

Sustainable Burial Space?



Prior to the 1850's

Reuse of graves a common practice -

“The soil of the churchyard is the property of the parishioners, past, present and future, for the purposes of burial and subject only to temporary appropriation”.

Bryan v. Whistler (1828)





The Church

After all, with churchyards and cemeteries rapidly becoming full, it is now common practice to bury over remains from an earlier burial carried out at least 75 years earlier. Such remains may well be partially displaced whilst digging down to prepare the grave for the further burial.

Rochester 2005



If the displaced remains are immediately reinterred at a lower level to make room for a coffin, that surely does not amount to a removal. Why should it make any difference if the earlier remains are lifted out of the grave for a short time to enable a further burial to take place.“

Rochester 2005



Parliamentary Select Committee Inquiry into Cemeteries

“If the public are to continue to have access to affordable, accessible (local) burial in cemeteries fit for the needs of the bereaved, **there appears to be no alternative to grave reuse**”.

2001 Report



Parliamentary Select Committee Inquiry into Cemeteries

“Unsafe, littered, vandalised, unkempt, [many] cemeteries shame all society in their lack of respect for the dead and the bereaved”

2001 Report



Cemeteries are NOT sustainable



What Can You Do?

- Build new cemeteries?
- Is land available?
- Can you afford it?
- Environment Agency objections
- Increased maintenance costs on same income !

- Cease to provide a burial service ??



What Can You do?

- Reclaim Graves
- Reserved graves – Cancel rights using the Local Authorities Cemeteries Order 1977
- Public Graves – Use available depth without disturbing remains
- Install vaults
- Overfill
- Delaying the inevitable
- CRAMMING – Don't even consider it !!



The Proposal for abandoned graves where last interment took place over 75 years ago

- Lift and Deepen
- Excavate to last interments
- Collect skeletal remains
- Place in new, small container (or not)
- Re-inter at a deeper position within same grave
- Creation of new burial space
- Conservation management plans
- Not mandatory – Subject to local consultation



Current position

Ministry of Justice – Burial & Cemeteries Advisory Group:

- Pilot sites (Shelved)
- Test procedures and practice under controlled conditions (Shelved)
- Refine codes of practice, guidance and training (Shelved)
- Gain public confidence (Delayed)
- Role out nationally (Shelved)
- Create new legislation to include private sector (Shelved)



Re-use in the UK

London Local Authorities Act 2007

- Limited powers for London Authorities – Private graves only
- Not to be confused(!) with reclamation and use of available depth under the Greater London [General Powers] Act 1976



Using Church Law

Church Law – England Only

- **Previously** - From one consecrated place to another by Faculty under s25 Burial Act 1857.
- Now – From a consecrated grave back into the same consecrated grave [Church of England (Miscellaneous Provisions) Measure 2014]
- Can be used for re-use of consecrated public graves –
With the permission (Faculty) from the Diocese



Scotland

- Law consultation currently underway
- Burial, cremation, infant funerals, alternative forms of disposal, funeral poverty and regulation of the funeral industry
- Includes the reuse of graves
- Modern legislation by May 2016
- Scotland could be the envy of us all





Learning from Europe (and most of the world)



