a pedestal *yagona* dish shaped in the form of a duck.

Artworks from the African continent, particularly Nigeria and Democratic Republic of Congo, are well represented, with a Shango staff in the form of a woman carved by the Yoruba peoples, one of the most beautiful known examples. From Central and Eastern Africa, the *bieri*/guardian figure created by the Fang peoples is among one of the most important carvings in the collection, with this example belonging to the Nzaman-Betsi substyle, located in the valleys of the Okano, Ogowe and Abanga rivers. Together with an exceptional dance mask from the Guro or Yaure peoples of the Ivory Coast, the *bieri*/guardian figure and dance mask were the first artworks collected by the Sainsburys from the African continent.

The collection includes important artworks from the Northwest Coast of North America as well as *Kalaallit Nunaat*/Greenland and *Alaxsxaq*/Alaska, with an emphasis on sculpture and textiles, including the highly sophisticated 'Chilkat blankets', made by women of the Chilkat Tlingit. Some of the finest sculptures from the Northwest Coast include anthrozoomorphic bowls in which the body of a human or animal becomes the vessel, with the Sainsbury Collection containing a Tlingit bowl in beaver form. Significant examples from the Thule Inuit include a female figure made from walrus ivory, alongside notable artworks from the Punak peoples, including a rare example of engraved walrus ivory snow goggles.

There are exceptional artworks from Mesoamerica, with most in the Sainsbury Collection made of terracotta and stone. The collection includes figures likely to have come from the site of Las Bocas in Central Mexico, known for some of the finest examples of large hollow ceramic figures in the Olmec style. The Sainsbury Collection also contains one of the oldest known representations of a hip ball player, a ballgame played by two sides with a solid rubber ball, from Guerrero, Mexico. From the ancient Maya civilisation, the collection includes an elaborately knapped flint, known as an 'eccentric' with its anthropomorphic form exceptionally rare.

The Sainsbury Collection contains exceptional examples of Japanese Edo and Ashikaga period scroll paintings, including works by artists such as Maruyama Ōkyo, Matsumura Goshun, Ike Taiga, Tawaraya Sōtatsu, Tanomura Chikuden, Kushiro Unsen and Shuku Unpo. There are further significant artworks from Southeast Asia; with a Baphuon-style Khmer torso from Cambodia and a marble disc bracelet from Northeast Thailand, dated to the 1st millennium BCE, particularly notable. From Southern Asia, there are important artworks from India and Pakistan, including paintings by Mithila artists, including Heera Devi, Shanti Devi and Veneeta Jha.

Artworks from the great Mesopotamia civilisations of the Sumerians, Babylonians and Assyrians are also represented in the collection. There is an

emphasis on small-scale sculpture from Ancient Egypt, with a notable selection of artworks in faience, a paste composition from which artworks could be

modelled or cast in a mould. Cycladic sculptures from Ancient Greece are particularly well-represented, with 19 marble figures or fragments of figures. The collection includes unusually large examples of Cycladic figures, including an early Cycladic violin-shaped figure, one of the most beautiful and largest of its kind. The collection also includes a notable example of what is believed to be a pregnant figure: although early Cycladic figures are often female, the depiction of pregnancy is rare. There are further important examples of artworks from both Minoan and Mycenaean civilisations, including artworks in bronze of significant quality.

The Sainsbury Museum and Art Centre has particularly strong holdings of 20th Century European art including a significant number of artworks by Pablo Picasso (5 artworks), Jacob Epstein, Francis Bacon (13 artworks), Henry Moore (34 artworks), Alberto Giacometti (36 artworks), Elisabeth Frink (29 artwork), Amedeo Modigliani (3 artworks), Leonora Carrington, Edgar Degas – including Degas' famous sculpture, *Little Dancer Aged Fourteen*The collection is most notable for its sculpture, with artworks spanning ancient to modern. There is a significant body of post Second World War paintings, including artworks from artists associated with the School of London and École de Paris, including outstanding works by Frank Auerbach and a remarkable group of 13 paintings by Francis Bacon, arguably the single most important British painter of the last century. There is a strong focus on artists associated with lyrical abstraction and Tachism, that flourished in France from 1945 to roughly 1960. Notable artists include Jean Fautrier, Charles Maussion, Mübin Orhon, André Lanskoy, Léon Zack, Bernard Dufour, and Jean-Marie Calmettes. Full details on all of the individual artworks in the collection is publicly available through the online 'Meet the Art' catalogue that is actively promoted on the Sainsbury Museum and Art Centre website and includes all available information on provenance and history.

