

21 September 2018

**NSW Legislative Council Regulation Committee Inquiry into the
Cemeteries and Crematoria Amendment Regulation 2018**

SUMMARY OF ORAL SUBMISSION

**BISHOP GEORGE SCHAEFER –
Russian Orthodox Church Outside of Russia**

Document tendered by
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1. Introduction and background

- Bishop of Canberra, Vicar Bishop of Australian and New Zealand Diocese of the Russian Orthodox Church Outside of Russia.
- The Bishop of Sydney is Met. Hilarion Kapral, - also the First Hierarch of ROCOR. He is currently at our Synodal Headquarters in New York.
- ROCOR has 17 parishes in NSW, some of which are also monastic communities.
- For many years our Diocese has had an active Cemetery Committee in Sydney, which is dedicated to preserving the existing graves of our deceased and ensuring that our future needs are met in this regard.
- The majority of our faithful departed are buried at Rookwood Cemetery, including many of our clergy. Estimate around 30,000 graves at Rookwood.
- Seek to tender a modest compendium of documents that will give the Committee some idea of the Orthodox Christian approach to burial, which I will now briefly outline for you. [Hand up compendium and name each document inside for the record].

2. Summary of the Orthodox position in relation to burial

- [Read Doc #1] - "The Orthodox Christian faith and Russian Culture..."
- Brief summary of the theological basis for the beliefs – The Incarnation – The potential holiness of physical things – the body as a temple of the Holy Spirit.
- Cremation is not permitted by the ancient canons of the Church – Provide a very brief summary of the decision of our Synod in relation to this issue, when cremation was becoming increasingly popular in the 1950s.
- Visiting the final resting place of deceased loved ones, caring for their graves and praying for their souls on a regular basis is a significant part of an Orthodox Christian's life. Visiting the graves of the departed is a formal part of the Church Calendar (St Thomas Sunday, Day of Rejoicing etc).

3. Why are renewable interment leases a problem for Russian Orthodox people?

- Perpetual interment is the only option that is wholly compatible with the religious beliefs and practices of a faithful Russian Orthodox Christian. Choosing or being forced to choose an alternative to perpetual interment due to financial or other pressures would be contrary to those beliefs and practices.
- Our community is concerned that the proposed changes will result in a premium cost being placed on perpetual interment. Accordingly, Russian Orthodox Christians would be forced to pay more than persons of other faiths or no faith. Such persons would have open to them the additional and less costly options of cremation or a renewable lease.
- In effect, this would effectively amount to an additional ‘burial tax’ on Orthodox Christians and other groups who have religious or cultural practices that require perpetual interment.
- This would be inequitable and disadvantage members of the community who are unable to afford to pay a premium for perpetual interment.
- There is also the risk that the changes would result in two classes of people in death –those who can afford a final resting place and those who only afford to rent a temporary resting place.
- Further, from a pastoral perspective, we are concerned that the changes will effectively compromise the established cultural understanding of burial as a ‘final resting place’ - a concept which provides grieving families them with some much needed solace and closure when saying goodbye to their loved ones.

4. What do we suggest as a pathway forward?

- The release of additional land on the outskirts of major cities and in rural areas.
- In the event that the changes are enacted, a reduction in the cost of perpetual interment for those deceased persons who can establish that they are bona fide members of religious and/or cultural groups that forbid cremation and require perpetual interment.