Maritime Military Heritage: Illicit Salvage and its Consequences – Witness Seminar
An examination of the cultured significance of military underwater heritage and contemporary threats to it.

Plymouth University – 7th November 2018

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<td>JASON LOWTHER</td>
<td>Good afternoon everyone and thanks for all turning out. It’s nice now, but it certainly wasn’t, and you probably experienced some of it on the way down here. I’ve just got to do the statutory housekeeping stuff. There are loos just down the corridor. You’ve probably discovered those already, but if you haven’t, they’re just down there. We’re not due to have any fire alarms or anything like that tested, so, should the fire alarm go off, our nearest fire exit and best line travel mode is that way, over there. Just go down the stairs and it will take you straight out. The muster point is just across the road, just in case that happens. Welcome to the university, welcome to this witness seminar looking at the concept of maritime military heritage and salvage issues. We’ve got, I think, a pretty stellar panel here of experts in relation to this that are going to take us through some of their experiences. I’m going to handover now to our chair, Professor Judith Rowbotham. Thank you.</td>
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<td>JUDITH ROWBOTHAM</td>
<td>Good afternoon. One thing I would like to remind everybody in the audience, as well as on the panel, is that Chatham House rules do not apply, what you say is recorded. However, this is not some kind of sensation-seeking, journalistic enterprise when you do a witness seminar. The whole point of a witness seminar is to bring out information that is of importance to a particular episode or topic or thing and fills in what the past might have been written down, but now, disappears into the electronic ether in various ways. So, anything, any questions that any of you in the audience, for instance, may have to ask, or any comments that you may want to make, please make them, no matter how obvious or mundane or trivial they may seem to you, because the odds are that they will help the historians, the historical records, and the legal historians present and in the future, to make sense of something which is of very real importance. That is why Jason has come up with the idea of this, the maritime military heritage illicit salvage and its consequences. So, it’s a focus on something which of course has much broader ramifications. If you’re interested in some of those and how there might be a connection, again, please ask the questions. I should also emphasise that there is no intention to cause upset, embarrassment or anything like that in the questions that will be asked or the discussion by pointing out that any of you who contribute, not just the panel, but also in the audience, will be sent a copy of the witness seminar and your comments and if you wish to redact things, then you may do so. At one of the first police seminars that we did, one of the witness panel who was a serving officer said “I’m not quite sure I should’ve said that in precisely that way, can I redact that</td>
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comment?", of course. The point is, it’s got to be a historical record that stands, and it won’t stand if you’re unhappy with what has been said by yourself. So, from that point of view, please feel confident to speak freely because Chatham House rules don’t apply because in many ways they don’t need to. What I’m going to ask the panel to do is to introduce themselves and to explain very briefly who they are and why they are here, and why they are interested in this particular topic. So, if I could start on my far right with Sir Anthony Dymock and you have a few minutes just to explain yourself.

**Sir Anthony Dymock**

Thank you. Thank you for inviting me and I am delighted to see these keen, eager faces. I’m a bit of an amateur in this game. I joined the Navy nearly 40 years ago, was a diver for a bit and in order to escape a rather fierce commanding officer, I did a week’s maritime archaeology course at Fort Bovisand, which was a good escape, but actually did give me a bit of a taste for this issue which then lay dormant. At the end of my naval career I was involved as a military representative to NATO and the European Union working with lots of other Navies and since then I’ve worked on international maritime security policy. What’s that got to do with archaeology, you might think? Actually, quite a lot because everyone organises their business with the sea in a very different way and trying to get people to pull together on the security front is a bit like getting people to pull together to be better at maritime heritage protection. I worked for a bit with the National Museum at the Royal Navy trying to raise some money and I think it was through that that I was introduced to Jessica Berry who runs the Maritime Archaeology Sea Trust, which is working hard to raise consciousness about protecting maritime heritage generally, not just the military elements. Because the military element, I think, is containable, it’s a good place to start and try to achieve best practice which could then be spread more widely, both in this country and abroad.

**Judith Rowbotham**

Thank you very much. Dave Parham.

**Dave Parham**

Ok. I’ve never been in the Navy, so I can’t claim that. A long time ago, I was an amateur diver. Having learnt to dive in 1980, directly as a result of my grandfather being killed in a shipwreck in 1971. So, that developed an interest in maritime history which developed into going to university and becoming an archaeologist and all things that come from that. But my initial interest was in what were then seen as modern wrecks, scrap metal, the First and Second World War shipwrecks that are actually out here. By going to university, I sort of left that behind and became interested in ancient things, everything from the Bronze Age onwards really. But in more recent years, I’ve become re-interested in First and Second World War shipwrecks as they become part of archaeology and those generations pass on, but also the management of them in terms of what we do with them, what we can tell from them and how we preserve them as they are, if that makes sense. Ok.

**Judith Rowbotham**

Ok. Dr Harry Bennett.

**Harry Bennett**

Hello everyone. My name’s Dr Harry Bennett and I’m an Associate Professor in History at Plymouth University, where I’ve taught since 1992 and during that time I’ve written something like 25 books, never mind articles and book chapters, dealing with the CL land implications and what it’s like to experience combat during the Second World War. A lot of that has involved the navies here. One of my earliest books examined the
process, the human processes, of what it’s like to actually be sunk as a British merchant seaman in the Second World War and how your chances of survival were affected by chance, by good planning, by the weather, and indeed by government policy. So, on a professional level I’ve had a sort of long interest in, particularly, the Second World War. More latterly I’ve been one of the trustees of the museum and historic book collection at Britannia Royal Naval College, where I’ve been involved, amongst other things, in producing the Britannia Naval Histories of World War II, bringing into the public domain some of the battle staff summaries that were compiled after the Second World War, dealing with key actions involving the Royal Navy. So, I span both the Merchant Navy and the Royal Navy. You might also say that added to my professional interest is a very private interest. I’m the son of a wartime merchant seaman. I live on a boat. To me, this subject is about both the personal, but also the professional. During that time, one of the things that I’ve obviously been doing in terms of carrying out research, is dealing with veterans, asking them about their experiences of combat and what it’s like to actually have a ship sunk under you. So, in a sense, my engagement with this subject starts and perhaps ends the moment that vessel slips below the water, but of course, the lingering aftermath of that is very long lived.

JUDITH ROWBOTHAM

Thank you, and then Mike Williams.

MIKE WILLIAMS

Good afternoon. I think probably my presence here is the result of some careful career planning which went completely wrong. I’ve always had an interest in military history, but decided to do law at university. The only trouble with doing law is you get to meet the clients and that’s a significant hurdle to overcome and one I wasn’t very good at. So, I then fled back to academia and I’m now retired, but I think, like Dave, my interest in military history led to my diving and then that led to me asking myself questions about military wrecks, aircraft and ships and I couldn’t get the answers, which was a bit curious. So, that then led to me educating myself in that area and I ended up, I think, occupying what could be described as a niche. I think there were two people in it. I think there’s now about three. I like to think it’s a small, but select band, let’s put it that way. So, that’s how I came to this area of law and I’m now retired, in theory. One of my colleagues sitting in the audience said to me last week “Mike, I don’t think you’ve quite got the idea of this retirement, have you?” and I’m delighted to say I haven’t. Thank you.

JUDITH ROWBOTHAM

Thank you. Right, now what I’m going to do is I’ll start by asking the panel a series of questions, open questions, so that I hope that they will respond and that the rest of the panel will chip in when any one of you has finished talking or wave a hand, get attention. One thing that I do want to remind everybody is that when you speak, can you please, every time, say your name. If not, you’ll find me shouting either the name, if I know who you are, or alternatively you’ll find me saying “stop, who are you?” or words to that effect. So, because this is a formal record, we need to know who is speaking. We don’t want any confusion. It is really important that you say your names. Ok. My first question to the panel is, how important, in your opinion, is maritime cultural heritage? I mean, we see the things which are so tangible around, why should we worry about that which is currently largely hidden under the water? If I could start with you, Sir Anthony.
SIR ANTHONY DYMOCK  I think the short answer is because we’re all stewards of our environments and there’s the responsibility for us to hand on what we enjoy, can see, exploit, for the next generation and if it’s something that’s degrading, then perhaps we need to be able to capture it in such a way that future generations can enjoy it. We are a very visually orientated society and I think the main issue about cultural heritage has been it’s out of sight, out of mind and it’s a dark unknown place difficult to access. We have now been given, in this generation, a unique opportunity to find much more on the seabed and to capture it visually or in scanning or some other way and it provides factual insights that can help contribute to what might have been just an oral history. An old shipwreck is normally an entry in a register or a diary. When you actually find the wreck, you can begin to understand why it went down, when it went down, who was onboard, and it can also be a time capsule for that particular period of history. So, in many ways, what lies on the seabed is as exciting as what could lie under the surface of Mars and I think we’ve rather sadly neglected it, even though it’s close by. So, I think there’s a lot there to be discovered and we’re discovering stuff every day, but we also have the means to capture it and to build our own understanding of the past and be good stewards for the future.

JUDITH ROWBOTHAM  Mike, can you add to that? Would you like to say anything on that front?

