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Cemeteries & Crematoria NSW

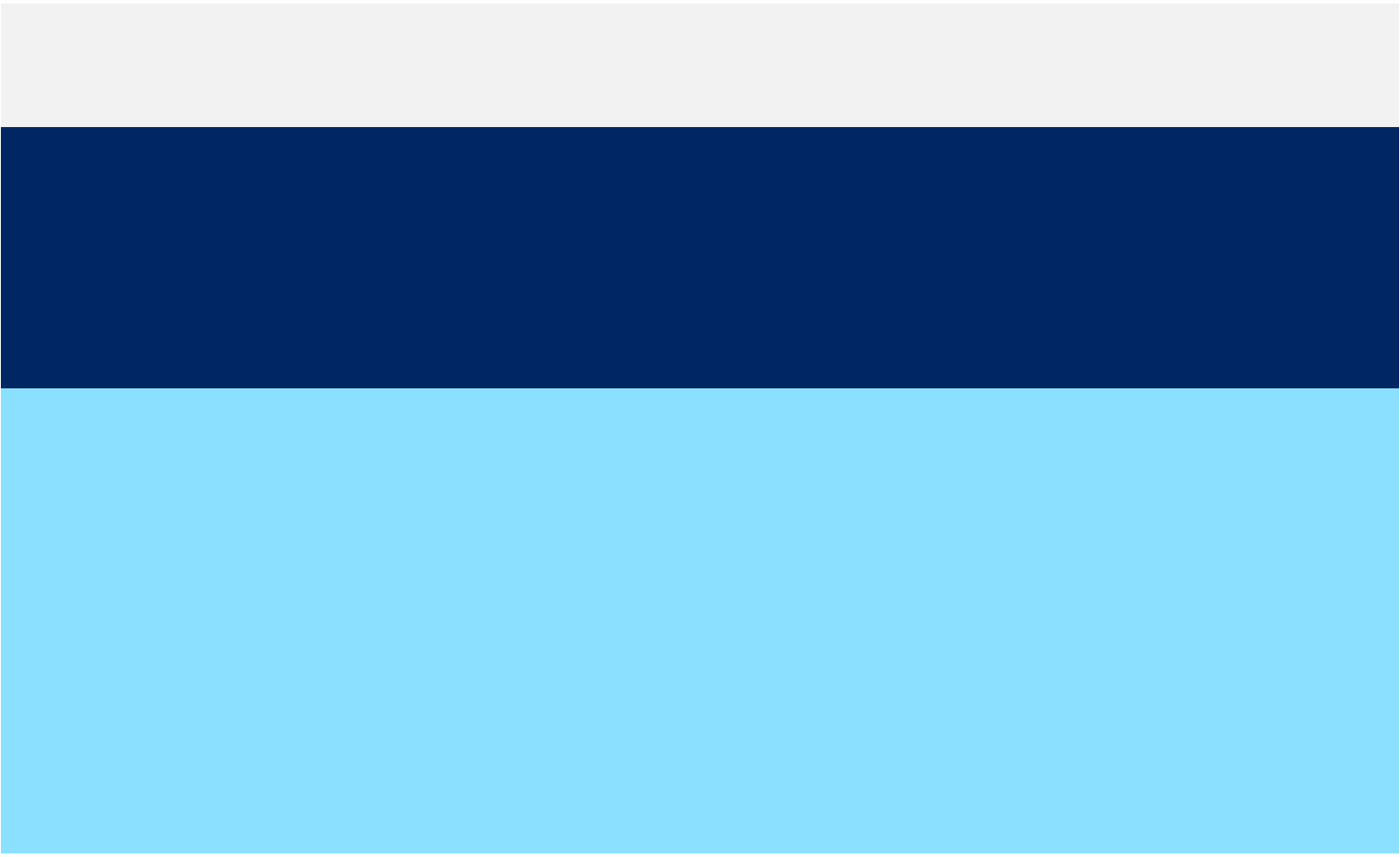
Department of Planning and Environment

[cemeteries.nsw.gov.au](http://cemeteries.nsw.gov.au)



# Guidelines for Aboriginal cultural and spiritual requirements for burial and cremation in NSW

December 2023





# Acknowledgement of Country

Cemeteries & Crematoria NSW acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally, and economically.

