

Treasure Valuation Committee Part 1

By Trevor Austin.

I have been acutely aware for some time that there is still some misunderstanding about the Treasure Valuation Committee amongst detector users. The Treasure Act and its Code of Practice is well documented, and it is unnecessary to deal with them in this article. However, I hope to correct some of those misconceptions about the function and procedures of workings of the Treasure Valuation Committee.

History

For those new to the hobby or who are not familiar with the working of the *Treasure Valuation Committee*; , it might be useful to review how the Committee came into being. Prior to the Treasure Act 1996, a *Treasure Trove Reviewing Committee* was originally set up in 1977 to provide independent valuations to ministers on items of *Treasure Trove* which museums wished to acquire. The reviewing committee members were: Professor JD Evans (Chairman), P Finn, JA Och, DG Sellwood, I Newton (Secretary). The panel of expert advisors were; P Clayton (Seaby's), J Ede (Charles Ede antiques), T Eden (Sotherby's), Mrs Mary Fielden, (Medieval and post-medieval rings and jewellery), P Mitchell (AH Baldwin and sons English coins), F Nicholson (Sotherby's Antiques) and Dr J Ogden (Nat Association of Goldsmiths, Roman Jewellery and plate).

After the commencement of the *Treasure Act* in September 1997 the Treasure Trove Reviewing Committee was renamed the *Treasure Valuation committee*. Although some of the original *committee* members continued to serve on the new committee, there was an important addition of a member of the metal detecting fraternity in the person of Dennis Jordan, President of the *National Council for Metal Detecting*, which was warmly welcomed.

The present *Committee* members are; Professor Norman Palmer (Chairman), Dr Jack Ogden (Nat Association of Goldsmiths, Roman Jewellery and plate), Mrs May Sinclair (Director of the Department of Coins and Medals of Spink and Son Ltd) , John Cherry (Former keeper:Romano British Antiquities at the British Museum), Peter Clayton;Writer, Lecturer and expert on ancient archaeological artefacts, Trevor Austin (NCMD General Secretary). Professor Ian Carradice; Expert on Roman provincial coinage and Professor University of St Andrews, Mr. Tim Pestell (Curator of Archaeology at Norwich Castle Museum and Art Gallery). In 1996, the final year that the *Treasure Trove Reviewing Committee* assessed finds under the old *Treasure Trove* system, there were 29 finds for consideration of which 26 were found by metal detector. This figure contrasts sharply following the introduction of the new law. From September 1997 to September 1998 there were 178 cases of *treasure* listed in the first Annual Report of the Treasure Valuation Committee although this figure should be increased to 205 and take into account the period up to 31st December 1998 to coincide with the calendar year. The number of reported *treasure* finds has risen considerably over the past few years; in 1999 there were 236 and in 2000 the number was 233. The foot and mouth outbreak reversed the trend slightly in 2001, down to 214, but by 2002 the numbers had again risen to 306. The present number of reported finds of *treasure* for 2003 is 413. However during the first two months of 2004 there have already been 74 cases reported already, it might therefore be expected that the number of reported cases could increase to around 500.

The reason for such a dramatic increase in reported cases of treasure material is believed to be due to a number of factors. Firstly, the consultation with, and involvement of the metal detecting hobby, in the preparation leading to the enactment of the Treasure Act 1996 resulted in a much better knowledge and understanding of the requirements amongst detector users. Secondly, the implementation of the Portable Antiquities Voluntary Reporting Scheme and the introduction of locally based finds Liaison Officers has been an important factor in the continuing improvement in the number of reports made. Initially six posts were set up in 1997 and this number which has recently been increased nationwide to a total of 37. The national Portable Antiquities Voluntary Reporting Scheme has contributed much to the increasing confidence metal detector users have shown in reporting their finds through their local *finds liaison officer*. This is in marked contrast to the past when many metal detector users keen to report their finds found themselves ostracized by their local museum. They now find themselves made welcome. The promotion of responsible metal detecting, advice to members and the support given, by the NCMD, to the Portable Antiquities Reporting Scheme has played no small part in this.

From Reporting to the Payment of Rewards

One of the earlier and still the most recurrent source of complaint about the *treasure* process is the time between the reporting stage through to final consideration by the *Treasure Valuation Committee*. The *Department for Culture Media and Sport* and the *Treasure Valuation Committee* are acutely aware of this problem. The target time between the Coroner receiving the initial report (or the body with whom he has directed the find be should be deposited) to the payment of the reward payment should take no longer than twelve months (providing there are no challenges to the valuation). Ways are currently being sought to improve the speed in which cases are handled. Pinpointing specific areas of concern has proved difficult and may vary for individual finds or geographic location. All involved in the treasure procedures, museums, archaeologists, finds liaison officers, coroners, the national museums, the Department for Culture Media and Sport and The Treasure Valuation Committee, is already looking at ways in which they can accommodate the anticipated increase in reported treasure cases increase without compromising the time taken for each case to be processed.

