

## **ABORIGINAL AND TORRES STRAIT ISLANDER BURIALS: -GENERAL INFORMATION SHEET**

If you find bones and suspect that they are human it is **essential that you do not disturb the material. You must report the findings to the Queensland Police Service.** The Police will determine if the remains represent a crime scene. If it is established that the remains are not a crime scene and the Coroner is satisfied that the remains are Aboriginal or Torres Strait Islander the Department of Environment and Resource Management procedure on *The Discovery, Handling and Management of Human Remains under the Provisions of the Aboriginal Cultural Heritage Act 2003 and Torres Strait Cultural Heritage Act 2003* will apply.

- Aboriginal burials are found throughout Queensland
- They are often found in eroded coastal dunes, dunes associated with inland rivers or lakes, desert dunes and clay lunettes and also in rock shelters and rocky overhangs
- They may be exposed by natural processes or may inadvertently be exposed in locations where land modification activities are occurring
- The location of any human remains should first be reported to the Police to exclude the possibility that they are the remains of a crime scene

### **Background**

Death in all human societies is a highly emotional event. It occurs on a regular but unpredictable basis, removing an individual from an accustomed place in society, thus causing a break in the unity and cohesion of the society. Since it affects the family, close relations and society at large, death is often associated with complex ritual. This was and continues to be the case among Aboriginal and Torres Strait Islander people where complex rituals associated with death reflect attempts to adjust to changed circumstances. Of vital concern for example is the 'spirit' and what might become of it. Death is not seen as an end point but as a transition to another level of human existence. Burial is therefore an important ritual and any disturbance to such burials is of major concern to Aboriginal and Torres Strait Islander people.

Aboriginal people have been in Australia for at least 40,000 years. During this time they buried hundreds of thousands of their dead in diverse ways. Burial practices varied across Australia and through time. In some cases burials involved a single procedure such as cremation, or the deposition of remains in the ground, or in caves and trees. Often however two or more stages were involved which took place at different times ranging from several weeks to years. In these cases a corpse may for example have been exposed or desiccated in the sun or over a fire. After one, or several further steps, which usually involved specific individuals carrying the skin or bones of the deceased around with them, the remains were finally laid to rest as cremations, burials, or were placed in rock shelters or hollow logs.

Indigenous burials may be exposed by erosion or by clearance associated with land development. Numbers located vary from one or two individuals, to groups of over one hundred. Burials have been found in all types of environments across Queensland and in both rock shelters and open areas. They can be found with stone markers, covered with logs and were often associated with carved or scarred trees, stone arrangements, stone artefacts and food refuse.

## **Types of Burials**

The following types of burials may be found in Queensland:

**Cremations** - Cremations some times occurred as a single event, at other times as part of a complex cycle of events that included the burning of a variety of grave goods. It might be thought that no evidence would remain of such practices but at times only partial burning occurred and both small and large charred fragments of bone survived.

**Desiccation** - In some places the internal organs of an individual were removed through a small incision. The body was then packed with grass and allowed to dry in the sun or over a fire. It may then have been painted with ochre and finally placed on a tree platform or in a rock shelter or hollow tree. At other times the individual was buried or cremated.

**Bark or Cylinder** - An individual's bones were sometimes wrapped in bark, natural fibre, human hair or wallaby skins with a range of grave goods and deposited in a cave or rocky overhang. They are fragile and being movable objects may be sought by collectors.

**Tree Burials** - On occasions a platform of logs was built in a tree and a corpse laid on it. However, usually after drying, the bones were removed and buried in the ground. Such platforms are unlikely to have survived over time. On other occasions bones were placed in hollowed out logs or trees and these survived in some situations.

**Ground Burials** - As in most societies, ground burials appear to have been the commonest form of internment, although in the case of Aboriginal Australians it was frequently only the final stage in the process. Corpses were sometimes buried horizontally and oriented in a particular direction, at other times they were buried in a sitting position and sometimes bound. Grave goods were sometimes included with the burial and its location marked by designs carved on surrounding trees.

## **Location of Burials**

Owing to the complexity and variety of Aboriginal and Torres Strait Islander burial practices it may sometimes be difficult to distinguish them from early European burials and from more recent European skeletal remains resulting from accidents and criminal activities. However location provides some clues. For example, burials commonly occur in coastal sand dunes and dunes associated with inland rivers or lakes, desert dunes and clay lunettes. Such sites are easily eroded by wind and water, and skeletal material is frequently exposed by such means. Other common locations were rock shelters, rocky overhangs and hollow trees. Evidence of association also provides some clues. For example, the close proximity of scarred or carved trees and stone arrangements, and the remains of fireplaces, stone artefacts and food refuse are usually suggestive of an Aboriginal or Torres Strait Islander burial.

## **Threats and potential threats to Burials**

Natural threats to burials include wind and water erosion.

Human threats result from both deliberate and accidental interference and both small and large-scale development.

## **Legislative Regime**

All burials in Queensland are regulated under provisions of the *Criminal Code Act 1899* (Section 236), the *Coroners Act 2003*, the *Burials Assistance Act 1965*, the *Land Act 1994*,

the *Aboriginal Cultural Heritage Act 2003* (Part 2) and *Torres Strait Islander Cultural Heritage Act 2003* (Part 2) and local government by-laws.

If you locate human remains it is **essential that you do not disturb the remains. You must report the findings to the Queensland Police Service.** The Police must secure the location of the remains as a potential crime scene. Once it is established that the remains are not a crime scene and that the remains are Aboriginal or Torres Strait Islander the Coroner can release the remains to the Cultural Heritage Coordination Unit of the Department of Environment and Resource Management. The Cultural Heritage Coordination Unit will then implement the procedure *The Discovery, Handling and Management of Human Remains under the Provisions of the Aboriginal Cultural Heritage Act 2003 and Torres Strait Islander Cultural Heritage Act 2003*.