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# Foreword

Cemeteries & Crematoria NSW (CCNSW) has developed the Interment Industry Scheme which requires all cemetery and crematoria operators in NSW to be licenced and comply with licence conditions. The Regulations governing the scheme commenced on 14 October 2022 with licensing starting from 1 July 2023. You can find more information [on our website](#).

Licence Conditions E.2 will require operators to take all reasonable steps to comply with a set of Aboriginal Cultural and Spiritual Principles. The aim of these principles is for operators to increase their knowledge of Aboriginal cultural requirements, meet those needs where practicable, and build relationships with the Aboriginal communities in the area they work.

These guidelines, drafted in consultation with communities, highlight common Aboriginal cultural and spiritual requirements for burial and cremation to help cemetery and crematoria operators better meet the needs of Aboriginal people in NSW and comply with the new principles.

# Introduction

Aboriginal people have specific cultural and spiritual requirements around death.

For Aboriginal people, the death experience is different than that for non-Aboriginal people. As the graph in Figure 1 shows, the demographics for death are vastly different, especially in youth and early adulthood. This means that Aboriginal people are going to many more funerals for much younger people.

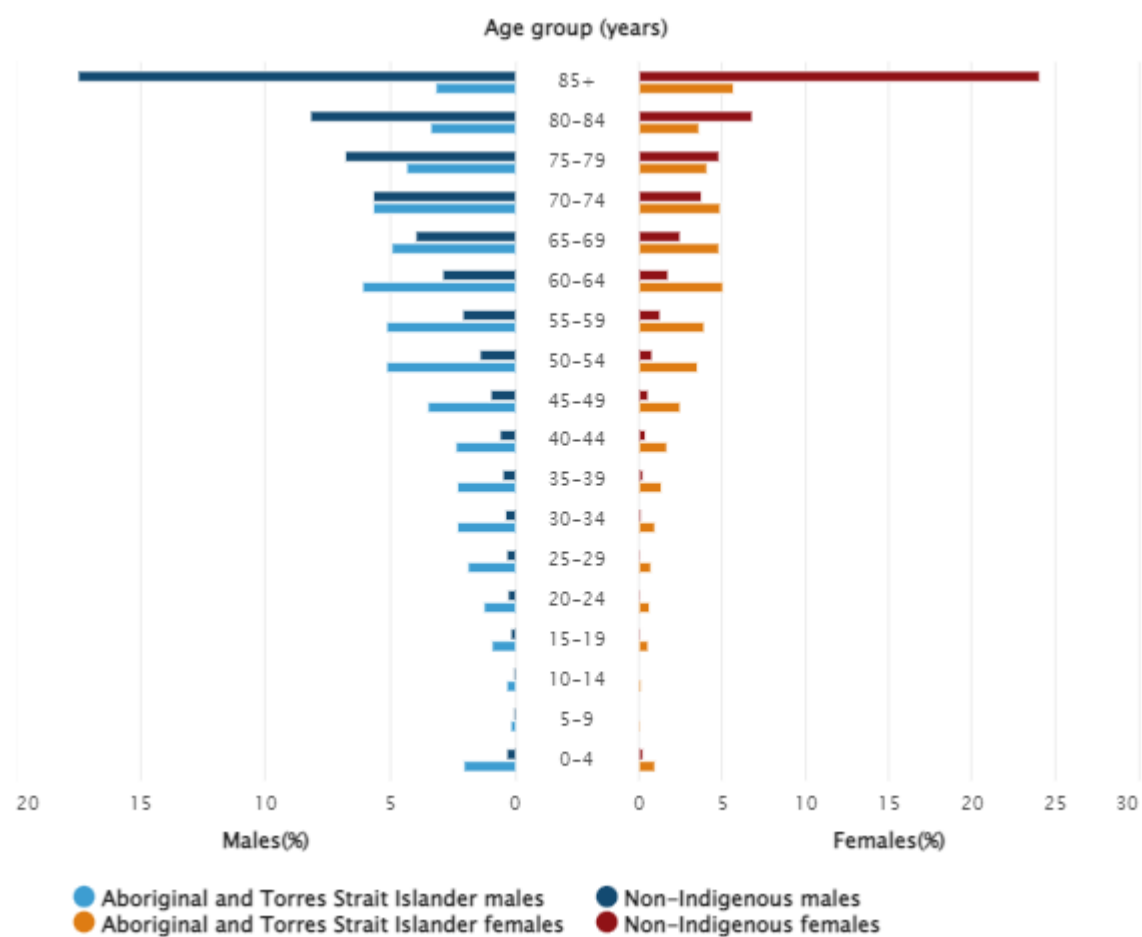


Figure 1. Comparison of ages at which Aboriginal and non-Aboriginal people die<sup>1</sup>