Provisional Valuations

On receipt of a *treasure* find, after the inquest, by the *Treasure Valuation Committee*, a report (or provisional valuation) from a panel of independent experts drawn from the trade, will be commissioned. The provisional valuation will contain a description of the object, the provisional valuation, and the basis for that valuation. A copy of this provisional valuation is sent to the finder and landowner prior to the *Treasure Valuation Committee* meeting at which the object will be valued. Unfortunately it has often been the case that finders assume that this “report” is the *Treasure Valuation Committee’s* recommended valuation. This is not the case, the purpose of the provisional valuation is to assist the *Treasure Valuation Committee* in its deliberations and moreover to ensure that its ultimate decision is fair and seen to be fair. The *Committee* has the discretion to request further valuations from the trade should it be deemed necessary where items are of unusual rarity or high value. The *Committee* welcomes comments from the finder and any additional valuation which he or she may care to submit in support of the object and I have always recommended to finders that they submit any evidence they feel is relevant, or which they feel should be brought to the *committee’s* attention. It must be remembered, however, that greater weight will be given to valuation evidence obtained from a recognised trade association with its own professional code.

Assessing the Reward

“Metal Detectorist Finds Treasure worth £1,000,000”. We have all seen these headline grabbing statements in our national newspapers, the truth of the matter is however that they frequently have no factual basis for the valuations stated, printed to attract readers. As a result, more harm is done to both the hobby as a whole and the finders and landowners expectations of any eventual reward than would first appear. We all know, including myself, that when we find something of importance whether or not it is *treasure*, we immediately become emotionally involved with that object; we strive to find out all we can about it, its history, its archaeological importance and perhaps its potential value. The local cub “expert” who gives off the cuff valuations, or friends who offer instances of similar finds fetching unbelievably high prices, as well as the journalistic exuberance should be balanced carefully against recognised professional advice. I can recount half a dozen instances where such financial liberality has led friends to suffer disappointment when their find is eventually valued by experts, sold at auction or valued by the *Treasure Valuation Committee*. It is reasonable that finders of such items, whether they are metal detector users or not, would wish their reward to reflect a fair market value and it is to this end that the *Treasure Valuation Committee* strives to observe its terms of reference.

I have also heard it said by finders of *treasure* who have received a reward; that the valuation of their find was low because it is all the acquiring museum could afford to pay. While the acquiring museum have a right to comment on the provisional valuation, as does the finder, and it is not unknown for the museum to express concern regarding their available budget, such comments carry no weight with the *Treasure Valuation Committee*. The *committee* will disregard any request to reduce the valuation on grounds of finance without exception. However, the *Committee* will consider evidence from expert valuers or previous cases in support of any request to vary the valuation, be it by the finder or the acquiring museum.

Abatements and Condition of finds

The *Treasure Valuation Committee* will recommend to the *Secretary of State* any abatement of the reward after careful investigation of the circumstances where there may be grounds for such action. Whilst, in reality, this is a rare occurrence however, finders should be aware of the circumstances which may lead to such action.

As would be expected, any wrongdoing on the part of the finder and/or landowner with respect to failing to report items of *treasure*, or any attempt to conceal the finding of such, may lead to a reduced reward. There are other circumstances which could lead to a similar result. Items of *treasure* are valued in an “as found condition” and hence, there should be no attempt to clean or repair potential *treasure* by the finder. Finds which are made predominantly of gold or silver/gold alloy are usually in the same state when found as they were when lost, dependant upon the burial environment) although the removal of soil deposits with clean water before items are recognised as such, may be required.. A piece of gold foil for example may not be recognizable as such when first discovered, a typical example occurred when my wife found what she thought was a piece of folded gold chocolate wrapper, however when we met back at the car for lunch and she showed me the object I immediately recognised it as gold foil and as such, potential *treasure*. If my wife had unwittingly unfolded the object before realizing what it was, would she be guilty of deliberate or reckless damage? The *Treasure Act* code of Practice states “*where significant damage has been done deliberately or recklessly.....*” I suppose you could argue that these actions would have been deliberate and you might also argue that there would have been recklessness

in her actions. Common sense is obviously needed in these cases, if the finder believed or has reason to believe that the find was *treasure* before opening the find, then I would agree that there is a case for deliberate or reckless action. If the finder did not believe the find was potential *treasure*, abating any reward may then seem unjust and would probably not have the desired effect which is to educate finders in the care of finds

Other problems can arise when items are discovered, usually with soil and other corrosion products adhering to them which may be indicative of how the object was used or made. It is therefore important that the finder resist any temptation to clean the object. Over enthusiastic cleaning especially by chemical action will undoubtedly be detected under analyses by the laboratory. Where such chemicals are unnaturally present the *Treasure Valuation Committee* will have no alternative but to consider such actions in their deliberations. Similarly, repaired or “doctored” items will come in for close scrutiny. There have been recent instances where items examined by the committee have obviously been found in two halves and the find then soldered back together, or perhaps where gold items have been straightened by a jeweler. Normally, where there are reasonable grounds for believing that the finder did not realize the find was *treasure* prior to such actions, or that any damage is accidental, it is usual for the committee to write to the finder with advice and direct them to Para 85 of the *Treasure Act Code of Practice*. Obviously items which have been altered, either by accident or by design, lend themselves to greater discussion by the committee than those which have not, and place a greater strain on the resources which the committee has at its disposal.

Next Month I will be looking at;

Working with archaeological groups

Findspot Location

Disclaimed objects

Finders Liaison

The way forward