

GENERAL INFORMATION FOR POLICE: - ABORIGINAL AND TORRES STRAIT ISLANDER HUMAN REMAINS

- 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 in rock shelters and overhangs
- They may be exposed by natural processes or inadvertently exposed in most locations where land modification activities are occurring
- Insensitive handling of such remains may cause distress to Aboriginal and Torres Strait Islander people

Description

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 Australians 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 rock shelters 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.

Aboriginal and Torres Strait Islander 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 place 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 rock shelter 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 and Torres Strait Islander people 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

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* and local government by-laws.

Helping to determine if human remains are Aboriginal or Torres Strait Islander or not Officers of the Department of Environment and Resource Management or their representatives may be available to assist in the identification of possible burial sites.

Below are some physical signs that may indicate that a site contains Aboriginal or Torres Strait Islander remains. If there is any doubt regarding the origin of the remains police procedures must take precedence.

- Are the human remains associated with stone tools, shells and other bones?
- Are the human remains in a hard compacted deposit?
- Are the human remains in a coastal or inland dune system, in a lunette, in a rock shelter, or cave or cleft in the rocks?
- Are there carved or scarred trees or stone arrangements nearby?
- Are the human remains associated with grave goods (eg bark, necklaces, headbands etc)?
- Have the remains been marked with ochre?
- Are the burials flexed or squatting?
- Is the burial of a bone bundle type?
- Is there a complete absence of post contact disease or other dental caries or fillings?
- Is there marked wear of the teeth?

If in doubt a digital photo may be taken and sent to the Queensland Police Service or Queensland Health Scientific Services for advice.

IF THE ANSWER TO ANY OR ALL OF THE ABOVE IS YES THEN THE REMAINS *MAYBE* ABORIGINAL OR TORRES STRAIT ISLANDER. DO NOT DISTURB.

- Are the remains associated with European objects (clothing, plastic, metal)?
- Is there evidence of post -contact diseases or dental caries, repairs or fillings?
- Is there evidence of trauma caused by knives or guns?

IF THE ANSWER TO ANY OR ALL OF THE ABOVE IS YES THE REMAINS *MAYBE* EUROPEAN. POLICE PROCEDURES THEN TAKE PRECEDENCE

When Aboriginal or Torres Strait Islander human remains are determined to be present, the local Police should inform the Police Service Cultural Advisory Unit as this Unit is able to assist with liaison and investigations with Aboriginal and Torres Strait Islander elders.

Information sources

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*.

Contacts for Advice on digital photos:

Scientific Section
Forensic Services Branch
Police Headquarters
Ph 07 3364 6061

Supervising Scientist
Forensic Pathology
Queensland Health Scientific Services
39 Kessels Road Coopers Plains Qld 4108
Ph 07 3274 9200