<sup>1</sup> Image credit: ABS data 2021 - Aboriginal and Torres Strait Islander Australian deaths and non-Indigenous deaths, age Australia, 2021 <https://www.abs.gov.au/statistics/people/population/deaths-australia/2021>. Note: proportion excluded deaths where age was not stated.

Stolen generations also mean there may be gaps in family history or connection that cause pain, while kinship structures may alter the patterns of closeness (or who is considered close family) compared with non-Aboriginal family structures.

CCNSW acknowledges the diversity within and between Aboriginal peoples and communities. This guideline is by no means an extensive account of all the ways Aboriginal families and communities in NSW mourn and commemorate the loss of loved ones and undertake Sorry Business. The guide is designed to be an introduction. To develop a deeper understanding of the needs of Aboriginal people in the areas in which you operate, hold conversations with locals. If you don't know which mob/s are in your area or who to contact, CCNSW can help.

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## Sorry Business

Sorry Business is a term widely used across Australian Aboriginal communities. It refers to the mourning protocols, time frames and communal activities, including rituals, ceremonies and burial, after someone dies. What constitutes Sorry Business varies across the state.

During Sorry Business, families, friends and members of the community will come together to grieve and support each other. The time frame for Sorry Business is determined by the family.

To allow the deceased person's spirit to 'let go', many communities no longer display photographs or videos of them and no longer speak their name, sometimes substituting it with another word. Some communities still observe these traditions. A deceased person's name or image should not be used without permission from the family.

In some communities, Sorry Business is finished after the first rain has washed the person's footprints from the earth, allowing them to transition to the next place on their journey.

It is an important time of mourning and is a prioritised commitment for Aboriginal people. Sorry Business is unique to Aboriginal people – no other culture in the world has all the elements of Sorry Business.

While Sorry Business is a term commonly used by Aboriginal communities, not all Aboriginal people refer to this period by that term.

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## Culturally safe spaces

CCNSW recognises the special ongoing connection to Country for Aboriginal people and the importance of being buried in a culturally safe and appropriate environment.

Cultural safety means an environment that is spiritually, socially, emotionally and physically safe. It means an environment where there is no challenge or denial of a person's identity or of who they are and what they need.

For Aboriginal people, this could include the following (CCNSW does not mandate any of the points below, but provides the information for reference and concepts of best practice):

- the Aboriginal flag flown at facilities
- plants that are native to the area
- native trees that are used in traditional burial practices (for example, leaves to be used in smoking ceremonies)
- a designated Aboriginal burial space
- Aboriginal artworks in office spaces or within the grounds
- Aboriginal staff being available to speak with
- space to meet and mourn
- an integrated cultural ceremonial space
- a designated smoking space
- an Acknowledgement of Country on signage and the website and in office buildings
- a Welcome to Country given by an appropriate person at organisational functions and ceremonies as appropriate
- a reconciliation action plan that identifies the cultural practices of the relevant Aboriginal tribes/clans/language groups in the area
- culturally sensitive approaches/systems and work practices developed as part of core business.

Some Aboriginal families may not want a Christian minister or undertakers at a burial or cremation service. While these arrangements are usually undertaken through a funeral director, cemetery and crematoria operators should be aware of this fact.

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## Torres Strait Islander people's needs

Torres Strait Islander people may have a different set of requirements to mainland Aboriginal people. These may include a memorial opening or unveiling.

For Torres Strait Islander people, customs and requirements relating to a death may last 5 years or more and include a variety of practices such as commemorating the memory of their dead and conducting ritual observations to ensure the spirit of the dead is cared for.

There may be an unveiling (final practice) where the draped headstone is exposed (headstone covered in items of clothing, lengths of cloth). If this takes place, many people may attend.

