

Institute of Cemetery & Crematorium Management

**Policy relating to
Shallow Depth Graves**



**Issued by the Institute of Cemetery and Crematorium Management
ICCM National Office, City of London Cemetery, Aldersbrook Road, Manor Park, London, E12 5DQ**

May 2004

ICCM Policy

Shallow Graves

INTRODUCTION

The ICCM has identified a growing problem in respect of numbers of shallow graves being encountered when reopening takes place. The possible causes of this problem would include:

- Failure to excavate to required depth at time of last burial
- Error in entering information on grave digging orders
- Collapse of grave immediately prior to last interment with no adequate action being taken
- Lack of or poor checking and recording procedures
- Incomplete or dilapidated records
- Un-trained staff

It has become evident that many cemetery managers have inherited an historic problem that they are required to deal with as each shallow grave is encountered. Having said this it could be construed as negligence should proper procedures not be put in place which are designed to prevent the problem increasing and maintain complete compliance with burial law and the expectations of the bereaved.

In order to empower cemetery managers to deal with the whole issue of shallow graves this policy is divided into two sections namely:

1. Preventing The Occurrence of Shallow Graves
2. Dealing With The Inherited Problem

1. Preventing The Occurrence of Shallow Graves

The Local Authorities Cemeteries Order 1977 (LACO) contains the following requirements in respect of depths of burials and protection of previously buried remains. It should also be remembered that Section 25 of the Burial Act 1857 advises that the disturbance of buried human remains without lawful authority is a misdemeanour. This fact is reinforced by a general saving contained in Article 23 of LACO which states "Nothing in this order shall be construed as authorising the disturbance of human remains".

PART 1 of SCHEDULE 2 of LACO states, in relation to the exercise of rights:

1. No burial shall take place, no cremated human remains shall be scattered and no tombstone or other memorial shall be placed in a cemetery, and no additional inscription shall be made on a tombstone or other memorial, without the permission of the officer appointed for that purpose by the burial authority.
2. No body shall be buried in such a manner that any part of the coffin is less than three feet below the level of any ground adjoining the grave:

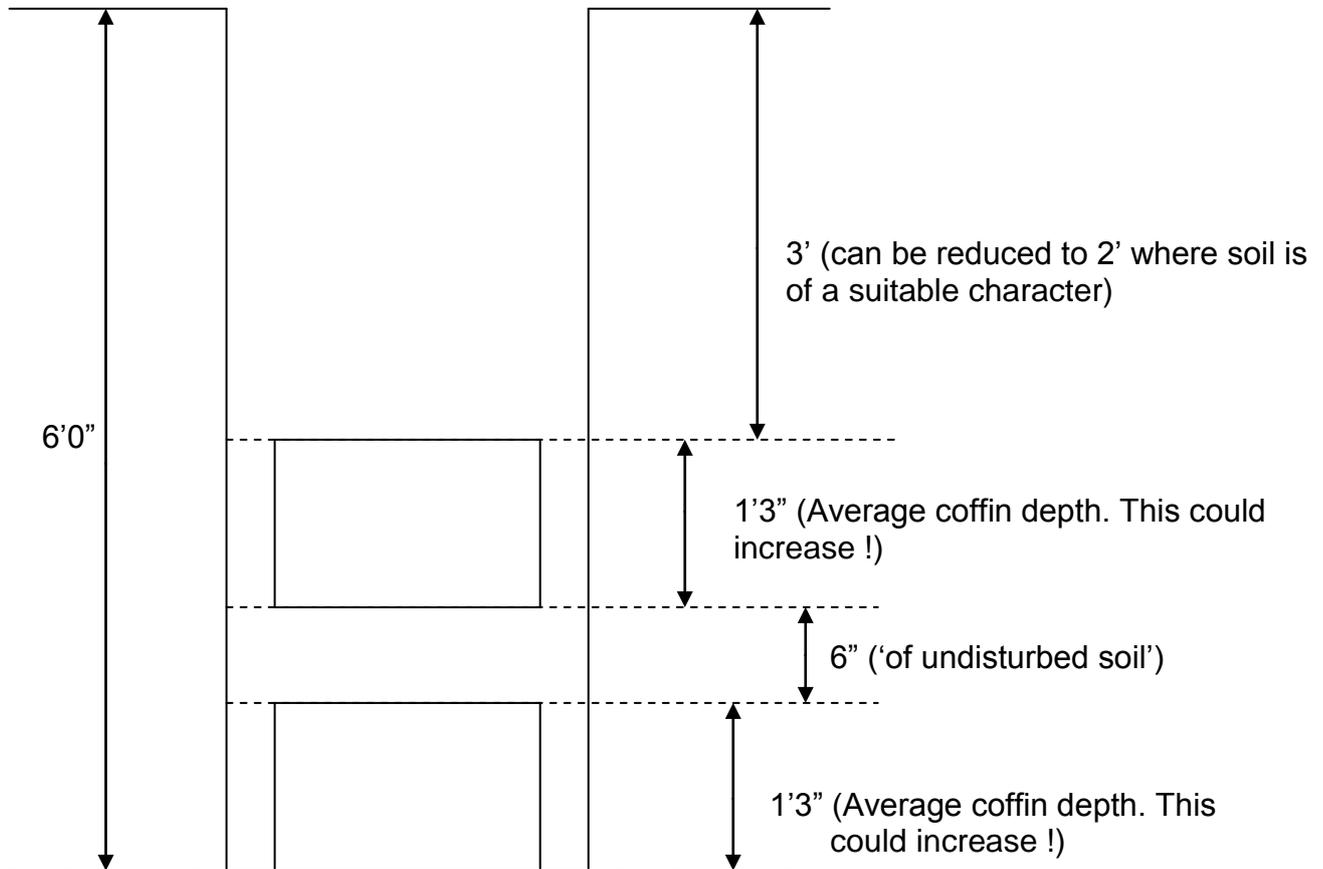
Provided that the burial authority may, where they consider the soil to be of suitable character, permit a coffin made of perishable materials to be placed not less than two feet below the level of any ground adjoining the grave.