There are significant and extensive holdings of Abstract Art, notably those artists associated with Constructivism, the English Vorticists, the Russian Suprematists, the Dutch De Stijl Group and the German Bauhaus School. There are international artists working in the field of abstract and Constructivist Art such as Josef Albers. Lygia Clark. Sonia Delaunay, Sofie Taeuber-Arp, Eduardo Chillida, Raoul Dufy, Jean Tonguely, Cesar Domela, Charles Biederman, John Ernest and Hans Hartung. The highlights by British artists include works by Victor Pasmore, Mary Martin, Gillian Wise, Kenneth Martin, Anthony Hill, Anthony Caro, Stephen Gilbert, Michael Kidner, Winfield Nicholson, Tess Jaray. There are a significant and important group of sculptures by the important British artist Robert Adams. The collection includes furniture and architectural models as well as paintings, sculpture, reliefs, multiples, and works on paper.

In addition to ancient ceramics from around the world including Jomon in China and Moche in Peru there are also very significant and extensive

holdings of European studio ceramics. The collection includes a major group of work by Lucie Rie and Hans Coper of national and international importance. It also includes major works by Bernard Leach and Shōji Hamada, James Tower, Ewen Henderson, Claudi Casanovas, Rupert Spira, Jennifer Lee, Julian Stair, Sara Radstone, Gabriele Koch, and Ian Godfrey.

There is notable collection of works relating the Art Nouveau period of national importance. It represents the French exponents of Art Nouveau associated with the École de Nancy and makers who, both in France and Britain, worked across a range of disciplines and materials such as glassware and furniture, metalware and jewellery. The collection includes pieces by leading exponents of Art Nouveau such as Louis Comfort Tiffany, Émile Gallé and René Lalique.

The Sculpture Park, stretching out from the Sainsbury Museum and Art Centre into fifty acres of surrounding countryside, woods and lake, was part of the original vision for the Sainsbury Museum and Art Centre in 1978. A number of artworks in the collection are permanently located outdoors, as are a number of loaned sculptures. These include important sculptures by Henry Moore (3 artworks), Elisabeth Frink, Anthony Caro, Lyn Chadwick and Liliane Lijn. Recent additions to the Sculpture Park include significant artworks by Ro Robertson, Leiko Ikemura, Rebecca Warren and Kirstine Roepstorff.

The creation of the Living Area display in the 1970s was one of the first times in any museum setting that different artworks from across the world were displayed equally and in conversation across a contemporary gallery platform. We welcome this platform of equality and open engagement with the power of artworks activated to address issues of meaningful human learning and understanding.

In 1978 an unencumbered relationship with artworks was prioritised above telling people how they should enjoy it. Releasing the anima of artworks through views from lived experience, practitioner and scholarship can help engage people in sharing stories and building relationships with artworks. The Sainsbury Museum and Art Centre is committed to making sure that all collection information, provenance research and diverse interpretations are publicly accessible and that this is an active and on-going process of sharing and learning from different forms of knowledge This is how stories can be shared and art can help engage people with the fundamental questions of humanity. Acquisitions to the collection are an important part of this equation.

In the 20th Century, the Sainsbury Museum and Art Centre was one of the first museums in the world to display artworks from all around the world and from all time periods equally and collectively. In the 21st Century it is the first museum in the world to formally recognise the living lifeforce of art. It continues to break boundaries with how the power of humanity is encapsulated and communicated to anyone who comes to visit. The Sainsbury Museum and Art Centre is an institution that transcends traditional

barriers between Art, Architecture, Archaeology and Anthropology and focuses collectively on shared essential questions within which the material manifestations of human creativity are given voice to answer them.