Memorials may hold more information about the person including their faith, employment history, details the family deem important (up to 400 words), bibliographical content, words in language, totemic qualities and images or photographs.



# Before interment

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Aboriginal people in NSW are much more likely to be buried than cremated and, where possible, prefer the body to be interred on Country.

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CCNSW acknowledges some of the requirements listed in this section are not the role and responsibility of cemetery and crematoria operators. The information has been provided to deepen understanding of Aboriginal cultural and spiritual requirements for burial and/or cremation.

Most Aboriginal communities usually provide their own materials relating to cultural requirements for burial.

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## Providing options early

If you have discussions with the family before the time of interment, you should provide details of the options before selling an interment site. If there is an option to be buried in a designated Aboriginal area or close to family, this would be the preference for most Aboriginal people.

Having these conversations as early as possible will manage expectations and allow people to know their options.

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## Preparation of the body

Different communities have different requirements for the preparation of the body, how it is dressed and what is placed inside the coffin. Some communities have no specific requirements, while others may:

- want family or kin to wash and prepare the body
- put ochre body paint on the deceased before they are dressed
- wrap the deceased in a possum-skin cloak or burial cloak
- place the deceased's totem in the coffin before it is closed

- place a handful of soil in the coffin before it is closed
- perform blessings and other cultural practices.

If there are specific requirements that need to be accommodated by the cemetery operator the funeral director should inform you. But you should proactively check to ensure that the cultural and spiritual requirements of the deceased are being met.

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## Shroud burial

Traditionally, many Aboriginal people would have been wrapped in paper, cloth or animal skins or placed in woven caskets before being buried. While the use of coffins is common now, that may be because shroud burial is not common in Australia and Aboriginal communities may not know it is an option. Public health regulation exemptions are required to have a shroud burial. CCNSW has created [a fact sheet](#) providing information about burial without a conventional coffin, including shrouded burial, to support Aboriginal communities to understand the necessary steps to apply to NSW Health for an exemption.

The funeral director or the family should tell a cemetery operator if the deceased's cultural requirement is for a shroud burial. The operator needs know that an appropriate exemption has been obtained and the necessary staff and materials are on site for a shroud burial.

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## Coffin preparations

There may be a requirement or request to decorate the coffin with ochre (can include handprints or other forms of painting). Some families may want the Aboriginal flag placed over the coffin. Depending on the community you work in there may be a requirement for paperbark to be placed in the coffin, or placed on the ground when the coffin is moved (so the wheels of the trolley are on paperbark and not concrete or carpet).

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## Grave preparations

Some Aboriginal communities and families may prefer to dig the grave themselves or be involved in the burial site preparations. If this can be accommodated, it can make the preparations for interment more culturally appropriate. If this is something that can be offered, check with the funeral director or family if this is something that the family want and then work with the family to help where needed.

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## Orientation of gravesite

Some Aboriginal communities orientate the head of the deceased so that it faces north, as per their cultural tradition, or feet point to the ocean. Check this cultural requirement at the time of selling the interment right. If it is not possible to orient the deceased correctly (due to the orientation of the cemetery), inform the families before selling them the plot.

If this is a requirement of Aboriginal people in the area in which you operate, keep this information in your records for future reference.

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## Timing of burial

There may be a lengthier than normal period needed to arrange the ceremony and interment for an Aboriginal person. There may need to be a lengthier viewing period of the deceased, which would need to be arranged before the ceremony. The longer viewing period allows members of the community to farewell the person in a culturally appropriate way and lets those who did not see the deceased before the funeral to view them. There may be certain ceremonies that need to be performed before the funeral. Additional time may be needed in the chapel or at the location of the ceremony.

Some Aboriginal communities may have a cultural requirement to be buried in the daylight. Check this before arrangements are made and record it in your records for future reference.

Some Aboriginal communities require a 'long carry', where kin and key community members walk the casket from the front gate of the cemetery to the gravesite. This involves swapping people to carry the casket or coffin, adding additional time to the burial. While this is not a common practice, if you are operating in a community where it is a requirement, factor in additional time before the burial.