MIKE WILLIAMS  I actually think it’s a really difficult question because if it wasn’t important to us, none of us would be sitting in this room. The obvious answer to us, I think, on that question is well you would say that, wouldn’t you? I think it’s really up to the history community, the archaeological community, museum community, to make that case. I think you can make that on a number of levels, if you like. I was born in 1951, six years after the end of the Second World War. I remember my grandparents, my parents talking about it. I grew up with that generation. A few years ago, my wife was asked to sit one of her nephews down and have a chat with him. He was going through a challenging period and the opening remark was "well you know, you’re 19 years of age, at your age people were flying spitfires in the Battle of Britain", he pondered this for a while and then said "what’s a spitfire?" So, I think there is a real point that what we take for granted as knowledge can be so easily lost on future generations. I think the bugbear of Underwater Cultural Heritage is, as Sir Anthony said, it’s out of sight, out of mind to society for a lot of the time, but you’ve only got to look at the public reaction, the press reaction, for example, the summer’s news of Exeter’s disappearance from the seabed. I mean some of the national newspapers felt it was important enough to put that on the front page. Without wishing to be too cynical, newspapers don’t put things on the front page unless they think it’ll sell a newspaper and therefore it’s important to people and the reaction would suggest, with the subsequent questions in Parliament and so on, that it is important to people. And then there’s the historical record which I’m sure Harry will correct me, but I’m told is never correct.
| **HARRY BENNETT** | There’s always more work to be done. |
| **MIKE WILLIAMS** | So, I think it’s important on a number of levels and I think that in many ways Underwater Cultural Heritage has been the poor relation of history, of archaeology, because whenever you start to do something at sea, it becomes much more difficult and a lot more expensive and I think again, technology can help there, but I think, for those reasons really, it’s important to us because of our personal interest, but I think it’s important to the rest of society when they’re reminded of it and I think that’s the point. It’s this out of sight, out of mind, this cloak of invisibility, I think, that is perhaps the biggest challenge and I think the other thing, because I came through this really from recreational diving and diving wrecks and getting interested in the history of them, and I hadn’t really thought about it, but somebody said to me many decades ago, he said “of course, we’re very lucky in 100 years, 150 years, these metal wrecks will just be a rust stain on the seabed”. This is a capsule in time that we can go and look at them and I think that’s the other thing, we take it for granted that they’re there and they’re accessible, but they won’t always be and that then is an imperative to capture, as Sir Anthony said, as much of the wreck order as we can. |
| **JUDITH ROWBOTHAM** | Dave, Dave Parham. |
| **DAVE PARHAM** | Well to me, it’s clearly important. If you look at ... you take one nation, which is the UK, it’s a nation where still 95% of its trade comes by sea and 100 years ago that was 100%. The entire wealth of the British nation is based on maritime trade and exchange, going back thousands of years and we value the products of that. We value the stately homes that were built from it, we value the industrial buildings which process the material that came from it, the shipyards that built the ships that went to sea, but where we’re lacking is we don’t have many of the ships that are public accessible. We have the **Mary Rose**, we have **Warrior**, we have **Victory**, we have a handful of historic ships. The rest of them, to the general public, have gone. I remember talking to a researcher from the BBC series about battleships. He was bemoaning the fact that the British never kept any of theirs, they had all gone. The Americans had got the wisdom that a few were historical museum pieces and actually, there were 10 British battleships surviving. There’s the **Prince of Wales**, there’s **Repulse**, there’s **Hood**, that just happen to be at the bottom of the sea and because they’re at the bottom of the sea, actually their historic value is much greater because they’re still as they were, subject to the degradation of nature, as the day they sank. So, the **Prince of Wales** is still a 1941 battleship because it’s not been modified from that, not been modified by display or any alterations that happened later. So, the real focus of the wealth of the UK, but also the Netherlands, France and other historic powers or parts of maritime empire, is the result of stuff that was moved around by ships, as are the current world population. If you look at many of the nations of the world, I was just thinking of the US and the news, with their elections today, a modern nation found as a result of maritime exchange, the British, the Dutch and the French crossing the Atlantic and then those colonies building up. So, as a focus for us, all that has gone before, maritime is a huge part of that, but is very poorly reflected in what survives for us, other than what is in museums. The real wealth of it is still underwater and will always be underwater because the funding to |
collect that and bring it ashore, to recover it, is far too great. We can record it in amazing ways using modern technology. Even in the last 10 years of my career, where 10 years ago we were still drawing things, now we can come up with fantastic three-dimensional models of entire shipwrecks. We have been doing that with Invincible this summer, other people have done it with other shipwrecks, where you can bring them, as a digital image, ashore and display them and demonstrate to people what is there. So, to me, the importance lies in the contribution that the maritime world, may have to our past, and the value that we should give that today.

JUDITH ROWBOTHAM Thank you. Harry, would you like to come in on that point?

HARRY BENNETT Absolutely. Three points I think I’d make. Yes, absolute time capsules. I think most land-based archaeologists would agree that the stuff that survives best, on land, is actually in a water-logged environment. That’s where you get the best preservation. Underwater also, is remarkable conditions, by which, even things like paper can be preserved. I remember seeing a Tweet earlier this week from the people on the Mary Rose, little fragments of text that have survived. Recently we’ve seen material that’s come out of Blackbeard’s Queen Anne’s Revenge, again, a sheet of text which seems to have been used in part as cannon-wadding. So, even the most fragile of material can survive and of course what you’ve got, in many cases, is you’ve got an undisturbed location, as long as the trawler fleet’s not been at it, that you’ve actually got material preserved in situ alongside the other material that was there when that particular wreck went to the bottom. So, these things are absolute time capsules and it’s surprising what actually is preserved. Also, yes absolutely, about sorts of modern archaeological methods, non-invasive which can help to capture that, but also now, and I think this is a game-changer again, social media. No longer do you have to write the big book, the big archaeological report, no longer do you have to have the big documentary. The ability to release material as 30 second, a minute, two-minute, 10-minute, videos, as material on Twitter or on Facebook is a real game-changer. I’d be interested to know how many of you have seen, in the past 10 days, video footage of that Greek wreck from the Black Sea and for many of us it’s a ‘wow’ moment. That thing has survived there, and it looks like the day it went to the bottom, put the sails on that and it looks pretty well in the same condition as it went down. The levels of preservation we get with some of these wrecks is truly remarkable. It is literally as the vessel went down. So, I think those new methods of actually releasing information to the public means that no longer are you dealing with a kind of small circle of individuals that are interested in archaeology. Now, you’ve got the capacity to use underwater archaeology to reach out to the masses and for it to be truly global. You find a shipwreck now and you can interrogate it using non-invasive means and that information can go global.

JUDITH ROWBOTHAM Building on that, how widely recognised is the estimation of the importance of marine heritage that you’ve put forward, particularly in relation, since this is the focus for today, of military marine heritage? Could I start with you, Dave?

DAVE PARHAM What, the estimation of what the public think of it or …

JUDITH ROWBOTHAM Yes, do you think this is …

DAVE PARHAM I think that on most occasions, initially, the public have no idea because
they are completely unaware of what is there. But as Harry says, the moment you bring this stuff to light, this two-and-a-half thousand old ship from the Black Sea, people are immensely interested. The debacle about Exeter 18 months ago, massive press interest, massive public interest, so when people become aware, they become interested. It's a knowledge issue. If you think there's nothing out there, there's nothing that holds your interest. The moment that you see it and you can engage with it, and with the more modern stuff that really fits into people's ancestors and the idea of family history, it's even closer because I'm sure there's people in Plymouth who are related to the crew of the Exeter. It brings it home to people. They can realise what their relatives went through or their ancestors went through. So, once people, in my experience at least, become aware of this heritage, they give it immense value, but prior to that knowledge, I don't think they even know it's there.

JUDITH ROWBOTHAM
Again, the out of sight, out of mind.

DAVE PARHAM
Yes.

JUDITH ROWBOTHAM
Mike, would you like to say some more on that?

MIKE WILLIAMS
I think there's an inherent public interest. Like everything else, I think it operates on different levels. I think there is a general interest and that has fuelled the public reaction over events such as Exeter and [inaudible] wrecks. I think, however, that then becomes yesterday's news to a lot of people. There is genuine interest, but it is transient. There are a few people who are interested, for particular reasons, often family history reasons, who I think will then take that slightly further. I think with younger audiences, there are some people that capture an interest and that may well be a lifelong interest in history and maritime history and then some of them may even go into a career. I think it's impossible to generalise at a particular level. I think there are different levels and I think you have to cater for those different levels.

JUDITH ROWBOTHAM
What exactly do you mean by cater for those different levels?

MIKE WILLIAMS
I think what I mean by that is that you ... I think it's incumbent on institutions like the museums, the archaeological community, the academic historical community and even to some extent, commercial publishing history concerns to cater for those different levels. So, as Harry said, you use social media to get the news out, that's one level, but then I think that museums and universities and publishing houses have a duty to cater for people who want to take it further. There's nothing worse than having your initial interest sparked by something on a BBC news website and then suddenly you find difficulty going any further. So, it's providing avenues at different levels, I think, for those different levels of interest. I would add there, I'm sure Harry definitely will correct me on this one, but I do wonder about the Department of Education. I think that's still its title, and its attitude to history in the school curriculum.

JUDITH ROWBOTHAM
Harry, do you want to continue on that point?

HARRY BENNETT
Yeah. I think I'd extend it and try and put some sort of ... maybe some detail on it, maybe some figures because I think, yes, there are two distinct audiences beyond the academic and beyond the professional. Most of us in this room are the academic and the professional audience. Yes, you do have within the wider community, a kind of caucus of individuals there who are former seafarers who are very interested in the maritime world who might be described as, by orientation, very naturally
interested in maritime history and heritage. And beyond that then, yes, you do have those individuals who are interested in this particular field because in tracing their family tree, they’ve discovered that their ancestor was on HMS Exeter or was on the Prince of Wales or the Repulse. The thing is we might actually very quickly under-sell the value of that.

[Recording interrupted]

SIR ANTHONY DYMOC\[Recording resumed\]K … I think when you watch the ‘Last Night of the Proms’, Rule Britannia, the sea-shanties, there’s a sort of hint of residual empire that might be picked up by the younger generation now, but that’s fading fast and I don’t think we’ve got a sort of press button issue for the Royal Navy, for the growth of the empire. The importance of international maritime trade will become a much more educational, intellectual process and not a visceral one as it was for my generation.

HARRY BENNETT Can I just answer that point?

JUDITH ROWBOTHAM Yes. Harry Bennett.

HARRY BENNETT Literally, while you’re speaking, I’ve now got the capacity … you raised U-101, I’ve now got in front of me, thanks to the marvels of the internet, a list of every vessel that that U-boat sunk, every commander who operated that U-boat, all the postings, total tonnage sunk, over 100,000 gross registered tons, this is what’s going to drive it, the increasing interest in this particular field, the ability to connect with it. Ten years ago, you needed to be a professional or go to the national archives or the national museum of the Royal Navy or the naval historical branch to find this material. Now, it’s here at the drop of, literally, a few keys on your mobile phone to get access to detailed information and understand the record. This is why I think it’s just going to get bigger.

JUDITH ROWBOTHAM But is it in fact, thinking about what the panel has said and in response to that second question, is this something which is finite? One of the things that I’ve always wondered … in the spring of 1982, I’d just written my PhD and I was walking Exmoor. I was staying with an aunt and walking Exmoor. In those days, I could walk. I got on the bus just outside Instow and the bus started at Ilfracombe in those days and ended up in Plymouth. A couple of stops further on, by Bratton Fleming, a couple of young men got on and they said “what time does this bus get to Plymouth?” — “6.30” — “well, we’ve been told that if we can get to Plymouth for six, we can sail with the Task Force”. Needless to say, I’m damn sure they made it. The bus driver simply said “don’t worry lads, we’ll get you there”, the bus breaks out into cheering, roars into Barnstaple, another bus is put on for passengers, it becomes basically a chauffeur driven bus to get them there. I get thrown off, quite literally, thrown off the bus at Westleigh Straight. By the time I’ve picked myself up, the bus is down at the end of Westleigh Straight. 

Dave.

DAVE PARHAM I don’t think so. I started diving in 1980 [inaudible], and everybody thought they were scrap metal, nobody was bothered about them, you could do whatever you wanted to them and the government were still
selling them for the price of steel. Now, they’re clearly heritage and their last resting place [inaudible] and also, I’m the son of a Second World War veteran and when I grew up we knew everything about the Second World War because the generation was still there. We knew most things about the First World War because the generation was still there. There’s nobody left from the First World War now.

