

Commentary

by Gromaticus

Where your treasure is, . . .

THE TREASURE ACT of 1996 came into force on 24 September 1997, and we recently received from the 'Head of Treasure' of the Department for Culture, Media and Sport, copies of the related *Code of Practice* booklet and the leaflet *Information for finders of treasure (England and Wales)*. It was a surprise to find that the booklet runs to 78 pages and contains both a bibliography and an index, although in fairness one must say that only 30 pages are the actual *Code*, and the rest consists of lists of the names, addresses and phone numbers of all coroners in England and Wales, as well as of all SMRS and local government archaeologists, and information on basic care of finds, and their packaging (which even some archaeologists might find useful). If the Act does not 'work', it will not be for lack of bureaucratic endeavour.

The aim of the Act appears to be to ensure that objects defined as 'treasure' are reported and recorded, that relevant museums have the opportunity to acquire them, and that finders and landowners are properly rewarded. It will succeed if it is (a) understood and (b) generally accepted. The Act is supposed to be an improvement on the old Treasure Trove provisions, in that the question of the motive of the depositor is no longer a determining factor. However, some of the new definitions could cause almost as much confusion, such as "*Associated object*: any object, whatever it is made of, that is found in the same place as, or *that had previously been together with*, another object that is treasure" (my italics). Knowledge of site formation processes has replaced mind-reading as a legal exercise. Also, one category of treasure is "Objects that would have been treasure trove" but which do not fall into other categories, suggesting that killing off the old law is not as easy as it seems.

Will it be generally accepted? More to the point, will it be accepted by the metal detector hobbyists at whom it is partly aimed (and who are recommended to acquire a copy of the *Code of Practice*)? It will if the provisions are seen to be fair, and compliance is not too much of a hassle. Much will depend on how the Act is implemented, especially in the early days, rather than in the detail of the

'small print'. No doubt word will soon get around about how early reporters of treasure have been treated, and whether they have been recompensed fairly and quickly. There is the 'big stick' of legal penalties (up to 3 months imprisonment and/or a fine of up to £5000), but they are likely to be imposed only in the most blatant and persistent cases.

In parallel, we have the *Pilot Scheme for the Recording of all Archaeological Finds*. Here the question is whether the staff recruited to run the scheme can cope with the volume of finds, at present an unknown quantity. In my experience, all sorts of things *maybe* reported; I was once called out to see a 'flint arrowhead' that turned out to be an offcut of roofing slate! But if people are made to feel silly because they made a mistake, they may never report genuine finds in the future. Tact and diplomacy, as well as archaeological knowledge, will be needed. Indeed, all archaeologists are entering an era when social skills are as important as academic and technical ones.

Fieldwork Supplement

THIS YEAR'S *Fieldwork and Publication Round-up* is being circulated with this issue as Supplement 2 to Volume 8. If you have not received your copy, please contact the Subscriptions Secretary. For the first time, we are including some book reviews in the Supplement, because the increased supply of articles in the last year has 'squeezed' the space that we have previously allocated to book reviews in the main magazine. We shall continue to publish book reviews in the magazine when there is space, and intend to clear any backlog each year by publishing it in the Supplement. Do let us know what you think of this arrangement.

Publication policy

THE INCREASED supply of articles has created a need for a publication policy, setting out the sorts of articles we prefer to receive, and procedures that we will follow in accepting and scheduling them for publication. Until recently, we have simply published almost everything submitted to us, but that is no longer practicable. When the policy has been approved by the Publication Committee, we will distribute copies to all our 'regular' authors; if you are thinking of submitting an article, or would just like to know how we intend to operate, please ask for a copy.

1. Copies of both the Code and the leaflet can be obtained from The Public Enquiry Unit, Department for Culture, Media and Sport, 2-4 Cockspur Street, London SW1Y 5DH, tel. (0171) 211 6200.