(Note: The definition of 'suitable character' was produced some years ago in a Memorandum of the then Ministry of Health. The appropriate text of this Memorandum is contained in Appendix 1)

3. No body shall be buried in a grave unless the coffin is effectively separated from any coffin interred in a grave on a previous occasion by means of a layer of earth not less than six inches thick.

- When any grave is reopened for the purpose of making another burial therein, no person shall disturb any human remains interred therein or remove therefrom any soil which is offensive.

The limits imposed by Schedule 2 can be explained diagrammatically as follows:



The above example illustrates the MINIMUM depth that must be achieved for two burials and it is recommended that this minimum depth for new graves is increased in order to build in a contingency against future unknown factors. It should be noted that the average coffin depth used in the above example could be greater in some instances especially where casket burial takes place.

It is advisable to request the depth of each coffin to be buried in addition to length and width dimensions.

By using the above model and adding for contingency for unknown factors it is possible to confidently excavate all new graves to a depth that will ensure that sufficient depth remains for the second interment. The same principles can be applied to new graves for more than two burials.

Checking Procedure

A checklist can be added to grave digging orders and interment notices (examples attached as Appendix 2) with each step being initialled by the persons carrying out checks as detailed in the following:

LACO requires that a plan of the cemetery is maintained and shows the locations of individual graves, the grave numbers and the rights attached to each grave.

Before a new grave is excavated its location must be checked against the cemetery plan. In order to prevent further error the record of graves and register of grants must be checked to ensure that the particular grave has not already been allocated. It could be possible that the grave was previously allocated and the cemetery plan was not updated.

The actual location within the cemetery must next be identified using the cemetery plan. The number of the grave to be excavated can be checked via the numbering of graves on either side and by referencing from the rows in front and behind. The grave space must be accurately measured and marked so as to coincide with the cemetery plan and a marker bearing the grave number (wooden stake or similar) should be inserted centrally at the head end of the grave.

Where graves are pre-marked on a continuous concrete bearer or where you have previously installed individual headstone foundations the marker must be placed centrally within the grave space immediately in front of the bearer or foundation.

Before digging commences a senior operative / foreman / sexton or other competent person must check the location.

On completion of the excavation the person that originally allocated the grave from the cemetery plan should check the grave again.

2. Dealing with the Inherited Problem

General

A shallow grave will only be encountered at the time of reopening for a further interment and therefore time in which to resolve the problem will be limited. A desire to meet with the needs of the bereaved should not outweigh the need to comply with burial law and under no circumstances should a burial be carried out in an earth grave where full compliance with LACO will not be achieved.

The registered grave owner or executor or nearest surviving relative should be informed of the situation at the earliest possible time.