JUDITH ROWBOTHAM Yes, there is. My aunt is 101. She was named Sybil after my grandfather who was then in command of HMS Sybil …

DAVE PARHAM Oh, ok.

JUDITH ROWBOTHAM Spelt the French way.

DAVE PARHAM As those generations … my father would’ve been 98 last … so as those generations go, and the Second World War generation will be gone fairly soon, all the things we thought we knew were definite facts, many of those things will have gone with them and we’ll be left with, initially, the historic record which the more you look at, even the record of the Second World War is incomplete. We mention the fact that people didn’t know everything at the time, not everything was recorded. Once those generations have gone, you’ve lost the ability to add to that historically that just leaves you with archaeology. A friend of mine, he was obsessed by submarines, he did his PhD with me looking at the latter part of the U-boat war in the Second World War and the misunderstanding that we had of how we defeated the U-boats at the end of the War, but by the discovery of the wrecks and working out what happened to them and where they lay, it gives you a very different picture to what occurred. So, maritime heritage, today’s maritime activity is the maritime heritage.

JUDITH ROWBOTHAM I’d like to bring somebody in from the audience at this point who has a comment or question.

MARTIN READ My name is Martin Read, Plymouth University. There’s an archaeologist called Chris Underwood who did some research into the public’s attitude towards heritage and if I remember rightly, what he found was that 90% of them were in favour of preserving land heritage, but only about 60% were in favour of preserving underwater heritage and it comes back to the [inaudible] and the knowledge of what is there. So, the reaction to hearing about these things out in the China Sea, by most people, was that they were appalled, but most people didn’t know about them. I knew about the Prince of Wales, Churchill had been on it a few months before, going out to Newfoundland to meet Roosevelt and he knew many of the people that were onboard when it sank. So, there’s a connection there that he would’ve had, but anybody that got that in the news would’ve been appalled about what’s been happening to some of the wrecks out in the Far East. But, 20, 30 years ago, on Dartmoor, to take an example, there were quite a few schemes and projects to try and remove the mining wastes from sites up there, tidy up your sites and make them look natural. Whereas now, a lot of money is going into preserving those sites as they are because they give information about the mining heritage. In fact, there’s a world heritage site. People have gone around trying to remove hulks from the tidal zone, or wanted to, but they provide interest, habitats and all sorts of other things. I’m sure in the future, 30 years ago there wasn’t a way of managing metal sites. Now, there are more likely to be. There are things being found that could preserve. Society changes and their attitude, so, the information thing, all that information is available
now and people will be more likely to care about things they know about and the techniques will be developed. They develop them to look after the pyramids, Machu Picchu, they can develop them to look after the things underwater as well.

JUDITH ROWBOTHAM: Thank you. Sir Anthony, have you any thoughts in reaction to that?

SIR ANTHONY DYMOC: No.

JUDITH ROWBOTHAM: Broadly agreement or …

SIR ANTHONY DYMOC: Yes. We use the word ‘culture’ [inaudible] a slightly higher level of discussion, some of it’s almost fashionable. You can be enthusiastic about an issue and capturing something for the long-term is a real challenge and I think that requires context. I think that’s why the academic community is so important, to be able to put things in context and try and convince people that you’re developing a higher level of truth, not just a sentimental response. I was quite intrigued by battlefield archaeology. Over time, some of the reports of battles where the gloss, the commander puts on how his team performed and how badly the opposition performed and all that, sometimes are a lie by the fact that the commander didn’t really know what was going on because it was shrouded in … he was over the hill or shrouded in smoke or whatever and digging up the field begins to show up things like buttons and shot and cannonballs and with a bit of a forensic approach, you can begin to see that the situation on the ground actually was not quite as it’s received wisdom, people were in slightly different positions and the ground, perhaps, was different because they’d done analysis of grains. At Waterloo, where you thought people were advancing up a visible slope, actually in those days, grain grew very high and if they took their hats off, most of them were hidden. All those sorts of things are only coming up virtually recently. I think history is never finished and I think our quest for true understanding is never finished and if we can follow that strand, sort of increasing the fund of human knowledge, rather than just grabbing temporary enthusiasm, is a great day out for the kids. I think we’ll have something important for the future. Sometimes you need to have a great day out for the kids in order to get the funding to do the research. So, it’s a sort of interactive process.

JUDITH ROWBOTHAM: Mike, Mike Williams. The challenge has gone out, if you like, for the academics.

MIKE WILLIAMS: I have to say I’m not worried really by this. I think it’s a couple of observations really. My wife and I went on a tour of HMS Courageous in the Dockyard, which was one of the nuclear submarines that was being kept by the museum in the Royal Navy and the first question really was … because there are, I think it’s seven, if I remember correctly, submarines of that class laid up there, and what everybody wanted to know is which one’s HMS Conqueror. So, there you are about to be taken around Courageous and everybody wants to know which of those other ones is HMS Conqueror because she’s the one that sunk the Belgrano, she was the first nuclear submarine involved in an actual operational sinking. I think, to me, that showed that a level of continuing interest in history isn’t just the First World War or just the Second World War, it isn’t even just the Cold War. So, I’m quite sanguine about the continued interest in history because whatever happened to our fathers or our grandfathers and our grandparents will continue to be of interest to successive
generations, so, the focus may move. I won’t be here to see it, but one day they’ll be celebrating 100 years of the end of the Second World War and then 100 years of the Cold War and that will be of interest, I think, to the generations that were there at that time. I think the second thing is, as we’ve already touched on, is we can bring … when you talk about preserving that Underwater Cultural Heritage, there are different ways of preservation. You can do physical preservation, that is very challenging, but you can also preserve through the record and through, these days, through a visual record, with the virtual reality diver trails. When I started diving, people would say to me, “what’s a wreck look like?” because most of the population couldn’t access it, but these days, all you’ve got to do is go onto YouTube, that’ll do it. So, I’m pretty sanguine about it. I think there’ll be a continuing interest in history, whatever happened yesterday is starting to be history, and I think we’ll have more and more ways of bringing that access forward. I think that is the least of our worries.

JUDITH ROWBOTHAM

How about you, Harry?

HARRY BENNETT

Well, to follow on from the comment you made about battlefield archaeology, there’s no doubt at all that the archaeology can help to qualify the stories which we have; the narratives that we have established about particular maritime invasions, certainly, during the Second World War and indeed the First World War. So, for example, we’ve only got to look at the wreck of the *Bismarck*, for example, where a debate has raged ever since 1941 about whether the *Bismarck* was actually scuttled by her crew or whether or not the *Bismarck* was actually sent to the bottom by the Royal Navy. It’s rather an academic debate, but certainly the wreck does seem to suggest potentially that the sea-cocks had been opened on the *Bismarck* by her crew, so desperate to escape the absolute hailstorm that the Royal Navy would initiate on her. They just wanted it ended. Also, that wreck, with damage to the stern section, shows what looks like a sort of structural weakness within the *Bismarck*, which actually seems to be common to a number of other German naval vessels of that particular vintage and it may be a further complication in why the *Bismarck* was lost. Look also at the sinking of something like HMAS Sydney that was lost in action with the German disguised raider. The Australians searched long and hard for her and when they eventually found her, they’d begun to piece together the nature of the action that took place between the two ships because ever since the Sydney went down, there had been allegations that the German crew actually may well have machined gunned Australian survivors in the water. It looks like that’s probably not the case and because of the way in which the Sydney went down, simply she went down with all hands in a fairly catastrophic sinking. That underwater archaeology can answer questions that we have since the Second World War and indeed since the First World War. So, the stories and the archaeology are never going to go away in terms of their involvements.

JUDITH ROWBOTHAM

We have a question on this side and then a question from the other side. So, if you can identify yourself.

IAN WHITEHOUSE

Ian Whitehouse, Royal Navy retired. I just want to touch on the human trait. From millennia, men and women have wanted to mark and visit the graves of their forefathers and that’s continued throughout history. Twentieth century warfare, the Commonwealth War Graves Commission
has marked the First World War and the Second World War dead very efficiently and effectively. We haven’t, until very recently, had the opportunity to mark and remember and potentially look at the graves of those that went down at sea and most of the Royal Navy memorials will say, ‘those whose grave is not known’, their graves are at sea. I think this is a new opportunity to mark and remember the graves and reflect that human trait, that feeling of desire of knowing where our forefathers are buried.

JUDITH ROWBOTHAM Any comment from the panel?

DAVE PARHAM I think that’s a very valid point. At the end of the First World War, for example, we didn’t know where these things were. They went out and they sank. Some just disappeared, some were sunk in fairly obvious conditions, but they didn’t know where they were largely, and it was almost impossible to find them. Since the Second World War that’s changed. In the last 20 years, that’s taken up tremendously and we now know where many of them are and a Royal Navy warship of the two World Wars is found, on average, once every six months. So, that opportunity is there now. The ability to manage that is much more complex because they are mainly not in UK waters. The issue with the Exeter being a classic one. Because it was found, it became a risk. It was found intact and 10 years later almost the entire ship was gone. So, the discovery gave the relatives the chance to understand where their ancestors were, but this discovery also led to the wreck site’s entire destruction. Even ones that are close to the UK, in the North Sea for example, we think of the scandal a couple of years ago about the recovery of material from the Queen Mary, even in European waters where you’re close to home, it’s very, very difficult. The discovery allows that connection, but it creates other problems as well.

JUDITH ROWBOTHAM Any other comment on that from the panel? Mike Williams.

MIKE WILLIAMS I think that’s a very valid point about relatives wanting to know. I think, Harry’s already touched on the driver of family history, which is a hugely expanding area, but I think there will always be an interest in the discovery of the unknown. I think we’re reaching a point where basically if a wreck is on the seabed, it’s not been covered by seabed movement and to some extent, even if it’s been slightly covered, it’s discoverable. I think the example of HMAS Sydney is a very valid one because you have to ... a lot of that funding came from the Australian public and you have to ask yourself, why did the people in a modern country, modern economy, relatively peaceful environment, once Australia had got past Vietnam, why did this grab the public imagination? Why did these people need to know about where Sydney was? That was the driver, that was initially the finder and not just what happened to her. The Australians poured enormous resources into that, first the Australian public and then subsequently the Australian Government, and there can only be one reason for that, because it was important to them. I think it’s that simple.

JUDITH ROWBOTHAM Any more from the panel on that? In that case, we have another question from the floor.

