

BURIAL AND CREMATION SERVICES

Executive Summary

1. The Food and Environmental Hygiene Department (FEHD) provides burial and cremation services to the public. It manages 10 public cemeteries, six public crematoria and eight public columbaria (with 11 gardens of remembrance), and regulates the operation of 27 private cemeteries. In the past 20 years, the average numbers of annual deaths and cremations were 38,000 and 31,000 respectively. They are estimated to rise to 55,000 and 52,000 respectively in the next 20 years. Since the 1970s, the Government has been encouraging cremations instead of coffin burials, resulting in a rising demand for columbarium facilities and an upsurge of private columbaria. In recent years, there have been public concerns over the shortage in supply of public niches, and the regulation of private columbaria. The Government has adopted a three-pronged strategy in its columbarium policy, comprising promotion of green burials, a robust supply of public columbaria, and enhanced regulation of private columbaria. The Cemeteries and Crematoria Section of the FEHD is responsible for providing burial and cremation services. As at March 2015, the Section had an establishment of 213 staff. Its financial provision for 2015-16 is \$332 million. The FEHD charged the public for the burial and cremation services rendered. Its estimated service income for 2015-16 is \$103 million. The Audit Commission (Audit) has recently conducted a review of the burial and cremation services provided by the FEHD.

Supply of public niches

2. *Slow progress in implementing the District-based Columbarium Development Scheme.* In 2010, the FEHD introduced the Scheme under which all the 18 districts collectively share the responsibility of developing columbarium facilities. The Government identified 24 sites in 18 districts for columbarium development. However, the overall progress of implementing the Scheme was not entirely satisfactory. Up to July 2015, only two small projects had been completed. There were still 16 (67%) projects without a definite timetable for consulting the relevant District Councils. Audit noted that the slow progress was attributed to additional time spent on conducting traffic impact assessment studies and the lack of effective measures for promoting local acceptance (paras. 2.6, 2.8 and 2.10 to 2.16).

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3. *Acute shortage in short-term supply of niches.* As a result of project delays, there would be practically no supply of public niches under the Scheme from 2016 to 2018. Moreover, private niches would also be in short supply as a result of the implementation of a proposed licensing scheme for private columbaria (see para. 10 below). As a result, both public and private niches would be in short supply in the next few years. Public demand for niches could not be met until completion of the Tsang Tsui Project in 2019, providing 160,000 niches. There is a need to devise a plan and explore measures to address the impending acute shortage (paras. 2.24 and 2.25).

4. *Need to critically review allocation arrangements.* In September 2011, the FEHD adopted the arrangements to allocate some 45,000 new niches in three phases from 2012 to 2015 by computer balloting. In 2014, the Ombudsman received a public complaint against the FEHD's allocation arrangements. After investigation, the Ombudsman found the complaint substantiated and concluded that phased allocation had left many niches vacant for too long, and people unsuccessful in balloting might have to wait endlessly. The FEHD agreed to review the allocation arrangements. Audit noted that the FEHD had not disclosed the rationale and justifications for adopting phased allocation arrangements for public deliberation. Audit also noted that, before conducting the review of the allocation arrangements, the FEHD intended to allocate the 160,000 niches to be completed under the Tsang Tsui Project in 2019 by phases of 20,000 niches a year over eight years (paras. 2.29 to 2.38).

Burial grounds and cremation services

5. *Mismatch cases of urn graves.* In 2004, the Ombudsman conducted a direct investigation and found that the records of urn graves managed by the FEHD were incomplete and inaccurate, and recommended a full-scale survey to verify the information. From 2005 to 2014, the FEHD conducted on-site surveys of all its urn graves and found some 37,000 cases in which the name of the deceased inscribed on the grave headstone did not match with that in FEHD records. The FEHD considered that the information mismatch did not necessarily mean that the identity of the body buried in the urn grave was mistaken. Most of the mismatch cases were attributed to failure in the past to update official records, inaccurate data input, or suspected illegal burials. The FEHD flagged all mismatch cases in the computer records for taking follow-up actions when applications for exhumation were received. As of March 2015, the FEHD received applications for exhumation

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related to 1,473 mismatch cases and completed follow-up actions on 1,455 of them. The overall progress of following up mismatch cases was slow. Audit noted that the FEHD had not previously disclosed the results of the urn grave survey and the progress of following up mismatch cases (paras. 3.12 to 3.18).

6. ***Promoting the use of eco-coffins.*** Eco-coffins (made of recycled paper and cardboard) are more environmentally friendly, cost less, and take less fuel and less time for cremation than traditional coffins (made of wood). In 2006, the FEHD started to promote the use of eco-coffins and use them for cremating unclaimed bodies. Despite the benefits of using eco-coffins, the popularity of eco-coffins had not increased. In 2014, eco-coffins were used in 829 (2%) of 41,244 cremations of dead bodies. There is a need for more effective measures in overcoming barriers and promoting the use of eco-coffins (paras. 3.24 to 3.27).

