

Comment on the Paper by David Gill

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David Gill's paper is a timely commentary upon the Portable Antiquities Scheme and the Treasure Act.

He rightly stresses that the main concern must be the continuing loss of information about the past. There is no doubt that the Portable Antiquities Scheme has been a major success in recovering and recording such information, but that the success is only a partial one.

What he does not propose, however, are clear recommendations to ameliorate the present situation. His suggestion of a Memorandum of Understanding between the United Kingdom and the United States is an interesting one, but if it applied to 'unreported and illegally exported recently surfaced archaeological material' it might not be applicable to the Icklingham Bronzes or the Crosby Garrett helmet, since these would not fall within the scope of the present Treasure Act (although the Icklingham Bronzes were indeed illegally exported, since no export licence was applied for).

The Minister has announced a review of the Treasure Act, and one possibility would be to extend the definition of Treasure – which would not need new legislation but could be achieved by an Order in Council. One suggestion is to expand the definition of Treasure to include groups of two or more objects of base metal of the Roman or Anglo – Saxon periods. (Bronze hoards of the prehistoric period are already included).

Care must be taken not to swamp the Portable Antiquities Scheme with reports of every artefact unearthed, and there could be a case for introducing a threshold in terms of 'importance.' But it is not clear how 'importance' could be defined – a monetary threshold (for example 'objects exceeding (say) £1,000 in commercial value') would present practical problems. How would the object be valued? How would the finder be supposed to know?

It is important also that any changes enjoy the support of the legitimate metal-detecting fraternity, since the strong feature of the present system is that finds are indeed regularly reported under the Treasure Act, and the system works well. Nighthawks are an execrable minority.

There is however, one further problem to which David Gill does not directly allude. At the moment the Treasure Act relates exclusively to finds of metal (or finds associated with finds of metal). A major sculpture of marble or other stone, whether of Roman or

Saxon date, would not be covered at all. If a major Roman portrait bust, for instance, were discovered, it would no more fall under the scope of the present Treasure Act than the Crosby Garrett helmet. That is an anomaly which might be difficult to remedy within the framework of the present legislation.