ALAN RAMAGE Alan Ramage. Just a bit of personal background. One of my grandfathers served in the Merchant Navy and was told by a neighbour that he didn’t realise that he had been filmed. So, he’s sitting on the side of his ship as it’s coming into harbour, the bows had been shot away and [inaudible]. A
neighbour of mine served in the Merchant Navy and he says that on Remembrance Day, the Merchant Navy doesn’t get a fair mention and I’ve looked at all the panel and Sir Anthony made mention of how much of our trade, 100%, came in by shipping, 95%, and one or two other people mentioned that, but ever since then, it’s been Royal Navy boats that’s been mentioned throughout and that imbalance is there and I just wondered if there’s an opportunity now to focus on restoration and protection of ships that have sunk, there should perhaps be one selected to represent the Merchant Navy and symbolise how much we relied upon the Merchant Navy for our survival in two World Wars.

JUDITH ROWBOTHAM I think, before I say anything else, that one of the reasons why the Merchant Navy wasn’t mentioned is because a witness seminar is narrow and finite, and the decision was taken, this time, to look at the military marine and that is why. I do sympathise, my first cousin, once removed, was on the Atlantic convoys and he was part of the naval escort. I’m well aware and I think quite a lot of people are, certainly the organisers of this panel, but that’s why the Merchant Navy hasn’t been prioritised because quite literally if you look at the name, it’s Maritime Military Heritage. It wasn’t intended by the organisers in any way to neglect or disparage.

ALAN RAMAGE I’m sure it wasn’t. It was just a fair question to ask.

JUDITH ROWBOTHAM Yes. If I could throw it open to the panel for any other response. Mike Williams.

MIKE WILLIAMS Judith is, of course, right. The clue is in the title, as they say, but I think it’s an extremely valid point. I think the American standpoint is the most informative. The Americans have this very strong concept of war veteran status and count all crews as war veterans, end of story. Recently, a couple of weeks ago, there was a report by a committee of the Canadian Parliament on the war graves issue. One of the recommendations there is that the Canadians need legislation and they said specifically along the lines of the UK’s ‘Protection of Military Remains Act 1986’, but it must include also merchant vessels. So, I think that there are technical reasons, I think, for that differentiation and some of them are legal, but I think we’re rapidly reaching a point where it is not, in policy terms, sustainable any longer to differentiate between the Royal Navy and the Merchant Navy. I was actually discussing this with a representative from one of the diving organisations over lunch and the point I made was, had I been given the choice, would I have preferred to have been in a convoy escort which at least had a chance to fight back or would I be happy plodding along, six or 10 knots in a line; I’d have settled for the convoy escort any day. When you read the accounts of, for example, the oil and petroleum tankers taking a torpedo hit, they’re just horrific. I think that recognition is long overdue. We do have one merchant vessel, the SS Storoo, designated under the ‘Protection of the Military Remains Act 1986’. I think that probably the fact it’s one, tells you everything you need to know about the differentiation.

JUDITH ROWBOTHAM Harry, I know that you ...

HARRY BENNETT And of course, to further complicate things, with defensively equipped merchant ships, DEMS, if you have a royal artillery crew on a merchant ship, which is over the 3.7-inch stern chaser to deal with U-boats, [inaudible] 20mm on the bridge wings and maybe a couple of Marlin machine-guns, a merchant ship very rapidly becomes an auxiliary warship
when you begin to look at it. So, the line is absolutely blurred to a really quite remarkable extent. Yes, these are merchant vessels, but actually they are warships in another form as well. So, I do think it is a real complication and I do think it begins to open up all sorts of questions about how we begin to define what is, purely a warship, and legal definitions.

MIKE WILLIAMS
If I can just come back in on that, the Storaa was designated after the decision by the MOD not to designate it was challenged in the High Court and the High Court found against the MOD. The MOD then appealed to the Court of Appeal and were unsuccessful. The court’s reasoning very closely followed the points that Harry had made there, in effect that the Storaa was what was termed as a quasi-warship, being in convoy, being defensively armed. I actually attended the hearing and one of the Court of Appeal judges actually made the point it’s very difficult to argue that she did not sink in military service, when 20 minutes before she was torpedoed, she was actually firing at a German torpedo boat. I’m really beginning to wonder whether it’s a distinction without a difference.

JUDITH ROWBOTHAM
Sir Anthony.

SIR ANTHONY DYMOCt
I think for the Second World War period, there’s no point in drawing a distinction between the value of a merchant ship, whether it was sailing solo or it was part of a convoy, it’s part of our military heritage in the broadest sense, but perhaps that window’s closing because the idea of a British ship now is a dated concept. Before the Second World War, the British fleet was probably about half the world’s tonnage, British officers, British crews, British built, British insured, registered and all the rest of it. If you wander down Southampton today and pick any ship irrespective of what flag it has, the ownership could be spread over a wide number of nationalities, the operator could be part of a global conglomerate, a crew of a relatively small ship like a tanker, say 35 crew, could have 11 or 12 different nationalities. The ownership of that vessel, the ownership of that cargo can change hands many times on voyage. So, when you find the remains of a modern ship on the seabed, what are you celebrating? The success of globalisation. It’s quite hard to invest in the sort of national significance, but I think, particularly which is addressing the military heritage. So, I think the pick-up of more modern and more commercial becomes more diffuse.

JUDITH ROWBOTHAM
I think we have some more interest from the audience.

KIM STEVENSON
Kim Stevenson. Can I make an observation really relevant? You might not be aware, some of you maybe, Plymouth City Council have given permission for the Merchant Navy Veteran Society to actually have an equivalent memorial on the Hoe, which is going to be the same size as the current memorial to the RAF for precisely the reasons that you’ve just been talking about. This is going to be the national memorial for the Merchant Navy, it’s currently being costed and being built next year. The only sort of downside is that the granite for it won’t be coming from Dartmoor. It’s being imported from China because apparently Dartmoor granite isn’t going to be suitable to actually put the statue of a Merchant Navy seaman in his wellington boots and his big coat. It’s going to be the same size as the current memorial that’s on the Hoe. So, I think that’s fantastic news and that’s going to be within the next 12 months or so. Hopefully that will give the kind of thing that we’re talking about, the
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<td>HARRY BENNETT</td>
<td>My puzzlement is the idea, if this is right, a national memorial because ...</td>
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<td>KIM STEVENSON</td>
<td>It’s a monument dedicated to the Merchant Navy.</td>
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<td>HARRY BENNETT</td>
<td>That’s at Tower Hill.</td>
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<td>KIM STEVENSON</td>
<td>It’s on the same equal footing on the Hoe as the RAF with the airmen on the top because there’s a feeling that the only kind of monument or place for Remembrance Day in Plymouth is somewhere down the back on the Barbican and all the traffic ... they can never actually have a proper ceremony down there by the Barbican because there wasn’t the big space and they’d always been denied access to the Hoe on Plymouth’s annual Remembrance Sunday parade. So, this is to equate it with the Royal Navy.</td>
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<td>ALAN RAMAGE</td>
<td>Thank you for that.</td>
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<td>DAVE PARHAM</td>
<td>Can I make a quick comment on that?</td>
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<td>JUDITH ROWBOTHAM</td>
<td>Yes, please do. DAVE PARHAM.</td>
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<td>DAVE PARHAM</td>
<td>Since its foundation, about 1509, the Royal Navy has lost just over 4000 warships over 400 years. The Merchant Navy lost almost that number in the Second World War. So, if you think of the scale of what is out there, we’re very focussed on merchant vessels. Royal Navy warships are unusual in terms of wreck finds, merchant vessels are exceptionally common. So, in terms of resource issue, the Merchant Navy, for bad reasons, is very well represented in a big part of what we have left.</td>
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<td>JUDITH ROWBOTHAM</td>
<td>I’d like to pick up and focus on something which has been mentioned several times encapsulated by the example of HMS Exeter, what does the panel think needs to be done, is sufficient practically speaking, being done to safeguard through legislation, government policy, our maritime military, in all its sense, heritage and what do you think is driving the current choices that are being made by government, not just necessarily the British Government, but other governments? Could I perhaps turn to you, Sir Anthony?</td>
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<td>SIR ANTHONY DYMOC</td>
<td>Government funding is not enough. I might slightly base the question as to what’s changed because it’s becoming more urgent and we’ve already discussed the impact of technology. Stuff that was undiscovered, is now being discovered. Stuff that was inaccessible, is now accessible and you need to start taking decisions if you want to protect it, how do you protect it? Whose job is it to protect it? My experience with Europe and the US is that every nation addresses its maritime administration, whether with trade, security or cultural heritage protection, does so in a slightly different way. If a new requirement arises, it puts an obligation on government. The government departments say that’s not my job or it could be my job, but I’m not currently funded to do it and in practice, things maritime don’t sit under one government department. So, the Department of Culture has existed to preserve things that are already identified as being insured. The Department of Defence exists to operate what already exists on the ground, it already exists in terms of fighting capability. So, the question is, whose job it is to better protect Underwater Cultural Heritage? It’s a different answer in each country. That’s not totally surprising, lots of things differ from country to country. But, the key issue about things maritime is that the High Seas are an ungoverned space. There is no international law at sea beyond territorial waters. There are conventions, treaties and claims to ownership, but...</td>
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there isn’t a regulatory framework with policemen on the beat who can grab a naughty treasure hunter by the collar and arrest him and charge him. So, you have to decide both how you deal with your domestic set-up, as each country’s different. It’s not as big a problem for the Swiss as it is for the Spanish, the Portuguese, the Dutch, the French and the Brits, who have had empires in large numbers of ships. So, each are addressed in a different way. I’d say in Europe, there is a real shortage of funds and people taking a minimalist approach and a reactive approach. So, when this hits the newspapers, you have to respond, but there’s not a lot of pro-active work going on yet because the funding of those responsibilities are often unclear. I think one country where it clearly works very well is the US where it’s a combination of tradition, of what is essentially an island nation, how they feel themselves and a reverence for the US Navy and the history of John Paul Jones. They are surprisingly Navy conscious, preserve what they’ve got. There are more battleships preserved in the US than in any other country. There’s a sort of sufficient sponsorship money available to keep quite a large-scale operation going. That doesn’t apply in most European countries, including our own. So, it comes down to what’s a question of priority and we’re certainly actively looking at how we can better carry out surveillance and create deterrents. Probably the best form of protection is to leave it where it is, unless you’ve got a good plan to recover it, which is amazingly expensive. If you can’t recover it properly, you shouldn’t be fiddling with it. But, we need to have a more co-ordinated, prioritised, approach to that and if there are bodies of sailors in that, then it deserves a special status. You think it’s a war grave, actually it’s not, it’s the last known resting place. It isn’t the same as one of those beautifully kept Commonwealth War Graves Commission graveyards with an ongoing responsibility to maintain. It’s a sort of case-by-case, one-off minimalist issue with a degrading aspect because anything from the First and Second World War is rusting away. So, I think we’ve got an urgent problem. We have a co-ordination problem with our own government departments and internationally, there’s no common approach.

