

Submission
No 92

**INQUIRY INTO CEMETERIES AND CREMATORIA
AMENDMENT REGULATION 2018**

Name: Miss Zona Kelly and Mrs Dianne Ball

Date Received: 30 August 2018

Cemeteries and Crematoria Amendment Regulation 2018 Submission

30 August 2018

Mrs Dianne Ball and Miss Zona Kelly
First Nation Aboriginal people
Australian Citizens

Dear Cemeteries and Crematoria Amendment Regulation Committee

As First Nation Aboriginal persons of Australia we would **highly recommend** that all Aboriginal and Torres Islanders people of Australia **be recognised by cultural means** of their **connection to land** concerning burial of deceased Aboriginal person past and present which are interred in public and private cemeteries or crematoriums.

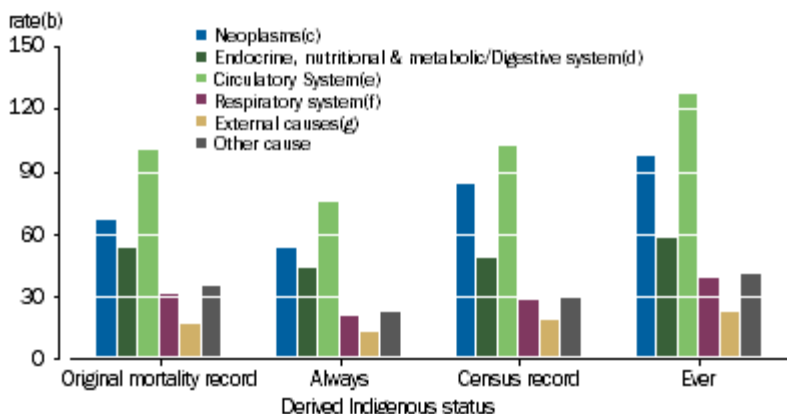
It has come to our attention that there is a need to **recognise custodial law** of Aboriginal people concerning **'sorry business'** of burials of Aboriginal people of today under the certain relevant Acts, legislative bills and policies of the Australia Parliament.

The importance of this recommendation is due to the alarming rate of Aboriginal deaths in Australia under the Death registrations to Census findings for Aboriginal and Torres Strait Islander peoples in 2011 – 2012:

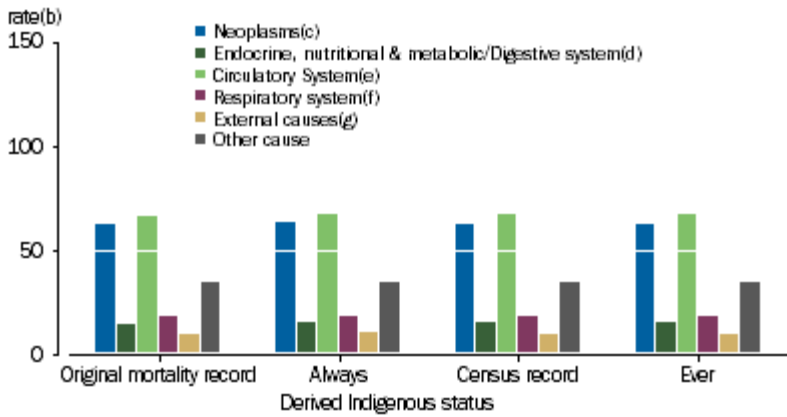
3302.0.55.005 - Information Paper: Death registrations to Census linkage project - Key Findings for Aboriginal and Torres Strait Islander peoples, 2011-2012
Latest ISSUE Released at 11:30 AM (CANBERRA TIME) 15/11/2013 First Issue

DEATH REGISTRATION RECORDS AFTER LINKAGE, underlying cause of death by selected algorithms to derive Indigenous status(a), 2011

ABORIGINAL AND TORRES STRAIT ISLANDER



NON-INDIGENOUS



(a) Deaths that occurred from 10 August 2011 to 31 December 2011. Data are based on five jurisdictions for which the quality of Aboriginal and Torres Strait Islander identification in mortality data is considered acceptable (NSW, Qld, SA, WA and NT only). For more information see explanatory note 73 of [Causes of Death, Australia](#) (cat. no. 3303.0).
 (b) Age standardised death rate. Deaths per 100,000 of the June 2011 estimated resident population.
 (c) ICD-10 codes C00–D48.
 (d) ICD-10 codes E00-E90 and K00-K93.
 (e) ICD-10 codes I00-I99.
 (f) ICD-10 codes J00-J99.
 (g) ICD-10 codes V01-Y98.

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Referenced:

<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/3302.0.55.005Chapter82011-2012>

Our belief system is still of our ancestors and is strongly linked to the land and water. Sorry Business is very important to show respect to the Aboriginal families and communities of this nation concerning the deceased family member to be buried under cultural understanding of their connection to land.

An example of 'Sorry Business':

Understanding Aboriginal Culture concerning death, the fact that multiple burials can only take place under the Aboriginal family unity:

The true factors of Aboriginal ceremonies of burial that was part of the ancestral dreaming plays a vital part in burials of Australian Aboriginal people and communities today when burying their deceased family member.

Belief of Australian Aboriginal people today is still culturally minded of the 'dreaming' concerning two soul:

"At death, the two types of soul have different trajectories and fates. The egoic soul initially becomes a dangerous ghost that remains near the deceased's body and property. It eventually passes into nonexistence, either by dissolution or by travel to a distant place of no consequence for the living. Its absence is often marked by destruction or abandonment of the deceased's property and a long-term ban on the use of the deceased person's name by the living. Ancestral souls, however, are eternal. They return to the environment and to the sites and ritual paraphernalia associated with specific totemic beings and/or with God.

The funerary rites that enact these transitions are often called (in English translation) "sorry business."

Reference:

<http://www.deathreference.com/A-Bi/Australian-Aboriginal-Religion.html#ixzz5OkYwJs7b>

We believe that these important actions would benefit Aboriginal and Torres Strait Islanders people and their communities.

Your attention to this issue will be greatly valued by the Aboriginal and Torres Strait Islanders communities of Australia. Attachment of two documents: Michael's Lore and Genesis Legislative proposals that Aboriginal and Torres Strait Islander people be exempt under the Re-usable Grave Site Tenure. To ensure that the interment practice and beliefs uniqueness of Aboriginal Values of burial of Aboriginal and Torres Strait Islander people. Only relatives of Aboriginal and Torres Strait Islander people to be buried on top of deceased (exception for spouses from different cultural background. Non-profit Charitable organisation for take ownership of Aboriginal and Torres Strait Islander people's burial leases on interment.

Sincerely,

Mrs Dianne Ball – Miss Zona Kelly