There may be a delay in scheduling the funeral to allow the deceased's body to be returned to Country and/or to allow people time to travel to attend. Making decisions on funeral and burial arrangements may also take longer as kinship structures may mean different family members need to be involved in the planning.

For some communities, there is a cultural requirement for certain people to attend. The ceremony cannot begin until everyone who should be there is there. Additional time may be needed to allow for possible delays in the arrival of key members. Check with the funeral director and/or family to avoid any timing issues.

Ceremonies that need to be carried out at the gravesite may be done in the days leading up to the burial and may also happen in the days after the burial. This will likely include many people attending and may include smoking of the site and song and dance ceremonies.

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## Music

The music requirements of the service will usually be arranged between the family and the funeral director (if one is engaged). There should not be a need for operators to be involved. The detail below is provided purely for information.

Aboriginal funerals may involve traditional music and dance including:

- didgeridoo, clap sticks, and other traditional musical instruments
- singing – both in language and in English (and may include Christian hymns or other religious songs).

# At the time of burial or cremation

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Aboriginal people have traditional lore and cultural protocols of Country which belong to those people.

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Have an awareness and consideration of cultural lore and protocols for men and women when burials or cremations are performed. Operators should allow Aboriginal people to conduct their traditional ceremonies of honour and smoking of the deceased. Funerals can be an elaborate ritual and can be the most frequented cultural event.

For Aboriginal people, burial is usually in perpetuity. It is culturally inappropriate to disturb the deceased once they have been buried. Traditionally, for some communities, there is a preference to bury upright or in a squatting position. If this is the tradition for Aboriginal people in the area in which you operate and it can be accommodated, inform the family of this option.

Past government policies, such as assimilation policies, have changed the way in which Aboriginal communities conduct funerals. Funerals now may include elements of both traditional lore and customs and Christianity. For example, families may want to include smoking ceremonies and songs in language as well as (if of a Christian faith) bible readings and religious hymns.

Some Aboriginal funerals will begin with a Welcome to Country, additional time should be allowed for.

## Size of gatherings

Large attendances at Aboriginal burials is common. It is a cultural requirement to attend the funerals and burials of kin and members of the community. It is not uncommon for more than 450 people to attend (especially if an Elder or an important member of the community has passed away or if the person comes from a large family). This number of people requires space and may require additional equipment and time to move and organise. Requirements may include:

- meeting places so family, kin and friends can talk and wait in groups
- wider pathways or space for people to walk in groups
- audio equipment such as speakers so all attendees can hear the service
- circular seating for families
- adequate seating (especially for Elders)

- space between burials so people do not have to walk on freshly dug graves
- shaded areas.

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## Smoking ceremonies

Aboriginal and Torres Strait Islander people have performed smoking ceremonies for thousands of years for various reasons and occasions. For Aboriginal people, spirituality requires places, song, dance and smoking.

Smoking ceremonies may be before a funeral and/or at the site. There may be a smoking ceremony at the end of the service as well. Family or community members usually provide all that is needed and carry out the smoking ceremony themselves. Operators should try to accommodate this if it is the cultural requirement of the deceased. For example, some operators have a small concrete slab within the cemetery to hold smoking ceremonies.

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## Communal grieving

Different Aboriginal communities may express grief in various ways. This includes:

- vocalised mourning
- wailing
- physical contact (hugging, supportive touching or intentional body contact).

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## Not speaking the deceased person's name

Traditionally, a deceased person's name was not spoken from the time of death until deemed appropriate. Aboriginal lore across Australia says that a dead person's name should not be said because you would recall and disturb their spirit. Over time, this has changed, and some communities no longer follow this process.

Always check with the family if they are comfortable with the deceased person's name being used. Some families may want a substitute name used such as the deceased person's traditional name.

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## Soil and grave filling

Some Aboriginal communities will have everyone attending the burial throw soil into the gravesite. If there are many mourners, this may take some time. Allow enough time for family and friends not to feel rushed.

A bucket of sand or soil may be requested so this can be poured onto the coffin or into the grave. Some communities require soil or sand to be placed inside the coffin, which connects the deceased to Country. The sand or soil may be from the local environment or if the person is being buried away from their Country it may be from that location.

