

# IN MEMORIAM

Charlotte Woodhead\*

---

c.c.woodhead@warwick.ac.uk  
University of Warwick  
School of Law  
Coventry CV4 7AL, United Kingdom

Luke Harris\*\*

---

LHarris@5sblaw.com  
5 Stone Buildings  
Lincoln's Inn  
London WC2A 3XT, United Kingdom

## Norman Palmer C.B.E. Q.C. (Honoris) (1948-2016)

In any generation there are only ever a few people who can be said to have made a significant contribution to the diverse fields of academia, legal private practice, public policy, and law making. Professor Norman Palmer Q.C. (Honoris) was one such person. Norman's career in the law was extremely varied but he was well known, in different circles, for significant contributions to all these areas. Many legal practitioners will have known him for his ground-breaking work on the law of bailment but he was just as well recognized, nationally and internationally, for his outstanding contribution to the law of cultural property and cultural heritage, of which he said: "[th]ere is, perhaps no more interesting area of English law, nor one within

---

\* **Charlotte Woodhead** is Assistant Professor at the School of Law of the University of Warwick (United Kingdom). She holds a Ph.D. in Law from the University of Leicester; LL.M. in Commercial and Corporate Law from University of London (UCL).

\*\* **Luke Harris** is Barrister at the 5 Stone Buildings in London (United Kingdom). He has particular expertise in claims involving art and antiquities.

## IN MEMORIAM

Charlotte Woodhead, Luke Harris

---

which the elements of public and of private law, of municipal and international law, and of civil and criminal law, more vividly coalesce”.<sup>1</sup>

Norman’s contribution to the (often overlooked) subject of personal property was at the heart of much of his scholarship. Early in his career he was a key contributor to the highly respected *Crossley Vaines on Personal Property*. Norman’s co-editorship of *Interests in Goods* and his various contributions to works such as *Halsbury’s Laws of England* and the *Encyclopaedia of Forms and Precedents*, as well as numerous penetrating articles over the years, cemented his wide contribution to the law of personal property. His magisterial work, *Palmer on Bailment*, was described by Lord Bingham as belonging “to that small and elite class of legal works which transcend the ordinary bounds of textbook-writing [...] [and which command] recognition as an important source of authority in its own right” (preface to second edition). The frequency with which *Bailment* was approvingly cited by the courts is testament to this sentiment. Indeed, so authoritative was the work that it would sometimes be cited against him by opponents in litigation.

Norman’s interests, however, extended well beyond conventional black letter law and he was in many ways an early proponent of interdisciplinarity with his chapter in Peter Vergo’s *The New Museology* in 1989 and as the inaugural editor of the “International Journal of Cultural Property” and later as co-editor of “Art Antiquity and Law”. He secured the place of law within the canon of cultural heritage studies and within museum practice, with his ground breaking work on *Art Loans* and the timely book *Museums and the Holocaust* which was published in 2000, the year of the establishment of the Spoliation Advisory Panel and the publication of the Select Committee Report *Cultural Property: Return and Illicit Trade* and the report of the Illicit Trade Advisory Panel. In that same year he edited the volume, the *Recovery of Stolen Art*, which highlighted the many difficulties faced by dispossessed owners in recovering stolen works.

Norman was a committed public servant who gave his time freely to help shape law and policy in matters of cultural property. Two of the government-appointed panels Norman chaired made particularly important contributions in this area. The Illicit Trade Advisory Panel reported in 2000 and recommended the ratification of the 1970 UNESCO Convention which was brought into effect in 2002; the Panel also recommended the introduction of a new criminal offence relating to cultural objects and this took legislative form in the Dealing in Cultural Objects (Offences) Act 2003. Then, under his chairmanship the Ministerial Working Group on Human Remains made recommendations in 2003 which directly led to the enactment of Section 47 of the Human Tissue Act 2003; this provision permitted the trustees of nine named national museums to return human remains where statutory bars had previously prohibited deaccessioning from their collections.

---

<sup>1</sup> N. Palmer, *Museums and Cultural Property*, in: P. Vergo (ed.), *The New Museology*, Reaktion Books, London 1989, p. 173.

The Group's recommendations also led to the publication of important guidance by the Department of Culture, Media and Sport which still today informs the way in which museums care for, and deal with claims for the return of, human remains. Norman also brought his legal expertise on Holocaust looted cultural objects to the UK's Spoliation Advisory Panel, first as a member (2000-2010) and in later years as expert legal advisor. He was also the Chair of the Treasure Valuation Committee from 2001-2011.

An inspiring lecturer, Norman encouraged his students to develop a deep interest and enthusiasm for any subject that he was speaking on. He had a distinguished teaching career, which included teaching in Tasmania (where he latterly held the position of Adjunct Professor), thus beginning a lifelong connection with Australia, and he held various professorships including at UCL (where he remained an emeritus professor after retirement), King's College London, and most recently at Queen Mary's London. Many of his students were inspired to pursue careers in art law, or take up academic posts in art and cultural heritage law, positions in heritage and museum organizations as well as members of government committees dealing with spoliation and treasure. More recently he was instrumental in designing the LL.M. in Art Law and Business at Queen Mary's London with the Institute of Art and Law, although he unfortunately did not live to see the first cohort of students take up their places. A scholarship for that course now bears his name. Similarly, he inspired those in museum and heritage practice as well as those in the art market to develop a passion and enthusiasm for all matters legal through his teaching on the Institute of Art and Law's various professional courses in the UK and abroad.

Besides all this, Norman had a successful practice at the Bar, upon which he increasingly focused following his retirement from UCL in 2002. Over the years Norman was involved in many cases of great interest in the spheres of commercial law, personal property, and art and cultural property including *Photo Production v Securicor*, *Re Stapylton Fletcher*, *Christie v Marcq* and *Iran v Barakat*. Among other clients, he acted in the claim against the Natural History Museum by the Tasmanian Aboriginal Centre. More recently, Norman was instructed, with Geoffrey Robertson QC and junior counsel, on perhaps the most high profile restitution matter of all, namely the potential claim of Greece for repatriation of the Parthenon Marbles. In practice, he was also a strong proponent of methods of alternative dispute resolution and was a founding member of *Art Resolve*.

In 2005 Norman Palmer was made Docteur Honoris Causa at the University of Geneva; in 2006 Norman Palmer was made Commander of the British Empire for services to art and to law and in 2010 he was appointed as Queen's Counsel (honoris causa). He was a fellow of a number of learned societies.

For all of his achievements in the world of academia, law, and public service, however, ultimately Norman's most remarkable characteristic was his humanity. He was extraordinarily generous in every sense, he was modest, gregarious and had an irrepressible sense of fun and adventure. He wore his powerful intellect

# IN MEMORIAM

Charlotte Woodhead, Luke Harris

---

and immensely wide knowledge lightly, and would quite naturally chat with first year undergraduates and international dignitaries in exactly the same way: with kindness, courtesy, and respect. He was a gifted raconteur and a wonderful dinner companion. Whenever he spoke, on any topic, in any context, he completely captivated his audience.

Professor Norman Palmer C.B.E. Q.C. (Honoris) died in Brecon, Wales in October 2016. He is sadly missed.