4. Themes and priorities for future collecting

New acquisitions are the lifeblood of any collection as they allow existing collections to stay alive, dynamically engaged and active within an ever-changing world. The Sainsbury Museum and Art Centre follows the inspiration of the original benefactors. The Sainsburys never followed a traditional model of a 20th Century art collection. They were universal in focus and global in interest, always seeking out artworks that emotionally connected with them. The Sainsbury Museum and Art Centre has become a destination for international artists in recent years to create new artworks in response to and engagement with existing collections. This reflects the Sainsbury's innovative practice of supporting comparatively unknown artists, who subsequently became some of the greatest artists of the 20th Century. The Sainsburys acquired artworks, which at the time, were considered by the art establishment with disdain and are now some of the most important artworks in the world. This approach to acquisition is one that has kept the Sainsbury Museum and Art Centre at the forefront of the art world often displaying international and young artists for the first time before they go on to create hugely successful careers. The unique reputation, egalitarian principles and committed social engagement is what continues to attract talent and exciting new acquisitions to join the Sainsbury Museum and Art Centre's world-class collection.

The development of the collection is a fundamental activity of the institution and reflects the Sainsbury Museum and Art Centre's desire to bring visitors the best possible enjoyment and learning experience. Growth of the collection will be measured against sustainable growth and how we can care for the collection.

The Sainsbury Museum and Art Centre is fortunate in that, as a relatively young institution, there is display and storage space for growth and excellent conservation facilities. The Sainsbury Museum and Art Centre is actively pursuing the enhancement of its collection and continues to judiciously develop the collection in scope, depth and quality. There is a strong desire to acquire contemporary artworks that relate and complement historic holdings. The scope of collecting is international, complementing the global reach of the collection. Acquisitions must be of comparable quality and relate or inform the existing collection. A key aim is to build on the original Sainsbury gift and retain its integrity, allowing the institution to grow and develop where it is appropriate to do so. We wish to simultaneously acknowledge this extraordinary gift and enhance it for future public benefit. There is a desire to enrich the value of the collection for research and learning by acquiring archives of work by artists represented in the collections. In addition, archives that more generally relate or inform the collections will be considered as valuable assets in enriching the Sainsbury

Museum and Art Centre's holdings and providing the intellectual substance for future research.

4.1. Augmenting the Sainsbury Collection

It is stated in the various deed of gift from Sir Robert and Lady Sainsbury that the benefactors acknowledge the development of the collection. Within the memorandum accompanying the deed of gift, it is indicated that, within the constraints of the funding available to UEA, the Sainsbury Museum and Art Centre might acquire additional works:

"Works of art (which shall include so-called 'primitive sculpture'[2] and ethnographical artefacts and shall not be confined to the fine arts but include applied arts and the decorative arts) … which may be considered to be in accord, in principle, with the 'Sainsbury Collection."

In the same document, the benefactors also hoped that, in the event of the university acquiring artworks after the death of Sir Robert Sainsbury, it would, in particular, concentrate its efforts in two directions:

i. *"In augmenting and complementing the sculptures comprised in The Sainsbury Collection so that they may become as far as possible, a study collection for all periods and civilisations."*

ii. *"In acquiring sculptors' and sculptural drawings and prints using the word drawing in its fullest sense. ("Drawings", here in shall include pastels, gouaches, watercolours and the like"*

It is the policy of the Sainsbury Museum and Art Centre to be sensitive to the spirit of the original gift made by Robert and Lisa Sainsbury, to be reflexive to the subsequent collecting activity of Robert and Lisa Sainsbury and to acknowledge their intentions.

The Sainsbury Museum and Art Centre, therefore, will acquire artworks which will build on the strengths of the collection in a way that augments their scope and quality.