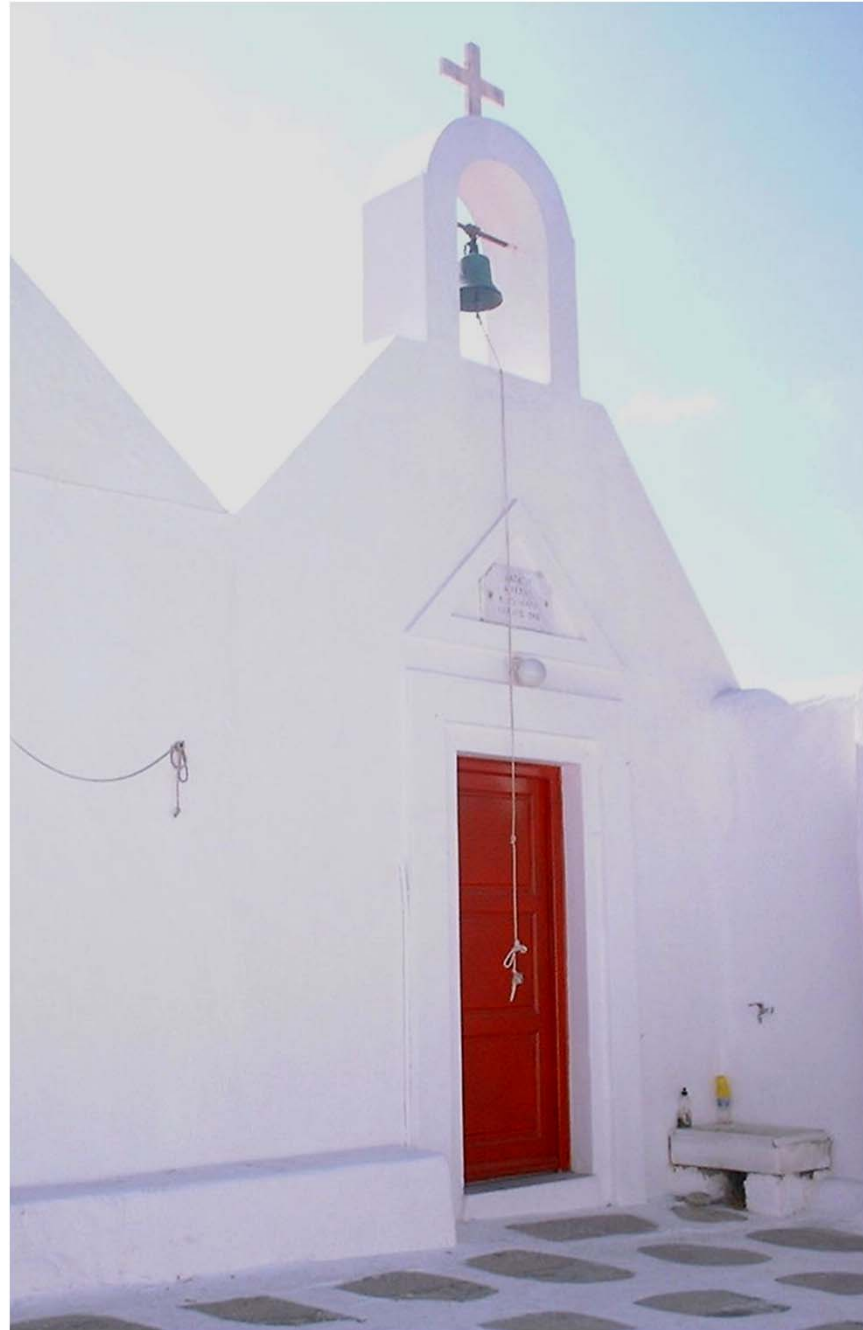
Germany



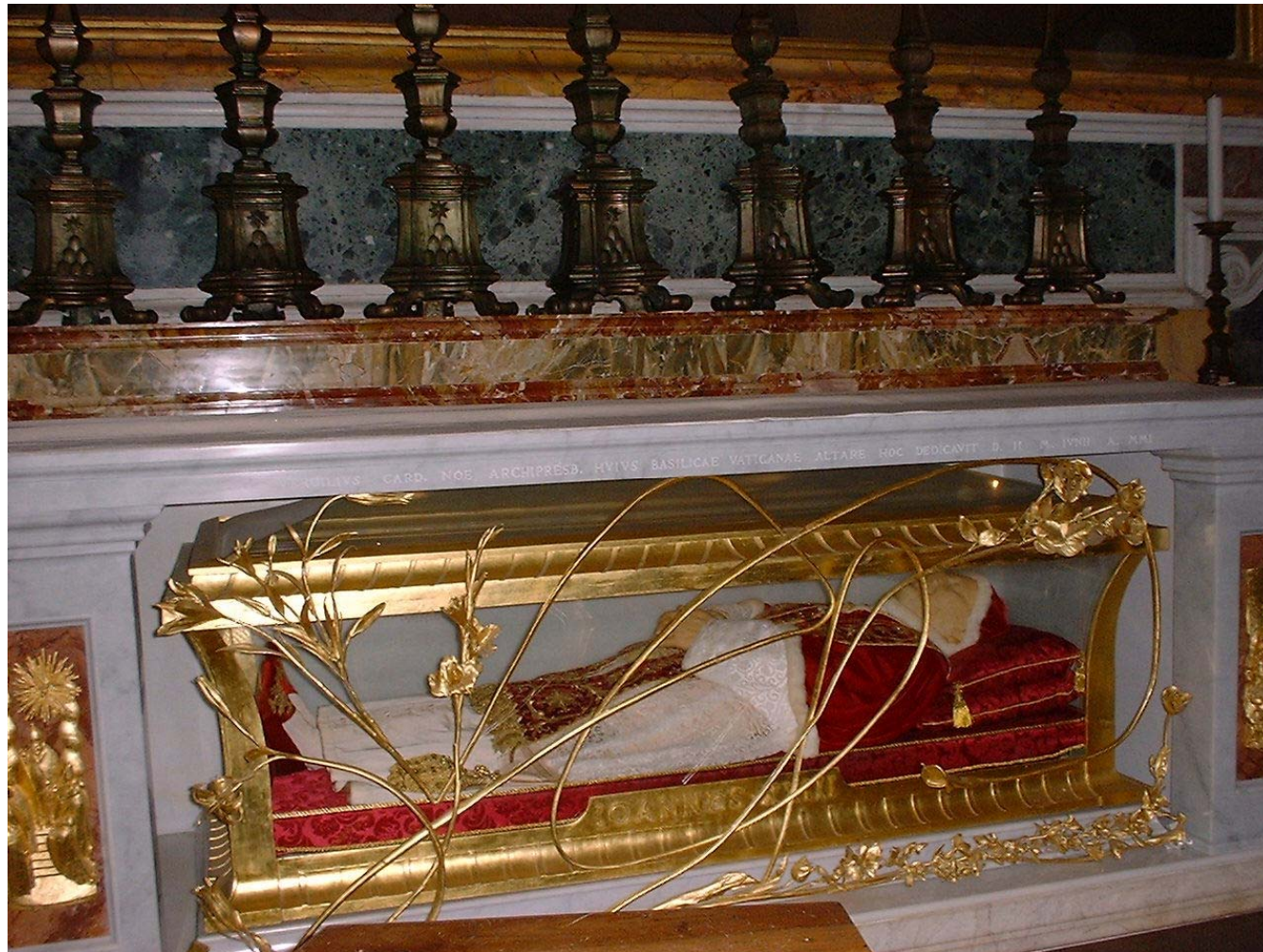
Germany



Greece



Disrespectful Treatment of the Dead ??











Quote

“the Government was satisfied that it would be right to enable graves to be reused, subject to appropriate safeguards – Harriet Harman 2007

Ministry of Justice published *Burial Law and Policy in the 21st Century The Way Forward – 2007*

“work was progressing well on the practical details of how proposals to allow local authorities to reuse graves in their cemeteries would operate” – Bridget Prentice 2008

“the case for re-using old graves had been accepted in principle but that the matter was being kept under review” – Lord Back 2009

Government shelves plans to permit the re-use of graves stating ‘the current economic climate’ – Spring 2009



A Reminder

- “If the public are to continue to have access to affordable, accessible (local) burial in cemeteries fit for the needs of the bereaved, **there appears to be no alternative to grave reuse**”.

The Government should be urged to look into this matter again:





