

DipAPLE 2016 Programme

Session 1: Copyright, Moral Rights and Artist's Resale Right

What do museums, galleries and artists have to know about intellectual property rights? What is copyright and how will it affect the management of works of art? What are moral rights and how can they impact the current possessor of an artwork? What is droit de suite and what are its implications for dealers?

Session 2: Art Crime: Villains and Victims

What crimes might the art professional commit or fall victim to when dealing in art or antiquities? What happens in England to people accused of crimes in overseas countries? What happens to art in the possession of the police if no prosecution or conviction occurs? What is criminal property and what happens to it?

Session 3: Title and Civil Recovery

How do people prove they have ownership of cultural objects? Do finders get title? What about buyers of stolen goods, or people who inherit looted antiquities, or receive them as gifts? What are your rights if you do not get title? Where do art lenders and bailees fit into the picture? How do the victims of art theft recover their property? What are the main steps in going to court? How can claims be successfully resisted? Are innocence, good faith or due diligence a defence? What is interpleader and who can work it? Can you kill off people's title by buying and selling their art in an overseas country? How do limitation periods work? Can you bring a negligence claim for the misattribution of a work, either by an auction house or an individual?

Session 4: Repatriation: curbing the illicit trade and redressing past wrongs

What is the impact of international cultural property conventions on the trade in looted antiquities? Where do law and government stand on claims for return of holocaust-related art, or sacred objects looted in past centuries, or human remains? Should the market deal in such material? Is there such a thing as moral title? Does it outweigh legal title and what is its commercial clout? When should and could institutions return looted cultural objects, even when the looting occurred in the distant past? What is the impact of repatriation policy on auction houses and dealers? What should traders do if a holocaust provenance is revealed?

Session 5: Ethics, soft law, ADR and museum disposal

Is compliance with the law enough or is there a higher standard of behaviour? What are the alternatives to going to law? Is law becoming defunct in art-related disputes? Are there possibilities of mediation in art-related dispute? How satisfactory will the outcome be? What effect will an ethical code have on a museum or gallery? Are ethical obligations in relation to cultural property "legally" binding?

Session 6: Managing cultural assets: tax, contracts and freedom of information

How can a private individual or a public institution best manage a collection of cultural assets? What tax benefits exist, both for benefit private donors who give art to the state and for cultural institutions that manage collections? What sort of standard form contracts should a museum, gallery or collector consider and when will it be necessary to provide case-specific terms? How can a UK public heritage institution deal with a freedom of information request from a member of the public?

Session 7: Sites, Monuments, Treasure and Finds

How does the law protect the built environment and our archaeological history? How do we define treasure and how is it saved for the nation? What is the fate of finds that are deemed not to be treasure?