5. Deaccession

5.1. The Sainsbury Museum and Art Centre follows industry guidance on deaccession provided by the Arts Council, Collections Trust, and also adheres to the legal frameworks outlined in such relevant national and international legislation as the Holocaust and Return of Cultural Objects Act 2009, Human

[2] An acknowledgement of the incorrect and problematic terms of these collection descriptions commonly in use in the 1970s

Tissue Act 2004, Hague Convention 1954 and Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970 among other acts and conventions. The museum will use the statement of principles 'Spoliation of Works of Art during the Nazi, Holocaust and World War II period', issued for non-national museums in 1999 by the Museums and Galleries Commission and incorporate that statement of principles within other global contexts for which it is relevant. Whilst the governance structures and museum processes for deaccession detailed below may be similar to other museums, it is perhaps important to note that the frameworks that govern the discussions that underpin these processes will differ to other museums due to the different museum objectives the Sainsbury Museum and Art Centre has in comparison to other museums. Put simply by understanding artworks and material culture in the collections as living entities, rather than objects of property, the underlying intellectual framework for discussion will be focused around what future will provide the best life for a specific artwork rather than who has rightful ownership of it? To better understand these frameworks the further reading listed below may prove useful for interested parties[3].

5.2. The museum does not intend to deaccession during the period covered by this policy. During this period, deaccessioning, or *disposals* as sometimes referred to in museum policy literature, will only be undertaken on a carefully considered basis for moral, legal, ethical, safety, care and conservation reasons.

5.3. In exceptional cases, some of which are laid out below, deaccessioning may be considered but never motivated by financial reasons. Deaccessioning may be considered but only where motivated by sound curatorial reasons. All deaccession will be undertaken with reference to the SPECTRUM Primary Procedures on deaccession.

5.4. Each individual artwork in the collection is unique with their own, often highly specific historical context, biographical history and cultural network of relationships. Any case for potential deaccessions, therefore, requires an equally unique set of relationships to be created to discuss them. Identifying and bringing to the table the right people to be part of these discussions and providing the necessary opportunities to openly present views and opinions is an important responsibility of the Sainsbury Museum and Art Centre when cases are raised.

5.5. The recommendation to deaccession an artwork from the collection will be taken by the Sainsbury Museum and Art Centre Director in consultation with the Sainsbury Museum and Art Centre's collections and curatorial teams.

[3] Further reading on the Living Art approach of the Sainsbury Museum and Art Centre:
Sainsbury Museum and Art Centre 2022 The Living Art Handbook
Sainsbury Museum and Art Centre 2022. 50 50 The Future of the Sainsbury Museum and Art Centre

5.6. This will then be presented to the Sainsbury Museum and Art Centre Board for consideration and approval with final ratification by the UEA Vice-Chancellor and UEA Council. Only after full consideration of the reasons for deaccessioning have been considered will this be approved. This includes the implications for the artwork, the museum's collection and the public benefit of such as action. Expert advice may be sought where necessary and the views of stakeholders such as practitioners, donors, researchers, local and source communities and others served by the museum will also be sought.

5.7. The process to deaccession an artwork, whether by gift, exchange, sale or destruction (in the case of an artwork too badly damaged or deteriorated to be of any use for the purposes of the collections or for reasons of health and safety), will be the responsibility of the Director with ratification by the Sainsbury Museum and Art Centre Board.

5.8. If an artwork is deaccessioned, priority will be given to retaining it within the public domain. In the case of restitution or repatriation, careful discussion with all stakeholders will be had on the planned destination of deaccessioned works. For other artworks deaccessioned for other criteria detailed above they will be offered in the first instance, by gift, exchange or sale, directly to other accredited museums likely to be interested in its acquisition. If the artwork is not acquired by any accredited museum to which it was offered as a gift or for sale, then the museum community at large will be advised of the intention to dispose of the artwork normally through a notice on the MA's Find an Object web listing service, an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate). Preference will be given to expressions of interest from other Accredited Museums. A period of at least two months will be allowed for an interest in acquiring the artwork to be expressed. At the end of this period, if no expressions of interest have been received, the museum may consider disposing of the artwork to other interested individuals and organisations giving priority to organisations in the public domain.

5.9. Any monies received by the museum governing body from the disposal of artworks will be applied solely and directly for the benefit of the collection. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections, in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Advice on those cases where the monies are intended to be used for the care of collections will be sought from Arts Council England.

5.10. Full records will be kept of all decisions on deaccession and the items involved and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items concerned,

including photographic records where practicable in accordance with SPECTRUM Procedure on deaccession.