In circumstances where compliance with LACO cannot be achieved for earth burial there is provision within Part 1 of Schedule 2 of the Order that can assist. **NOTE: The user of this policy must note that 6(a) below should not be interpreted as recommending pouring concrete into a shallow earth grave and over the coffin that has been committed. The remainder of this policy must be read and understood in order to adopt the proper legal method.**

PART 1 of SCHEDULE 2 of LACO further states:

5. Every walled grave or vault shall be properly constructed of suitable materials.

6. Within 24 hours of any burial in a walled grave or vault, the coffin shall be-

(a) embedded in concrete, and covered with a layer of concrete not less than six inches thick; or

(b) enclosed in a separate cell or compartment of brick, slate, stone flagging or precast concrete slabs of a 1:2:4 mix, in any case not less than two inches thick, in such a manner as to **prevent, as far as may be practicable, the escape of any noxious gas** from the interior of the cell or compartment.

When considering 6(a) above it is apparent that embedding in concrete relates only to burials in existing walled graves or vaults however a walled grave or vault may be constructed within a shallow depth grave. Once this is done however, there would be little point in embedding in concrete when taking 6(b) into account.

Recommended Code of Practice

1. Excavate to maximum depth achievable leaving 6" of soil above the last coffin buried.
2. Ensure that the length and width of the excavation are sufficient to allow the construction of the walls of a cell or compartment and allow the coffin free passage at the committal.
3. Construct a solid foundation in the bottom of the grave by either the preparation of footings around the perimeter of the bottom of the grave or by inserting a pre-formed concrete foundation slab. Alternatively a layer of dry mix concrete can be spread over the bottom of the grave.
4. Construct 4.5" brick walls around the inside the grave (alternatively a proprietary pre-formed concrete sleeve can be lowered into the grave).
5. Ensure that there are no gaps in the mortar between bricks.
6. Carry out the interment with the coffin coming to rest within the brick cell or compartment formed.
7. Seal the top of the cell or compartment by bedding concrete slabs of at least 2 " in thickness onto mortar ensuring that no gaps exist.
8. Backfill remaining depth with soil.

In order to remain within the requirements of LACO the cell or compartment must be constructed in such a manner so as to **prevent, as far as may be practicable, the escape of any noxious gas** from the interior of the cell or compartment.

APPENDIX 1 Extract from a Memorandum of the Ministry of Health Memorandum on the Sanitary Requirements of Burial Grounds

The soil of a burial ground should be preferably of an open porous nature, with numerous close interstices, through which air and moisture may pass in a finely divided state freely in every direction. In such a soil decay proceeds rapidly, and the products of decomposition are absorbed or oxidised. The soil should be easily worked, yet not so loose as to render the work of excavation dangerous through the liability to falls of earth. It should be free from water or hard rock to a depth of not less than 4 feet 3 inches if only one interment is to be made in each grave. This would allow 1 foot 3 inches for depth of coffin and 3 feet for cover of earth above the coffin. If more than one interment in a grave is contemplated the soil should be free from water or hard rock to a proportionately greater depth, allowance being made for a layer of earth not less than 6 inches in thickness between any two coffins. If the soil is not naturally free from water, it may be found necessary to drain the site to the required depth, and hence the site should be sufficiently elevated above the drainage level of the locality, either naturally, or, by filling it up to the required level with suitable earth.

A dense clay is laborious to work and difficult to drain; by excluding moisture and air it retards decay, and it retains, in a concentrated state, the products of decomposition, sometimes to be discharged into graves in the vicinity, or sometimes to escape through cracks in the ground to the surface. A loose stony soil, on the other hand, may allow the passage of effluvia, and of imperfectly purified drainage water.

(The above memorandum obviously received attention when the Local Authorities Cemeteries Order (LACO) was being drafted as there are obvious similarities in the above advice and Part 1 of Schedule 2. LACO does indicate 2 feet of soil of a suitable character above the last coffin).

APPENDIX 2

XYZ CEMETERY

Order No.....

Grave Digging Order

Date of Burial			
Time			
*NEW / REPOEN *			
Grave Section & Number			
Depth to be Excavated			
Coffin / Casket Dimensions	Length	Width	Depth

***Delete those inappropriate**

If Reopen, Type of Memorial Present
To be removed by *CEMETERY STAFF / MEMORIAL MASON *
Name on Memorial

Checklist

ITEM	INITIALS
Location checked against cemetery Plan	
Location double checked by Supervisor / Foreman	
Pre interment check – location and depth	
Depth recorded at pre interment check	

Interment Notice Checklist

The following checklist can be added to the interment notice and utilised for both manual and computerised recording systems:

Item	Initials
Plan marked	
Register of Grants / Purchased Graves checked	
Transfer of ownership completed (if required)	
Grave digging order issued	
Register of Burials completed	
Register / Record of Graves Completed (depth entered)	
Register of Grants / Purchased Graves Completed (new graves only)	
Deed prepared (new graves only)	