JUDITH ROWBOTHAM

MIKE WILLIAMS

I think there’s two aspects really to this issue which is first of all, do we have a satisfactory legal framework and then is that legal framework being efficiently applied? You take the first question, do we have a satisfactory legal framework, the answer is probably yes, just about, to definitely no and that’s three comparatively conflicting answers, but they aren’t. The reason I say that is because you’re dealing with, by and large, three jurisdictional zones. You’ve got territorial waters, you have the UK’s exclusive economic zone, and continental shelf which goes out to where we bump up against other countries equivalent, or in the north-west of Britain, we’ll go out, we allege, to 350 miles and then you’ve got beyond that. You’ve got the High Seas or other countries maritime zones where we have limited rights. In terms of the territorial waters, we’ve got the ‘Protection of Wrecks Act 1973’, ‘Ancient Monuments and Archaeological Areas Act 1979’, you’ve got the ‘Protection of Military Remains Act 1986’ and we’ve got marine licencing under the ‘Marine and Coastal Access Act 2009’, which has been operational since 2011. So, I think within territorial waters the regulatory framework is fragmented because each of those
Acts have different departments looking after them and then merchant ships come under the Department of Transport. I think, by and large, you are not going to see within territorial waters the large-scale commercial looting that you have seen with the Jutland wrecks and with Exeter, so, that gives us probably ‘yes’ in terms of the framework. It is probably adequate. You move out beyond territorial waters, out to the limit of the UK’s continental shelf or where it bumps up against other countries waters, and you’re down to marine licencing, but that’s pretty effective if it’s applied. There’s been some recent prosecutions. I’m delighted to say that one of them involved a Dutch company which was, we suspect, heavily involved with the looting of the Jutland wrecks. There was a photograph there of one of the Dutch salvors with the crest of HMS Queen Mary, on display. Some of you may have noticed it and that concern was picked up by Royal Navy Fisheries Protection vessel, HMS Severn acting together with the Marine Management Organisation. And there was a high-profile prosecution for recovery of a copper ingot cargo off a merchant ship, which was, I believe, a First World War casualty and a very hefty fine and confiscation of the cargo, which alone, I think, was worth about £650,000. I don’t know, but I would speculate that that vessel and that company was a vessel of interest and persons of interest, as it’s termed, to the UK authorities because it’s involvement with the Jutland wrecks was known. That adds a lot of value to the prosecution because it sends a message, we know who you are, we know what you’re up to and we’re keeping an eye on you. That is an enormous deterrent effect on top of the conviction and the sanctions. It’s probably adequate, is the way to describe it. Then you get beyond the UK marine area and that encompasses things like the Jutland wrecks and Exeter that lie in other countries territorial waters or continental shelf and there is really no regulatory legal framework. That is a major omission. There is no international convention and that is a real handicap and it’s an omission in the international legal framework that really needs fairly urgent addressing. There are various mechanisms, legal mechanisms you can use, but they’re not specifically up to the job and it’s something, I think, which needs addressing, and it’s not the other side of the globe, it needs addressing in the North Sea as much as it needs addressing in the Java Sea. So, that’s the state we’re in without legal frameworks, the question then becomes, are they efficiently applied, and I think the answer to that is probably not very. Interestingly last week, the Law School here, completed a project for Historic England and it was specifically on enhancing the protection of Underwater Cultural Heritage. But, Historic England remit goes out to 12 nautical miles for English waters only and it doesn’t administer the ‘Protection of Wrecks Act 1986’. So, we couldn’t go beyond 12 nautical miles, we could only look at English waters and we ignored the bit about the 1986 Act anyway. [Note passed from Jason Lowther] I’m reminded we also pointed out that Historic England hadn’t got any boats to enforce it anyway [laughter] and were rapidly shutting down their marine units. However, that brings me to another point, are the various departments joined up and applying the legislation? I think the answer is, at the moment, no, not really. Are they aware of it? Yes. Are they addressing it? Yes. But, to give an example, one of the things that we discovered is that the concern that the police units are being shut
down, the marine units and the capacity to enforce the ‘Protection of Wrecks Act’ is probably misplaced. It’s true that the police units are being shut down or declining, but the Border Force are having a whole new fleet of inshore patrol vessels. The Royal Navy’s Fishery Protection Squadron will eventually go up to five with its very new and more capable vessels, although I think two of them are going to be overseas, so, we’ll be down to three, but they are bigger and far more efficient than their predecessors. So, actually they’re increasing the marine resource. When we interviewed the Border Force, they said “yes, we’re very happy to help and we can observe, and we can go alongside and ask questions, but we can’t intervene because we don’t have any legal powers”. Then we discovered, something we didn’t know about, which was the ‘Police and Crime Act 2017’ that gives the Border Force all the powers of a police constable investigating offences anywhere in England and Wales. So, even the Border Force didn’t realise, or the particular people we interviewed, did not realise they had the same powers as the police force and they could stop and search. They thought there was an Underwater Cultural Heritage [inaudible]. I think really the fact we had to stop at 12 nautical miles, when we would very much liked to have gone on to the UK marine area, we would’ve liked to have looked at Scotland and Wales, the fact that Border Force apparently, at an operational level, were not aware of this marine enforcement powers, as they’re termed, that does suggest that in terms of joined up government, it’s not altogether working as well as it could. We also found that there were a lot of ad hoc arrangements with joint working, but it wasn’t institutionalised and one of our colleagues, Sarah, who is sitting here in the audience, did all the interviewing and then a few weeks later she had an email or a phone call enquiry saying “somebody’s reported an Underwater Cultural Heritage crime to us, who do we contact? What do we do? Can you help?” I think what that points to is not a lack of willingness, not a lack of awareness, it’s a lack of procedures, it’s a lack of joined-up working. These things don’t happen by accident, they’ve got to be worked on. The encouraging thing was that everybody that was interviewed was saying “yeah, it makes sense for us to get involved, it makes sense for us to be working”. Our anticipated reaction, and that actually of Historic England, when they were thinking of commissioning the project, was, you’re going to go out to all the organisations and you’re going to say we’d like you to do some additional work for nothing and what do you think they’re going to say? You have to say I think they’re going to say “yes, don’t call us, we’ll call you”, and actually it was the opposite. It was “yeah, we’ve got our operational priorities, you’ve got to be aware of that, you’ve got to respect that, but we’re out there and why not make use of us?” Yes, actually numbers are important. We didn’t have to spell out the importance of Underwater Cultural Heritage to these other bodies who are out there. In the case of the Royal Navy, I suspect that’s not surprising because I think it was Admiral Cunningham, Harry will probably correct me again if I’m wrong, who was watching most of his cruisers and destroyers being bombed to bits, but insisted on taking the army off of [inaudible] 41 because as he said, “it’s three years to build a ship, but 250 years to build a tradition”. The Royal Navy, its moral and values are very steeped in heritage, but we had police units, we had Border Force, we had
Inshore Fisheries and Conservation Authorities say “yeah, this important, yes, if we can do anything to help, within limits of our resources, we’re up for it”, which I think also perhaps reverts to what we were discussing earlier. So, I think in terms of the international situation, the legal framework is dire and more and more I think we need regional agreements and eventually I think we need a support convention on this. I think in terms of the UK marine area, we can cope with what we’ve got provided there is more joined-up policy, provided there is more joined-up working, and do I detect a willingness for that from government department? Yes, I do, absolutely. I think there is absolutely no question about that. The other interesting thing is recently MAST and the Law School developed the Underwater Cultural Heritage policy for British Antarctic territory and one of the issues there, of course, is enforcement. How do you enforce halfway across the globe? The answer to that, by and large, was “no problem” because we’ve got the technology to do it and that is centred around the National Marine Intelligence Centre, in Portsmouth, NMIC, and that’s an example of 21st century technology, while it’s posing a threat to Underwater Cultural Heritage, it’s also giving us the answers, if we take them.

JUDITH ROWBOTHAM
Thank you, Mike. Could I go back to Sir Anthony and then to Dave?

SIR ANTHONY DYMOCK
One of the problems is that the protection charge-sheet for interference with Underwater Cultural Heritage is pretty thin. There isn’t a crime of unauthorised interference with a wreck unless it’s been designated, unless it’s a warship claiming sovereign immunity. Most of the prosecutions have to be arranged around subsequent activity. So, having taken something from a wreck, if you bring it ashore, in England you’re obliged to clear it with the Receiver of Wreck, not to do so becomes a crime. If you try and pass it off, it’s come in from a wreck that was perhaps outside territorial waters, then you’re guilty of fraud and in some cases it’s a matter of theft, as it shows up on the internet for sale and it’s obvious come from a wreck, but you can’t actually provide the evidential trail. So, to have a successful law enforcement system, you do need a good charge-sheet, which people are aware of and are deterred from acting against. At the moment, particularly on the High Seas, and to a lesser extent on the EEZ, is the number of loopholes. So, depending on the nationality of the vessel, the nationality of the owner, where they bring it ashore, there’s plenty of scope to escape being charged and that’s an area where we need to do better both nationally and a slightly tighter legal framework and also perhaps creating an international legal convention for the protection of Underwater Cultural Heritage.

DAVE PARHAM
I think there’s also an issue of value with these things. I think we’ve realised already that we value Underwater Cultural Heritage, but we’ve not always made that obvious to people. In talking to the Dutch about wrecks in the North Seas and the Indonesians about British wrecks in the Java Sea, it was very clear that they thought the British didn’t really care. People have been pinching things off Jutland wrecks for decades, nothing’s been done to stop it, therefore you don’t care. Exactly the same expression from the Indonesians, who I thought summed it up vividly, by saying over Exeter, “you come here once every 20 years, you throw flowers on the sea and you go away, you’re not really bothered about it and all the time you’re not here, people have been taking small things off
the wrecks and eventually it’s disappeared, we don’t value them because we don’t think that you do”. If you can convince others that those were of value to you, then we’re likely to give those objects value themselves, but while we give the impression to the rest of the world that we’re not really bothered about it, they’re not going to give them value as well. So, it is about make a statement as well as physical acts and legal acts.

JUDITH ROWBOTHAM

Harry.