6. The Restitution and Repatriation of objects

6.1. The right of the museum to exist should never be taken for granted. The justification for an institution to care for and communicate to a public audience artworks created by different people, communities and societies throughout time and cultural context needs to be continually reflected upon, renewed and contextualised within contemporary debates. Many of the artworks in the Sainsbury Museum and Art Centre materialise hugely challenging aspects of personal trauma, social inequality and cultural exploitation in their creation or subsequent journey before arriving in the museum. The Sainsbury Museum and Art Centre will always acknowledge these difficult and contested histories. Within this context, this document aims to establish some of the legal and ethical frameworks within which a process of repatriation and restitution of artworks can be considered. The University of East Anglia (UEA) holds the responsibility, duty of care and legal title to all objects in the Sainsbury Collection on the condition of public benefit they are held to create. They are held in the public domain, and the University acknowledges its long-term obligations and stewardship. These obligations were laid down by its benefactors who donated artworks for the benefit of the University and the public. The Sainsbury Museum and Art Centre is a university art museum and all decisions are made in consultation between the Centre, its Board and the University as governing body. The Sainsbury Museum and Art Centre undertakes due diligence and provenance research of artworks in the collection, so that wherever possible the fullest account is available of the circumstances of acquisition - whether by purchase, gift or bequest. Where artworks have challenging and complex histories of removal, such as from a historical military conflict or taken from an indigenous context exploiting colonial era imbalances of power, the circumstances of that event will be carefully researched and investigated through proactive engagement with all potential stakeholders, even if that historic acquisition predates acquisition by the benefactor and eventual donation to UEA. The cultural value of the collection is increased by an open and transparent acknowledgment of the past circumstances. In the current period, all acquisitions adhere to the Collections Development Policy and due diligence process. This adjudicates if an artwork has been legally acquired by the vendor but also including historical provenance and legal trade.

6.2. **Claims of Restitution and Repatriation**

There are notable holdings and acknowledged masterpieces from many regions of the world that have been impacted by colonialism and historical injustice. The Sainsbury Museum and Art Centre is renowned for its research and commitment to collaborative scholarship and cultural exchange, particularly with members of the communities from which objects in the

collection originate. As well as the curatorial staff of the Sainsbury Museum and Art Centre, there are two dedicated centres to span some of the cultural remit and global reach of the collections. The Sainsbury Research Unit (SRU) and the Sainsbury Institute for the Study of Japanese Arts and Cultures (SISJAC) have long worked on establishment of collaborative and meaningful community relationships with the development of world leading internationally staffed research projects. The Department of Art History also has a long and internationally recognised commitment to the study and practice of art from across the globe. The term World Art, to acknowledge art as a truly global enterprise, was coined by academic colleagues working in this Department in the late 20th Century. More recently, a more nuanced and reflective approach has gained currency so that the study of world culture is not a Eurocentric enterprise. In this context, the Sainsbury Museum and Art Centre and the University proactively advocate debate concerning contentious and complex issues; are committed to an open and responsive approach to questions around the future care, circulation and destinations of cultural property; and are committed to research and transparency, concerning the histories of collections. The Sainsbury Museum and Art Centre is supportive and engaged with research into the histories of collections. The Collection ranges widely over archaeological periods and from many cultures and inhabited regions of the world. Object genres and histories are notably heterogeneous, as are the circumstances of communities of origin in the present.

6.3. **Submissions**

The Sainsbury Museum and Art Centre will investigate and respond to all claims of restitution and repatriation of artworks from its collection. The Sainsbury Museum and Art Centre encourages early dialogue and a collaborative approach to the process of restitution and repatriation claims. All claims will be discussed, investigated and then summarised and reported by the Director to the Board and the University. All decisions and judgements on restitution and repatriation will be proposed by the Director to the Board and the Board will then make a recommendation to the University's governing body (Council) and University Vice-Chancellor for ratification.

Claims made by individuals, by institutions such as museums, or by national governments should be accompanied by evidence of formal support from source communities, the relevant representative organisations and stakeholders. Where possible, claims should be made by accredited and/or recognized organisations, representing the descendants of the customary owners of the objects in question. Individual claims should be supported by government authorities or explicitly state why such support is inapplicable in the particular case. All claims made to restitution and repatriation will be considered on a case-by-case basis. The Sainsbury Museum and Art Centre will engage with all claimants and potential claimants in an open and respectful way. For historic objects not closely associated with communities of living descendants, claims may be made by relevant national governments, explaining why community support is inapplicable in the particular case. Claims made by third parties will only be considered if clear justification is given. In

these circumstances the claimant bears the burden of proof with respect to a restitution request. If the status of claimants is disputed, the Sainsbury Museum and Art Centre will defer formal consideration of a claim until such issues are resolved.

6.4. **Criteria**

The Director (or their delegate) will carefully consider the history and prospective future of the artwork: if they were, or may have been, acquired illegally, or exported from the nation of origin illegally if they were, or may have been, appropriated in the aftermath of violence, for example in the context of a colonial intrusion or war if they were, or may have been, acquired under circumstances whereby owners were compelled or coerced to sell them, or from people who were demonstrably not legitimate owners. In evaluating these discussions, the Sainsbury Museum and Art Centre will assess all relevant provenance and related cultural information from available archives and the claimant. All relevant information bearing on an issue will be sought derived from written records, oral tradition, folklore, linguistics, geography, descent, kinship, archaeology, anthropology, historical patterns of ownership and/or control, expert opinion, or other relevant information. In keeping with a 'case by case' approach, claims may be based on histories of ownership/acquisition, the sacred nature of particular artworks, educational and public benefit, or other grounds. Claimants should outline the significance of the artworks. Existing documentation and scholarship may not establish artwork histories authoritatively or definitively, and the Sainsbury Museum and Art Centre is committed to undertaking further research where required in order to clarify. Such research should draw on relevant expert advice and be undertaken in a consultative manner by curators and members of originating communities. It should, however, be acknowledged that even this additional research may not produce conclusive artwork histories. The Sainsbury Museum and Art Centre will work closely with all stakeholders to consider the best future life for the artwork drawing in academic, cultural and public benefits of restitution and repatriation to a community or nation of origin, taking into account considerations that may include:

- Where the artwork would most like to be now and in the future.
- Whether the continuing sacred significance of the artwork makes exhibition and/or continuing research access inappropriate or unethical
- Whether specific artworks may be of exceptional importance to communities and nations, such that their presence is vital to belief, culture and wellbeing. Artworks of cultural patrimony with ongoing historical, traditional, or cultural importance
- What educational, research and public value the artworks have in their planned custodianship.

6.5. **Process**

All formal claims should be submitted in writing to the Director of the Sainsbury Museum and Art Centre. Claims will be acknowledged as soon as is practicable and within twenty working days of receipt. It is hoped that pre-

existing relationships with many relevant stakeholders will already exist given the Sainsbury Museum and Art Centre's commitment to collaborative research however, this notwithstanding a formal process will begin. This process will draw on museum sector guidance and examples of best practice. (Please see relevant documents referenced below). The claim will begin a process of proactive stakeholder engagement, time invested in relationship building, provenance research and object specific investigation. This will be led by the Sainsbury Museum and Art Centre's Head of Living Art and reported to the Board by the Director. The circumstances of acquisition and all available provenance information will be collated to fully investigate all aspects of the claim. The Director and Board will consult with the University, via the Vice Chancellor's Office. The Director will inform and consult with all relevant stakeholders and benefactors (or their descendants). The Director will consult legal documents such as relevant deed of gift so that any conditions of donation or acquisition can be considered. Prospective claimants are encouraged to liaise informally with the Director and curatorial staff of the Sainsbury Museum and Art Centre in advance of any formal claim. The Sainsbury Museum and Art Centre welcomes research visits from community members and prospective claimants which may clarify areas of common ground and help shape the most feasible and appropriate approaches to the future of particular artworks and collections. The Sainsbury Museum and Art Centre will aim to respond to all claims of restitution and repatriation in a timely manner as the capacity of the museum allows and for more complex cases report back at interim stages. For more protractive claims, the Director may seek external expert advice. For example, to consider eligibility or to assess multiple claimants. It may be necessary to commission further research, which should normally be undertaken. During the assessment period, the claimants may be contacted for further information or with an update on progress.