There may be a request for family or kin to lower the body into the gravesite or to hand fill the grave. It could be a cultural requirement for family to lay the body in the grave. Where possible, try to accommodate these requests. If hand filling of the grave is requested and can be accommodated, provide soil close to the gravesite.

# After interment

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There may be cultural requirements that take place in the days, months and years after a burial.

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## Grave maintenance and memorialisation

After the service and the burial is performed, or less commonly the ashes have been interred, there may be further ceremonies that family and community will carry out on site. These may include:

- cleaning the gravesite, which may be done regularly, on the anniversary of death or on other significant dates for the family and community – large groups of people may take part in the cleaning
- totems and monuments on the grave – cultural decoration of the gravesite is not uncommon for Aboriginal communities. The type of memorialisation differs widely across the state but may include:
  - mass flowers
  - shells
  - rocks
  - melted glass covering the gravesite
- burial site revisits, which can happen at any time but are most likely on anniversaries or dates of significance – large groups of people may attend
- marking the borders of the grave after a year or longer, which may include wooden framing around the gravesite and gravesite memorialisation or marking with shells and/or rocks or other culturally significant items.



# Glossary

Term	Meaning
Acknowledgment of Country	A practice that allows for anyone to pay their respects to Aboriginal people, country, culture and heritage
Country	The term often used by Aboriginal peoples to describe the lands, waterways and seas to which they are connected
Kinship structures	Outline of a person's responsibilities towards other people, the land and natural resources <sup>2</sup> A person's position in the kinship structure establishes their relationship to others and to the universe.
Long carry	The practice of carrying the coffin from the cemetery entrance to the gravesite
Lore	The customs and stories Aboriginal peoples learned from the Dreamtime
On Country	A person being on the Country of their people To return a body to be buried on Country means to return the deceased to be interred on the Country their people are from.
Smoking ceremony	An ancient and continuing custom among some Aboriginal people that involves smouldering native plants to produce smoke
Sorry Business	A term widely used across Aboriginal communities for the period of mourning following a death. Sorry Business involves a range of ceremonies, cultural requirements and social responsibilities in response to a person's death, which vary across the state.
Stolen Generations	The generations of Aboriginal people who were removed from their families through government policies between the mid-1800s to the 1970s
Totem	A natural object, plant or animal that is inherited by members of a clan or family as their spiritual emblem

<sup>2</sup> <https://australianstogether.org.au/discover-and-learn/our-cultures/kinship/#:-:text=First%20Nations%20society,-A%20person's%20position%20in%20the%20kinship%20system%20establishes%20their%20relationship,many%20First%20Nations%20communities%20today>. More information can also be found at <https://www.sydney.edu.au/about-us/vision-and-values/our-aboriginal-and-torres-strait-islander-community/kinship-module/learning-module.html>

Term	Meaning
Welcome to Country	Delivered by Traditional Owners, or Aboriginal and Torres Strait Islander peoples who have been given permission from Traditional Owners to welcome visitors to their Country

# Acknowledgments

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These guidelines were developed through engagement and consultation with Aboriginal people, communities, and key stakeholders.

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CCNSW would like to thank all the Aboriginal people who took the time to share their stories and experiences, either through participating in surveys, attending meetings, participating in phone conversations or by attending face to face engagements on Wiradjuri (Wagga Wagga and Dubbo), Awabakal (Newcastle), Kamilaroi/Gamilaroi/Gomeroi (Tamworth) and Dharawal (Wollongong) countries. To the Elders and knowledge keepers who spoke with CCNSW staff we express our deepest appreciation and respect.

We also appreciate the time our key stakeholders NSW Aboriginal Land Council (NSWALC), NSW Coalition of Aboriginal Regional Alliances (NCARA), Native Title Services (NTS Corp), Aboriginal Affairs and Coalition of Aboriginal Peak Organisations (CAPO) have taken to assist us in making connections and reviewing documents. Your expertise and willingness to share contacts, information, and knowledge is greatly appreciated and we look forward to continuing this partnership in the future.

We would also like to thank the cemetery and crematoria operators who met with us to provide input on the Aboriginal principles and who welcomed CCNSW staff to your cemeteries to talk to us about the work you are doing and to show us your facilities. A special thanks to the NSWALC operators who took time to engage in the development of the principles and these guidelines – your knowledge has been humbly welcomed and greatly appreciated.

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