HARRY BENNETT

A number of small points really in terms of how we establish that value and one way in which we establish that value is perhaps by maritime presence and with perhaps the re-invigoration of the Royal Navy east of Suez with the Type-23 going to be based in the Middle East, the Type-23 going to be based in Japanese waters. Our presence within waters far from home, I think, is going to increase and that may do something to make us perhaps more visible and to perhaps suggest that interest. How we proceed beyond that point, I don’t know, but clearly perhaps we face a number of difficulties in that one way to proceed potentially would be to really take a particular example and to hammer home to the international community by making serious waves over an issue in terms of the damage to a wreck in order to impress the others perhaps. Perhaps that’s one way to go. But also, perhaps, rather closer to home, I think, one of the things that we’re touching on perhaps in part is the issue of enforcement and awareness. The one thing, I think, that may be a game changer here, certainly closer to home, is the coming onstream of the RAF’s P-8A Poseidon maritime patrol aircraft which will give us a sort of much greater, hopefully, a much greater presence in terms of covering the North Sea and in terms of the Celtic Sea and various other places. In other words, it’s a lot quicker to potentially cover sea areas using aircraft than it is using vessels. That may, hopefully, if they’re sufficiently sensitive in terms of looking out for people who are up to no good, as well as Russian submarines, allow greater prosecutions closer to home. So, it is problematic, but I’d be interested to know what people think. How do we register that we are concerned, and we are prepared to take action, especially in a post-Brexit Britain when Britain’s going to be looking for trade deals and the idea of actually rocking the boat with potential trade partners may not necessarily be warmly thought of?

JUDITH ROWBOTHAM

Mike, I think you have a point about that.

MIKE WILLIAMS

Yeah, first of all, I think Dave is absolutely correct and you can understand, in a way, where the Indonesians are coming from. I think actually, perhaps it’s more informative not to concentrate on Exeter, which is difficult, given the photograph behind us, but actually, Exeter was sunk in the Battle of the Java Sea and it was a very hastily thrown together allied fleet, which inevitably didn’t function very well for a number of reasons, not least because they didn’t have a common communication system. One of the vessels sunk was a Dutch heavy cruiser, De Ruyter, and an Australian cruiser, ex-Royal Navy cruiser, HMAS Perth. The disappearance of the Exeter, the discovery of it, was triggered by the fact that the Dutch went out to film De Ruyter and discovered it had gone, like Exeter, completely, it was just a hole in the seabed. Prior to this, the activities of the Dutch salvage company had been known in the North Sea and the attitude of the Dutch authorities had been, shall we say, less than vigorous. Following the disappearance of the cruiser, the De
Ruyter in the Java Sea, there was an outcry in the Dutch Parliament, there was a public outcry and some of the MPs in the Dutch Parliament made the point that there was a degree of hypocrisy here in the Dutch, decrying the disappearance of the De Ruyter when they had declined to do anything about the looting of the North Sea wrecks. So, I think one of the drivers here clearly is public opinion. I think also, however, you have to bear in mind that there are limitations on government resources. Government departments work behind the scenes. There was one person in Navy command responsible for this. I think I'm correct in saying there are now more, but the resources for the action have to be found and therefore it's a question for government departments of how much value does society place on this? At the end of the day the MODs function is to protect the country, it's not a heritage department. It does take responsibility, to an extent, for its military heritage, but how much resourcing itself gets, is a reflection of society's concern about the issue.

**JUDITH ROWBOTHAM** Something I know very well, when I was trustee of the RAF museums in Hendon.

**MIKE WILLIAMS** So, I think it’s very easy to say what are the civil servants doing? The answer is the civil servants are doing the best they can with what they’ve got and what resources they get is a political decision. I think also, the MOD, like a lot of government departments, operates behind the scenes and I don’t mean in terms of spooks and military intelligence, but they will be quietly engaging with countries and they very effectively engaged with the Indonesians, who are now onboard. They’re very effectively engaging with the Malaysian authorities on the Repulse and the Prince of Wales, and inevitably those conversations have to take place quietly behind closed doors, but it doesn’t mean they’re not taking place. So, I think it’s a question of, how can I put it, constructive passion on political leadership to give government departments the resources to enable them to join up and that, I think, is the part that civic society can play.

**JUDITH ROWBOTHAM** A very brief comment from Harry and then I’m going to go back to the audience.

**HARRY BENNETT** The difficulty … I entirely take onboard what you say about behind the scenes and also what’s going on within Whitehall. Of course, the political problem and we are dealing with a potential political problem here, that the politicians have to identify and have to guard against, is that sooner or later we have an incident in which photographs emerge of human remains from a British warship, receiving, shall we say, less than entirely respectful treatment. I seem to remember back in the 1980s headlines in ‘The Sun’ when gold was recovered from the cruiser Edinburgh and there were allegations that the dive team had not been, shall we say, entirely respectful to the human remains that were being dealt with. Now, one can imagine the political fallout from images emerging, so, this is the danger that the politicians face, in that at the moment it’s contained, but it can very easily become uncontained and become a media flashpoint if things work in a different way.

**JUDITH ROWBOTHAM** Thank you. Comments from the audience or questions. Yes, could you identify yourself?

**TIM ASH** Yes, Tim Ash from the National Museum of the Royal Navy. A few points, if I may, about the number of comments being made there. There was a comment about the Commonwealth War Graves Commission. We’ve had
some discussion with them and informally their advice to us was when they were established, and bear in mind their constitution is international, it’s not British, the sailors, their remains are at sea and they’re left at sea, therefore the Commonwealth War Graves Commission has no mandate and cannot easily get one for remains at sea. However, the minute they come ashore, they engage very quickly and that’s exactly what’s happening in Indonesia, so, they will do that, but they have no mandate. They’re there to help when they can. I think the human remains one is interesting. I’m not a lawyer, but the advice we’ve been given is that what legislation exists for the protection of military underwater culture is primarily to protect human remains and that’s the argument that we’ve been using. I don’t think we’re actually that clear these days on what we’re trying to do in preserving our art and water culture because it’s set up to preserve human remains and not for the ships, that was just scrap, but actually now we do want to do that. We still have a value for human remains, but some of us want to bring them ashore now rather than leave them at sea, which is what customarily we’ve done well before the Navy was established in King Alfred’s time. Four or five years ago, if any of you know, the bell from HMS Hood was recovered to huge criticism, but actually was very successful and put on display in Portsmouth, which a lot of people respected at the time. I think the other thing about the government is that it is changing its approach on how to handle these things. It’s had a very anal approach until now, using bits of paper and a pair of binoculars. It’s much more open now, listening to other technologies, which are not [inaudible] technologies like satellites and commercial resources. Of course, until very recently, but even still, the underwater cultural community is aghast to anything which has a commercial rift to it. So, and unfortunately, it’s the commercial solution that is probably going to give us the results that we want to preserve with archaeology. So, it’s something we’ve got to get over, I think. I’m not condoning it either way. It’s just that the conundrum for government is how it takes this form because it has no money and if you don’t want the commercial sector to help, how do we do it?

JUDITH ROWBOTHAM Any comment from the panel?

HARRY BENNETT One thing I’d say is I think even organisations like the Commonwealth War Graves Commission, which is effectively a branch of Her Majesty’s Government, perhaps aren’t always the most, shall we say, determined and pro-active defender of some of the cultural heritage that we’re interested in. I’ll point this in the direction of the old British naval war cemetery at Weihai-Wei, which was vandalised during the great proletarian cultural revolution and which contains several war graves, which do fall under their remit. Their remit is very specific in terms of dates as well as a large number of graves which fall outside of that period. Certainly, the gentleman I talked to in Plymouth whose father was interned in that cemetery feels that Her Majesty’s Government haven’t done enough to raise with the Chinese Government what happened to that cemetery and the graves contained within, and also related to that, the human remains of the submarine, Poseidon, lost in 1933, which seemingly was salvaged by the Chinese in the 1970s. So, I take onboard everything everybody says, but there is this kind of issue about whether or not we’re willing to sort of take steps to defend these kind of cultural
remains, even when potentially the fallout from it can be really quite traumatic.

**JUDITH ROWBOTHAM**

Anybody? Sir Anthony?

**SIR ANTHONY DYMOK**

Yes, I think that the commercial point that Tim made is very important and is really rather under-developed. It came to light recently after Paul Allen, co-founder of Microsoft, died. He had invested a lot of his personal money in a very capable research ship and had carried out quite a lot of responsible recovery work which was not motivated by immediate commercial gain. There are other companies that have been entirely motivated by commercial gain. They would get the gold out in the quickest, most economical way. The commercial sphere is offering great potential because there’s lots of underwater work. It’s carried out in a very similar way to that which you might carry out in support of Underwater Cultural Heritage. So, as the commercial sector gets bigger, it needs to be able to operate in a framework that fits our values, the international and domestic legal framework and the longer-term interests of heritage protection. We can’t just shut them out and say you’re not allowed to touch anything, because we can’t enforce that. You can see what’s happening in space with gradual commercialisation, particularly the satellite sphere, there’s a huge acceleration and capability and governments no longer have the monopoly of the ability to operate underwater. The days of the government in the US, allowing Howard Hughes to create an ability to recover a lost Soviet submarine are long gone, but there is lots of underwater activity going on. It’s not the 95% of trade going by sea, it’s 95% of the world’s international internet traffic going by sea. People think that your internet, the cloud is up there, it’s not, it’s down there in fibre-optic cables which wrap around the world many times over and the technology that puts those cables down, mends them, locates them and increasingly incepts them is exactly the sort of technology of interest to us involved in Underwater Cultural Heritage. So, the capability’s out there, it needs to be incentivised, harnessed, regulated and motivated to support the values we’re expressing here. The fact that, historically, that was entirely linked to government, is no longer the case. We need to recognise there’s an important role for commerce, that we need to find a way of harnessing it and incentivising it. It’s an area where we’ve done very little work and there’s huge potential.

**JUDITH ROWBOTHAM**

Dave.

**DAVE PARHAM**

I think the archaeological objection to commercial work isn’t that the use of technology as Paul Allen has done, as we saw with the work in the Black Sea that was on the news last week, the objection in the past has been to the commercial salvage and sale. There are two reasons for that objection. One is excavating the site and then disposing of the entire archive of the sale, which is an ethical consideration of the use of archaeological things. The other one is more pragmatic. I cannot think of any that have actually got far on the profit and have worked, and I’ve dealt with the fallout of at least two of these in my career. That’s been proposed as a solution, one of them being at Hanover, just off the coast of Cornwall, which failed spectacularly, involved people going to prison and the archaeological community had to put in not inconsiderable funds to actually publish the work that had been conducted on the side and get some of that material into the museum in...
Falmouth. So, the objection isn’t the use of commercial technology, the objection is that effectively it is the mining of archaeological sites, be they at sea or on land, the sell-off of the objects that come from them. The other thing to think about is that, although people will tell you that objects from shipwrecks have immense value, if you look at the auction prices of these things, they don’t. Nobody is interested in scrappy bits of brass that’s come from a shipwreck. When it comes to selling them or when it comes to gaining investor’s money at the beginning, the story is a bit different. The technology that comes with the commercial industry, I think, is good. The approach of funding archaeologists for sale of provenance, just doesn’t work.

JUDITH ROWBOTHAM

Any other issues? Could I invite you to speak sir?

