



Ontario Heritage Conference 2022

June 16-18

Brockville and the Surrounding Region

The Light at the end of the Tunnel



How licensing preserves cemeteries

BAO

Bereavement
Authority of
Ontario

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Manager, Communications

June 18, 2022

Agenda

1. What is the Bereavement Authority of Ontario?
2. Services provided by the BAO
3. **Licensing preserves cemeteries**
4. **Examples of how licensing preserves cemeteries**
5. Handy links

What is the BAO?

We're all about **consumer protection** – protecting and informing grieving families

The Bereavement Authority of Ontario (BAO) is a government delegated authority administering provisions of the [Funeral, Burial and Cremation Services Act, 2002 \(FBCSA\)](#) on behalf of the Ministry of Government and Consumer Services.

Responsible for **protection of the public interest**, the BAO regulates and supports licensed:

- ◆ **Funeral** establishment operators, directors and preplanners;
- ◆ **Cemetery, crematorium** and **alternative disposition** operators;
- ◆ **Transfer** service operators; and
- ◆ **Sales** representatives across Ontario.

The BAO is wholly funded by licensee fees (not tax dollars).

BAO Consumer Protection services

Information

- Website
- Consumer Information Guide
- Phone
- Email
- See 'BAO handy links' slide

Inspections

We inspect establishments to make sure they are:

- Safe
- Providing services as per the law and BAO directives
- Providing professional service

Licensing / Complaints

- License and monitor sector professions
- Complaints@TheBAO.ca, website or call us

A Guide to Death Care in Ontario

The BAO's *Consumer Information Guide: A Guide to Death Care in Ontario* is a **free** consumer-protection information booklet. The guide is written for families and the public to know their rights and responsibilities before entering into contracts with organizations that are licensed under the *Funeral, Burial and Cremation Services Act, 2002*. All licensees of the BAO are required to provide consumers with a copy of this guide.

The BAO urges all consumers to access *A Guide to Death Care in Ontario* ahead of time and encourages them to read through the guide, plan ahead and ask a lot of questions prior to entering into a contract with a provider.

If you have questions related to the information contained within *A Guide to Death Care in Ontario*, please feel free to contact the Bereavement Authority of Ontario, or a licensed service provider.



Free Printable Version

The law

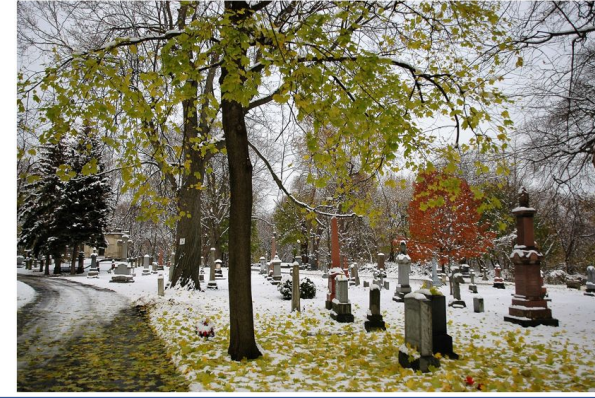
- ❖ Funeral homes, cemeteries, crematoriums and hydrolysis operations are covered by law, the FBCSA
- ❖ All are licensed by the BAO
 - **No licence = No business**
- ❖ In addition, the Registrar of the FBCSA (who is also the CEO of the BAO) issues directives that they must follow
- ❖ Not following the law or Registrar's Directives can and does result in
 - Suspensions of licences
 - Conditions placed on licences
 - Revocations of licences
 - Fines and prison terms as per the FBCSA
 - Up to \$50K for a person / \$250K for a business / and up to six months in jail

How licensing preserves cemeteries

- ❖ Cemeteries must be licensed by the BAO – by law (the *FBCSA*)
- ❖ Why?
 - Respect of the dead and their descendants / Heritage / History
 - Abandoned cemeteries become unsafe and unknown in their communities
 - Being licensed means cemeteries are:
 - **Maintained / Accessible** – lawns mowed; debris and hazards cleared; monuments in place
- ❖ Trust funds are created and maintained
 - For future care of cemeteries, especially when there is no longer any space for new burials – and no new revenues/fees from those burials needed for maintenance
 - Municipalities often take ownership and licensing responsibilities for abandoned cemeteries