7. ***Potential supply of urn spaces in allocated niches.*** A public niche is designed to hold two urns (standard niche) or four urns (large niche). Ashes from a close relative of the first deceased can be added to an allocated niche. In 2014, the FEHD relaxed the definition of close relative and removed the cap on the number of urns placed in a niche. Despite these measures, up to June 2015, the utilisation of urn spaces in public niches was low. About 77% of the some 201,000 occupied niches had unused urn spaces, with a total of some 176,000 spaces for placing additional sets of ashes. There is a need to promote and increase the use of the unused urn spaces, particularly as a means to meet the acute shortage of supply in niches from 2016 to 2018 (paras. 3.30 to 3.35).

Regulation of private columbaria

8. Private columbaria play an important role in supplying niches and providing choices to the public. Many private columbaria do not comply with statutory and government requirements arising from town planning, land leases and building safety. In June 2014, the Government introduced the Private Columbaria Bill to the Legislative Council for setting up a licensing scheme with the objectives of ensuring compliance with statutory and government requirements by private columbaria, enhancing protection of consumer interests and ensuring a sustainable mode of operation (paras. 4.2 and 4.5).

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9. *Inadequate enforcement actions against unauthorised columbaria.*

There were public comments that enforcement actions against unauthorised columbaria were not adequate. The number of unauthorised columbaria increased substantially from 52 (December 2010) to 124 (June 2015) by 72 (138%) in a period of less than five years. There is a need for the FEHD to devise an enforcement system under the new licensing scheme, with a mechanism for coordinating the efforts of other enforcement departments to ensure efficiency and effectiveness of the enforcement system (paras. 4.8, 4.11 and 4.12).

10. *Shortage in short-term supply of private niches.*

When the proposed licensing scheme comes into operation (expected to be in mid-2016), all private columbaria cannot sell or let out niches unless they have obtained licences. However, application for a licence can only be made three months later to allow time for setting up the Licensing Board. Moreover, time is required for processing applications, and the number of licences to be issued and the number of niches allowed for each licence could not be ascertained at this stage. The supply from licensed columbaria would be uncertain in the coming years (paras. 4.13 to 4.15).

Way forward

11. *More efforts needed for promoting green burials.*

Green burials, which include scattering of ashes at gardens of remembrance or at sea, provide a more sustainable way for the disposal of cremated ashes. Since 2007, the FEHD has been taking measures to encourage the community's acceptance of green burials, including the provision of free services. Despite such efforts, scattering of ashes at gardens of remembrance and at sea only accounted for a small percentage of cremations, at 7% and 2% respectively in 2014 (paras. 5.6 and 5.10).

12. *New measures to improve sustainability of public niche supply.*

To improve the sustainability in public niche supply, the Food and Health Bureau has proposed two measures, namely, setting a time limit for occupation of niches, and evening out the traffic impact of columbarium developments by confining worship periods to either the Ching Ming or Chung Yeung Festivals. However, there has been little progress in implementing these measures (paras. 5.17 to 5.19).

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Audit recommendations

13. Audit recommendations are made in the respective sections of the Audit Report. Only the key ones are highlighted in this Executive Summary. Audit has *recommended* that the Secretary for Food and Health and the Director of Food and Environmental Hygiene should:

Supply of public niches

- (a) step up efforts to implement the District-based Columbarium Development Scheme, including taking measures to expedite the completion of traffic impact assessment studies, and devise more effective measures for promoting local acceptance of columbarium development projects (para. 2.21(a) and (b));
- (b) closely monitor the Tsang Tsui Project to ensure its timely completion in 2019 to meet the accumulated demand for public niches from 2016 to 2018 (para. 2.27(a));
- (c) devise a plan and explore measures to address the acute shortage in short-term supply of niches from public columbarium projects and private columbaria from 2016 to 2018 (para. 2.27(b));
- (d) critically review the arrangements for allocating new niches (para. 2.39(a));

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- (e) consider reporting to the Legislative Council the results of the full-scale survey of urn graves and the progress of following up mismatch cases (para. 3.19(c));
- (f) identify and take more effective measures in promoting the use of eco-coffins (para. 3.28(b));

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- (g) take effective measures to increase the public's use of the unused urn spaces in allocated niches to meet public demand for niches (para. 3.43(a));

Regulation of private columbaria

- (h) devise an enforcement system under the proposed licensing scheme in a timely manner, with a mechanism for coordinating the efforts of other enforcement departments to ensure efficiency and effectiveness in taking enforcement actions against unlicensed columbaria (para. 4.16(a));

Way forward

- (i) step up efforts to continue to promote green burials (para. 5.15); and
- (j) examine the feasibility of the two measures, i.e. setting a time limit for occupation of niches and evening out the traffic impact of columbarium developments, for ensuring the sustainability in the supply of public niches (para. 5.21(a)).

Response from the Government

14. The Secretary for Food and Health and the Director of Food and Environmental Hygiene generally agree with the audit recommendations.