MIKE BREWER

Yes, Mike Brewer, I’m Devon and Cornwall Police. I was one of those interviewed by Sarah for your survey. So, I’m looking at developing a policy for Devon and Cornwall Police and how we deal with heritage crime in general. I was particularly struck, looking at the examples next door about the ship’s captain who was found in possession of £50,000 worth of, I think it was tin ingots, he got 150 hours community service, which seems to me, no deterrent factor at all. I was just wondering what evidence is there, that we, as police can do, with the investigations. From our point of view, the Crown Prosecution Service is our prosecution authority who are under a lot of pressure with all the other crime that they’re prosecuting. One of the things that I want to look at as well is public interest and whether there are any examples of where the prosecution service has seen heritage crime, particularly maritime or whatever, on their list of how they see it, whether some of them actually think it’s a priority and do they have the experience, because I don’t know how many prosecutions we actually have as to whether we’ve actually got the experience and knowledge and if you like, as I say, to actually want to deal with it. And also, whether the judiciary will also actually see this as being a crime with priority as well. So, it’s just really beyond the work we do, what the prosecution authorities, what their view is of heritage crime and the judiciary as well.

JUDITH ROWBOTHAM

Mike.

MIKE WILLIAMS

Yes. I’ve also got some other points to come back to, but I’ll deal with this first.

JUDITH ROWBOTHAM

Yes, fairly briefly because time is getting on.

MIKE WILLIAMS

I think your concerns are well founded because I think what came out in the interviewing ... Sarah did the interviews, so I’m relying on Sarah to intervene if I’ve got this wrong here, but there’s no tags, specifically from the Water Heritage time in recording. I think the Crown Prosecution Service are unfamiliar with it, they’re unsure and I think these are the sort of procedural changes which could be introduced without a huge shift in resources. Police priorities lie elsewhere at the moment, particularly offences against the person ... today the newspapers are full of a knife crime in London and you are competing for resources. I think that some prosecutions have been very successful lately brought by the Receiver of Wreck, the Maritime and Coastguard Agency. I think those were brought without the police prosecuting because I suspect there was a degree of unfamiliarity with it. But those are things that can be addressed with protocols, with introductory policy changes. I haven’t had sight of the
I think the Receiver of Wreck here wants to come in and she'll have a much more informed response.

ALISON KENTUCK

I'm Alison Kentuck and I'm Receiver of Wreck for the UK. I just want to come in on the points relating to prosecutions and CPS etc. So, we have collected quite a few successful prosecutions now. We are a prosecuting authority, so we are not required to go via the CPS. However, our most recent prosecution, we did partly to take the pressure off a relatively small team within the MCA and because we chose to go down the route of fraud, rather than specifically Merchant Shipping Act offences. In terms of the CPS, they do have specialist crime teams and heritage crime is one of their specialisms, not specifically maritime heritage, but heritage crime in general. So, whichever regional branch of the CPS you're going to, there should be somebody who is a heritage crime specialist or has some knowledge of it, and this is something that Historic England, English Heritage as it was at the time, has started to put together over the last five years or so and they've been really active in working with police forces and the CPS in general. So, most police forces now have a heritage crime liaison officer who, in theory, knows more about heritage crime than anybody else, so should be the one that somebody goes to if they have problems. In terms of our own prosecutions, we have always done those in conjunction with the police force. It has been Devon and Cornwall police, it has been Kent police, it's been Essex police, it's been Sussex police. We have worked with all of them and they've been incredibly helpful. Mainly though, once the evidence has been gathered, they then come to the MCA and we then carry out the remainder of that, put the case files together and bring the prosecution ourselves. For our first couple of prosecutions, we stuck with Merchant Shipping Act offences and there were over 60 offences on the charge-sheet for two individual [inaudible] and over the course of a number of other prosecutions, we have refined how we do that now. So, we're generally looking at fraud, rather than Merchant Shipping Act offences and we are generally looking at grouping those together. So, the most recent prosecutions, there were five fraud charges in total, against two people and they got four years each. So, yes, absolutely, they were taken seriously by the court. It was a three-week trial and they got sentences for [inaudible] and then obviously, we get our costs back.

JUDITH ROWBOTHAM

I think there were some other questions or comments from the audience. I’m conscious that time is getting on, so I wonder if I could …

JASON LOWTHER

I’m just going to ask one thing …

JUDITH ROWBOTHAM

This is Jason Lowther.

JASON LOWTHER

Sorry, yeah, me, Jason. I’m just interested in the commercialisation aspect of it. There was the mention of Edinburgh as well, I just wonder if there’s any … the extent to which there’s any justifications to interfere with sunken military remains.

DAVE PARHAM

Edinburgh was done in 1980, if I remember right, when there was still a … I suppose the need to remove something military means they’re blocking ports and harbours and navigational hazards and ammunition hazards have largely gone, but that was done off a long tradition of that. It was also done in a specific way that minimized the interference with human remains. The company chosen to do it used saturation diving techniques.
that enabled, as far as you can do in those situations, to do a much more surgical approach to it. The other option at that time, which had been utilised on multiple occasions since the end of the war, had been to just blow the wreck open and grab everything up, which was the other realistic alternative at the time. So, the recovery of that gold was done in as sensitive a way as you could, bearing in mind the gold was within the bomb room which was full of explosives that could’ve had their own habit of going off and it was also done utilising people who were largely ex-Navy in the diving team and at the time it was the deepest diving salvage to date. In the last few years, there was a salvage of gold off a merchant vessel, whose name completely escapes me, a British one, the City of…

ALISON KENTUCK Oh, it was silver, the City of Cairo.

DAVE PARHAM Thank you. That one.

HARRY BENNETT The Gairsoppa as well, Odyssey Marine.

DAVE PARHAM Yeah, the Gairsoppa as well, both of those were merchant vessels. I think you’ve got to ask yourself the question, the British had to pay [inaudible] in those ships, but the money coming back was pence, in terms of the overall economy, what is the value of doing it? You’re gaining very little in terms of financial gain. The expert at the back will have a better figure than me, what was the money that came to the UK from the Gairsoppa?

ALISON KENTUCK It didn’t come directly to the UK. I think it was over £70M in total, but a percentage then goes to the owner and a percentage to the salvor.

DAVE PARHAM Yeah, so the percentage that came to the UK Government from that figure is relatively small. So, the commercial input to the Exchequer is very small, the destruction of a maritime grave site is immense.

MIKE WILLIAMS Could I just make a couple of points?

JUDITH ROWBOTHAM Mike Williams. Fairly briefly Mike.

MIKE WILLIAMS I think the advice that the Royal Navy has had from the lawyers, I assume, the Ministry of Defence lawyers, I think it illustrates part of the problem. The ‘Military Remains Act’ is primarily to protect human remains. The mechanism for the Act is to protect military remains and the chosen mechanism is to protect the aircraft or the vessel. It’s true that the initial motivation, the reason the government decided to act was mainly because of the activity of the aviation archaeologists who were recovering bones of air crew, but the Act isn’t centred on human remains, it doesn’t use, if the you like, the technical aspect of human remains, it uses the fact that it’s government property and it is the aircraft or the vessel itself. So, I think that in some ways an illustration of perhaps over-rigidity in that when you look at the Act itself in a different context, the language perfectly supports protecting the physical metal itself and not the human remains. Also, the other principle mechanism for protecting military vessels and aircraft outside of the UK marine area is sovereign immunity and that is a property based legal concept, it’s nothing to do with human remains. You can’t have sovereign immunity and human remains. You have it in the property of the Crown, the vessel or the aircraft and I think that’s one of the difficulties. The ‘86 Act was always intended to be applied in relation to human remains, but it doesn’t have to be. It’s flexible enough to take in the structure of the vessel or the aircraft itself. If you look at the non-statutory criteria for the Act, it actually refers to the cultural heritage value of the aircraft or the vessel in question. I think one of the difficulties is, when people over years and decades have been used...
to thinking in terms of legislation in a particular context, it then becomes very hard, we’ve always done it that way syndrome, to actually look out beyond it, but you can do. I think also what is terribly important is, again, when you move outside the UK marine area, is the attitude of the host country, Indonesia, for example, Malaysia, with Repulse and the Prince of Wales. The difficulty, I think is, that we’ve tended to be, as Sir Anthony said earlier, reactive, but we have a Royal Navy loss list, which was compiled by MAST and I think really what we need is a scoping exercise in which vessels do we think are most at risk and then a pro-active programme of approaching those host countries and saying “are you aware that we have these vessels, they are important to us and please can we have a discussion, can we come to some sort of arrangement, a protocol, an understanding, that in the future, perhaps you can help us by keeping an eye on things and letting us know”. That plus the satellite technology, which is coming forward, which we’re already using to protect wrecks in the North Sea and down to the Southwest Approaches and British Antarctic territory, using that as well. I think we’ve got quite a few tools actually, it’s not the insurmountable problem that sometimes people fear that it is.

JUDITH ROWBOTHAM
Thank you. I think there’s another question from the floor.

TIM ASH
Just another observation. It’s Tim Ash again. What we’ve not mentioned is people being concerned about the environment and in more modern wrecks, many of them still have a lot of fuel and are more concerned about the impact of that. I think it’s something, which I think is correct, the UK Government never loses responsibility for clear-up. So, there is some form of progress and discussion under that, hopefully, of getting the oil removers to look at the condition of wrecks.

JUDITH ROWBOTHAM
Any other comments from the floor?

ALAN RAMAGE
Alan Ramage. The question I’ve partly answered in my own head, by the representation of former colonies at the Cenotaph on Remembrance Day, but mention was made of Brexit and how that could affect sensitivity with the colonies in dealing with this issue and thinking about the Royal Navy, their significant role in enforcing the existence of the Empire, which has been seen, to some degree, as exploitative, how far has that coloured their attitudes towards the treatment of wrecks?

JUDITH ROWBOTHAM
Mike Williams.

MIKE WILLIAMS
I think the answer is not at all for entirely different reasons. I take your point and I think perhaps that for some countries that could be a sensitive issue and a potential obstacle, but to return to Tim’s point, the Prince of Wales and Repulse refuelled before they set sail. There is a very real danger that if they’re interfered with their fuel oil could leak and the clean-up costs have been estimated in the region of £60M. It’s in the Malaysian exclusive economic zone and of course one of the resources of an exclusive economic zone are the fisheries resource and fuel oil doesn’t do much for that. So, I think the answer to your point is, yes, it could be, but I think there are other factors, not always, but very often, present, that outweigh it.

JUDITH ROWBOTHAM
My cousin, by marriage, was our High Commissioner in Malaysia in the 1990’s and I’m aware through him of various things. I would be very surprised, and I think the Foreign Office would be very surprised to hear a comment that there was no such thinking. It may not be official, but you
cannot ignore the cultural aspects of diplomatic interchanges and the potential of war. A power, such as Malaysia, when it was, sees it as necessary to hold before the colonial power, which adds a degree of ransom. I can think of at least three incidents in the early ‘90’s where precisely that happened. So, I would be very surprised, in answer to your question Alan, if there was not a ... not officially recognised, but behind-the-scenes and under-the-carpet, an amount of discussion going on in that way. Any comment from this side of the panel? Dave Parham.