6.6. **Decisions**

Once a recommendation is reached, the Director will advise the Board on the best course of action who will make a recommendation to the University, via the Vice Chancellor's Office. If the decision is to restitute for or repatriate an artwork, the Director will seek approval and final ratification from the University Council. When a decision is made, the Director of the Sainsbury Museum and Art Centre will write formally to the claimant with a decision and setting out how the conclusion was reached. Following this all-practical matters of the course of action will be addressed including national government policies and UK export license agreements.

Should the decision be taken not to restitute or repatriate, the claimant will be given the opportunity to appeal within six months of the decision. This opportunity will allow the claimant to see and discuss the reasons stated for not agreeing to restitute or repatriate and therefore have an opportunity to provide further testaments. Following that a final decision will be made. If the decision is not to restitute or repatriate the Centre reserves the right not to consider the same claim unless further or new evidence is provided or institutional, national or international legislation requires it. Finally, the

Sainsbury Museum and Art Centre will always look for ways of cooperation and proactively seek out dialogue and collaboration to find innovative ways to collaboratively address issues of colonial era injustice and the hugely contested and challenging narratives embodied within many works within the collection.
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Further Reading and associated guidance
ICOM Code of Ethics
Museum Association Code of Ethics
Arts Council Restitution and Repatriation: A Practical Guide for Museums in England
National Museum Directors Council: Spoliation of Works of Art During the Holocaust and World War II Period

7. Legal and ethical framework for acquisition and deaccession

7.1. The museum recognises its responsibility to work within the parameters of the Museum Association Code of Ethics when considering acquisition and deaccession. A process for the deaccession of works for circumstances of restitution and repatriation are detailed below.

8. Collecting policies of other museums

8.1 The museum will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. It will consult with these organisations where conflicts of interest may arise or to define areas of specialism, to avoid unnecessary duplication and waste of resources.

9. Archival holdings

9.1. As the Sainsbury Museum and Art Centre holds archives, including photographs and printed ephemera, the university will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (third edition, 2002).

10. Acquisition

10.1. The policy for agreeing acquisitions is:

10.1.1. All potential acquisitions are measured against the Policy to test they fit the collection development strategy. Acquisition proposals are discussed at the internal acquisitions committee before seeking approval to proceed by the Sainsbury Museum and Art Centre Director. Acquisitions are then presented to the Sainsbury Museum and Art Centre Board (UEA) for approval and final ratification.

10.1.2. The Sainsbury Museum and Art Centre will exercise due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any artwork unless the university or responsible officer is satisfied that the Sainsbury Museum and Art Centre can acquire a valid title to the item in question.

10.1.3. In particular, the Sainsbury Museum and Art Centre will not acquire any artwork unless it is satisfied that the artwork has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).

10.1.4. In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from November 1, 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the Sainsbury Museum and Art Centre will reject any artworks that have been illicitly traded. The university will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

10.1.5. The Sainsbury Museum and Art Centre will not acquire archaeological antiquities (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.

10.1.6. Any exceptions to the above clauses 9.1a, 9.1b, 9.1c, or 9.1e will only be because the Sainsbury Museum and Art Centre is:

- acting as an externally approved repository of last resort for material of local (UK) origin
- acquiring an item of minor importance that lacks secure ownership history but in the best judgement of experts in the field concerned has not been illicitly traded
- acting with the permission of authorities with the requisite jurisdiction in the country of origin
- in possession of reliable documentary evidence that the item was exported from its country of origin before 1970

10.2. The museum will not acquire any object unless it is satisfied that it has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).

10.3. In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from 1 November 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the museum will reject any items that have been illicitly traded. The governing body will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

11. Human Remains

11.1. The museum does not hold or intend to acquire any human remains.

12. Archaeological material

12.1. The museum will not acquire archaeological material (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.

12.2. In England, Wales and Northern Ireland the procedures include reporting finds to the landowner or occupier of the land and to the proper authorities in the case of possible treasure (i.e. the Coroner for Treasure) as set out in the Treasure Act 1996 (as amended by the Coroners & Justice Act 2009).

13. Exceptions

13.1. Any exceptions to the above clauses will only be because the museum is:

- acting as an externally approved repository of last resort for material of local (UK) origin
- acting with the permission of authorities with the requisite jurisdiction in the country of origin