

REBURIAL AND MANAGEMENT OPTIONS: - General information Sheet

ABORIGINAL AND TORRES STRAIT ISLANDER BURIALS

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.

Managing the remains

The following options should be discussed with the Aboriginal and Torres Strait Islander communities:

- Whether or not the remains should be left where they are;

While this is generally the preferred option consideration needs to be given to the possibility that the remains might be again disturbed at a later date.

Leaving the remains where they are will require the support of the landholder especially if the Aboriginal or Torres Strait Islander community wishes to visit the site at a later date.

The Queensland Government has directed that reburials on State-controlled land should be discouraged (see the Queensland State Land policy PUX/0901/653-1997) since they may interfere with future dealings with the land. (see <http://www.derm.qld.gov.au/register/p01081aa.pdf>).

If the decision to remove remains is made, protocols need to be developed regarding the removal

- Whether the remains should be reinterred nearby;

Consideration should be given to the fact that the remains might be disturbed at a later date.

Discuss what arrangements can be made for the Aboriginal or Torres Strait Islander community to visit the location.

Is any sort of marking required by the Aboriginal or Torres Strait Islander community?

- Whether or not the remains should be reinterred at a nearby cemetery.

Conditions under the *Land Act 1994* may apply.

Arrangements may be made with Queensland National Parks and Wildlife Service regarding burial on parks (see at <http://www.derm.qld.gov.au/register/p01081aa.pdf>).

It is important to remember that local governments are responsible for burials in their area and have laws and policies about such matters.

- Whether or not the remains should be held somewhere for safe-keeping;

Aboriginal or Torres Strait Islander ‘keeping places’ may already exist.

- Whether or not further analysis should be undertaken on the remains.
- How the remains should be handled.
- Who is going to remove the remains.

In all cases of reburial the location should be accurately recorded even if it is kept confidential.