**DAVE PARHAM**

Just in terms of having spent a large part of my life trying to get the British Government to value British Maritime Heritage, I’m always surprised when I go abroad to see how much value British Maritime Heritage is placed in the thoughts of other nations, not only obvious ones like Australia and the US, but also places like Antigua or even Argentina, where Royal Navy wrecks, Royal Navy dockyards, are seen as part of their shared heritage and they value something they’re willing to spend national resources on to a much greater degree than we are here. We are stuck in this country with a plague of riches in that you can’t move in the UK for shipwrecks or ex-dockyards or whatever you want. So, it’s a much bigger issue for us, but it amazes me how much value others place on heritage, that we don’t always value that well.

**MIKE WILLIAMS**

I take your point Judith, but I think it becomes a question of competing concerns and I think the prospects of all that fuel oil leaking perhaps is of greater concern than the colonial history of the issue. One could even also argue that ... actually the point has been made to me, is that at the end of the day, the ships were sailing to defend what is now our country. For example, the Malaysians have made, as it were, some degree of concern of the colonial history that they ... a degree of concern of the conflict of the Japanese invasion and what that meant for them. So, I think there’s a whole mix of competing and conflicting interests. In some occasions, one will bubble more to the surface than the other. Fortunately, in this case, the Malaysians are taking the view that they have a commonality of interest with us.

**JUDITH ROWBOTHAM**

One of the things that I’d like to use as a final question to the panel, to begin to draw this to a close, was something that came into my mind as a result of thinking back to the days when I was doing my PhD and spending a great deal of time in the common room at the Institute of Historical Research. What was a regular feature of discussions with PhD students who were, in some ways, dealing with say Caribbean history or alternatively slavery history or generally the history of Empire and Navy, is that they were very frequently approached with tempting offers, PhD students not being notoriously rich, to hand across information about the location of vessels, the kind of research that would enable a salvage company a commercial operation to identify lucrative pickings. I know that that is still going on. A colleague who recently completed her PhD at King’s approached me saying she had just been contacted by an individual based in the Netherlands for precisely those purposes, particularly because she had done the work as part of her PhD on the recovery of the Edinburgh. Is that, do you think, a key threat that the ongoing hope of rich pickings or what do you think of a key, current threat beyond those that you have already identified like time, the decay of the wrecks and things like that, what else do we need to consider as key threats? Sir Anthony.
**SIR ANTHONY DYMOCK**

I think, obviously, positional information is extremely valuable and should only be released if the owner of that information is confident that it'll be used in a responsible way, which implies there needs to be a satisfactory surveillance monitoring and enforcement network in place. I think we're still in the stage of divers who have conducted their own research being very keen not to share that information because as soon as it gets out onto the internet, the World Wide Web, there'd be people racing to get it. I think those sorts of people are entitled to keep that information very tight in the wider interests of preservation until they know that there's a regulatory enforcement and a will to use it, in place. I think we're in the middle of that transition. A few years ago, people would not have had confidence in that. I think the successful prosecutions and the fact that people now are aware of what a satellite surveillance programme can do for you and the greater sense of the value of what's on the seabed means that we're moving to slightly more [inaudible] times, but we're not quite there yet and until we are there, people will need to be very tight about the condition of the wreck.

**JUDITH ROWBOTHAM**

Dave.

**DAVE PARHAM**

Souvenir hunting was extremely common. That's died off over the years, for a number of reasons. The main reason being it's now something you can be prosecuted for. There's also the situation that there's not that many souvenirs left anymore because they were all taken many years ago except for ones that are exceptionally deep or recently discovered. It's perhaps things like commercial port developments, dredging, according to the last source, they've probably got a greater chance of impacting Underwater Cultural Heritage than people salvaging the very few wrecks in the world that have actually got anything left of any value on them. The threat of dredging, added to the threat of commercial developments in Dover, is potentially endangering wrecks or aircrafts buried within the sands themselves. So, that's where you can destroy multiple sites, whereas salvaging, if you clear the entire wreck out, will only destroy one site. So, I see that as more of a threat.

**JUDITH ROWBOTHAM**

Harry.

**HARRY BENNETT**

Yes, I agree entirely with what Dave says. Fortunately, or unfortunately, as the case maybe, nobody ever approaches me with any lucrative offers whatsoever [laughter], so perhaps the days of the sort of ...

**JUDITH ROWBOTHAM**

You didn't do Caribbean history.

**HARRY BENNETT**

Obviously not. The World War II stuff I've done is clearly not of interest either. Maybe the treasure wrecks of modernity now are getting increasingly few and far between. So, maybe there will be a tailing off for that. I imagine much of it depends really upon the world price of scrap metal, as to whether somebody decides whether or not they want pre-1945 steel, which obviously has certain qualities, or whether or not they particularly prize copper from the boilers of some ship from the 1940's. So, I think keep an eye on the value of world scrap metal. It's probably one of the ways in which those wrecks may still be under threat.

**JUDITH ROWBOTHAM**

And Mike.

**MIKE WILLIAMS**

Yes, I think there is a class of Underwater Cultural Heritage that is under threat from these treasure-hunting firms, but it doesn't encompass military wrecks because they're not likely to carry cargoes and high value cargoes. There are exceptions, such as Edinburgh. I think the value of the
scrap metal within the wrecks, I think one of the condensers off the Queen Mary was valued at £60,000. They do have value and I think that is a risk. It will go up and down with the scrap value and presumably as we move further into the nuclear age, pre-1945 pre-nuclear steel, which is necessary for some precision instruments, that presumably will become more valuable, but people tell me the value isn’t that great because you don’t need that much of it. So, I think it’s the scrap value which is the main motivator for the threat to military wrecks. Then you have a certain by-product of souvenirs, bells and compasses and so on, binoculars from U-boats, which have some value, I gather, on the collector’s market, but certainly doesn’t begin to cover the costs of deep salvage. So, I think people will take it if they’re there, but they won’t go there for that.

JUDITH ROWBOTHAM

I think that’s an interesting distinction. Are there any other comments rather than questions in relation to the question that I just asked from the audience? What would you see, in your experience and opinion, the main threats which can be used to assess the main priorities? Yes, at the back.

MALLORY HAAS

I’m Mallory Haas and I would just like to [inaudible] looking at a wreck that was found by Odyssey about 10 years ago and it’s been known about, the government’s known about it and it’s potentially the only [inaudible] shipwreck. I went out in September and it was noticeably covered, but I could still see some cannons and I went back in October with the documentary company and there was probably about a foot-and-a-half of sediment. From that, from 10 years ago, there was also about six more cannons pulled out by [inaudible]. So, my question is, what do you do about that kind of heritage, when it’s known about and you know that dredgers are there, salvage hunters, who maintains that?

JUDITH ROWBOTHAM

I think that’s a specific question that in some ways has already been answered.

MALLORY HAAS

But it’s still deteriorating, either by complete mismanagement or by nature or by no-one caring.

JUDITH ROWBOTHAM

That question of how much do we care, who cares and why? is again, I think, something that close examination of the seminar responses is going to bring some interesting answers. Not necessarily comforting answers, but some interesting answers. Are there any other comments about priority from the floor?

MARTIN READ

Martin Read. It’s just something from earlier, you looked at the legal aspect and you looked at some of the threats to see if they’re of cultural significance. That goes onto things about management and that involves use of resources as well. I don’t think it’s enough just to say it will decay. If you say it’s important and we value it, then some effort would need to go into the management of it. It’s a bit like the pyramids, they’ll just crumble into dust, eventually they probably will, but you can manage them in the meantime. So, if we have this heritage out there, then some effort should be made to manage it if we value it.

JUDITH ROWBOTHAM

Thank you. Any final thoughts from the panel? Dave Parham.

DAVE PARHAM

I’ve just got a thought on the ivory cargo wreck at the back there, is that as far as I understand, it lies within Britain’s EEZ. I’m not sure how the fishing regulations work, but there should be a way of managing fishing so that specific, very, very, small parts of the seabed in which exceptional or unusual wrecks lie, are not subject to that kind of activity. There’s plenty
of ways of monitoring. Fishing vessels are monitored all of the time, as we know. So, that is more a lack of will or perhaps of value on the part of British society that that doesn’t occur now.

**JUDITH ROWBOTHAM**

Harry Bennett.

**HARRY BENNETT**

We’re setting up marine conservations areas in key areas, so it wouldn’t be that much of a stretch to set up a marine conservation area over a wreck, which of course, it is, and utilise that as a means to actually prevent scalpers actually drag-trawling over the top of critical wrecks like that.

**JUDITH ROWBOTHAM**

We have, I think, one final comment from the floor.

**JOSH MARTIN**

Josh Martin, University of Exeter. I think, talking about these threats which keeps coming back up, I agree, I think the big issue is value and how we value these things. A lot of this offshore development we’ve mentioned, dredging of course, but there’s also pipe-laying, there’s all sorts of construction and human use of the ocean has grown whilst the space is shrinking. I think there’s lots of threats and it comes back to the point you made, I think, and has been made, about the economic. I think there’s always a focus that the government is on, what is the economic benefit for us in doing this? Sometimes I think there’s a difficulty trying to get across the social and the ecological and the more ethereal sort of intangible benefits to these things, rather than the economic justification and I think that is always the challenge, trying to understand that there is more to protecting heritage than the economic facts and figures.

**JUDITH ROWBOTHAM**

Any other thoughts from the panel before we bring this to a close, any thoughts or final comments? Sir Anthony.

**SIR ANTHONY DYMOCK**

Here, here, to that last comment.

**MIKE WILLIAMS**

Yeah, I think the concentration has to be the development of policy across departmental co-ordination and cross-party working. I think we’ve got the tools, particularly out to the marine area. The other difficulty, I think, is it’s hard to confer with other countries and say you should do this or you should be doing that for us, when we’re not doing it ourselves. So, I think things like looking at regional treaties for the Southwest Approaches, for the North Sea, and then when you’re in a position of doing that, I think you can turn around and ask other countries to examine their records.

**JUDITH ROWBOTHAM**

Thank you very much. Thank you to the panel, we’ve worked you hard over the last two-and-a-half hours. So, can I ask the audience to show their appreciation. [Applause] Can I also thank the audience for your contributions which have helped bring out some further dimensions and if you made any comment, please will you make sure that before you go, you fill in the consent form so that we can properly attribute the comments and include you as part of the seminar, because we can’t of course do so unless we have your consent. So, thank you very much indeed.

**END OF RECORDING**