□ St. John's Dixie Cemetery
& Crematorium,
Mississauga



□ St. James'
Cemetery,
Toronto

How licensing preserves Ontario cemeteries

Underground Railroad history

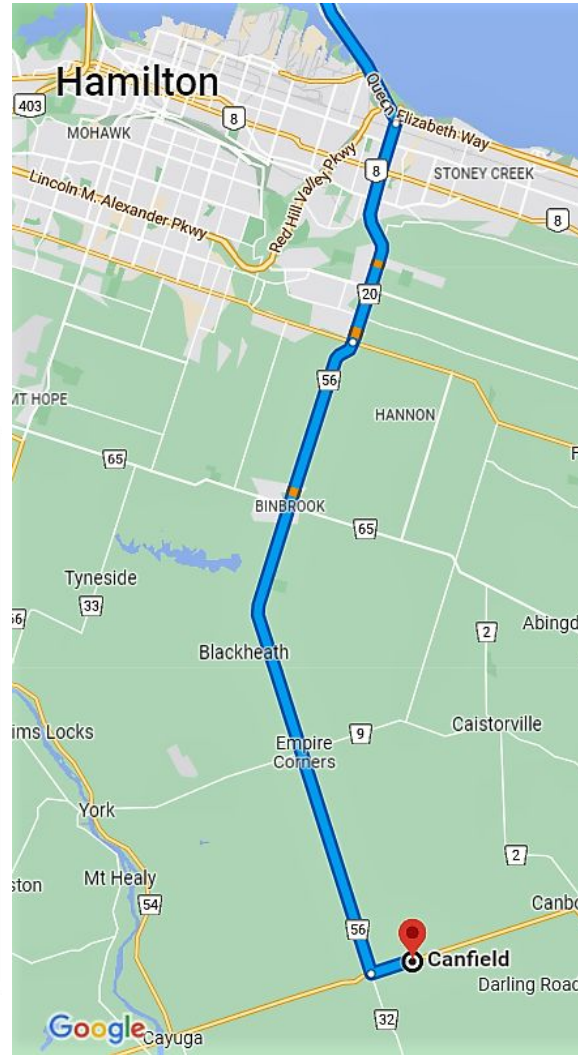
Haldimand plans to take over historic cemetery in Canfield

Site is home to many of the area's early Black settlers

NEWS Feb 19, 2021 by Tara Lindemann  The Sachem



In 1851 it was recorded that 137 Black settlers lived in Canfield. They were freedom seekers who fled slavery in the United States. - Aileen Duncan photo



- ❖ Haldimand County is in process to be the licensed owner of Street-Barnes Cemetery, in Canfield
- ❖ Many Black Americans, who fled to escape slavery in the USA, came to live in the Haldimand County area
- ❖ There are many such cemeteries in Ontario and across parts of Canada

How licensing preserves Ontario cemeteries

PAGE 3 • THE HALDIMAND PRESS • SEPTEMBER 23, 2021

Street family descendant 'blown away' by recovery of abandoned family cemetery in Canfield



CANFIELD—Above left, Street family descendant Aileen Duncan, her brother Larry Duncan, and another Street-Duncan descendant, Lucretia Harris, visit the Street cemetery in Canfield where their ancestors, including Lucy and Stepney Street, are buried. Right, Aileen looks over historical materials about her family with Karen Richardson, Curator of Haldimand County Museum and Archives, including a document featuring a first-hand account of Aileen's great-great-grandparent's journey along the underground railroad to Canada.

—Photos courtesy of Canfield Roots and Windecker Road Films.

Respecting and remembering those buried in Canada's first Black cemeteries

Discovering the truth about these burial grounds, such as the Streets-Barnes cemetery, is imperative

— Ontario Historical Society's Janie Cooper-Wilson

descendant of those buried in cemeteries of the Underground Railroad. "I've learned more from them than I've ever learned from an actual history book. It all comes together when you take a deeper look."

Licensing makes the cemeteries official

Bereavement Authority of Ontario inspector Andrew Reynolds

Canadian Black history has a distinct, yet overlooked, past when it comes to burial grounds in Ontario.

The Underground Railroad, a nineteenth-century secret network that more than 30,000 Black Americans used to escape slavery and find refuge in Canada, has an inimitable connection to multiple cemeteries across the province.

For Janie Cooper-Wilson, Wasaga Beach director of the Ontario Historical Society, these cemeteries are archives that represent her family history.

"I found more information here by researching the people resting for eternity in these burial grounds," says Cooper-Wilson, a direct



BEYOND

The Bereavement Authority of Ontario magazine



Carrie Barnes on her wedding day in Welland, Ont., in 1891. (Sylvia Weaver)

Among those buried at Street-Barnes is Carrie Barnes, whose renowned aunt Harriet Tubman helped slaves escape to Canada via the Underground Railroad in the 1800s. The most recent burials there were in the 1940s.

Underground Railroad history

- ❖ There are 15+ burial sites at the Street-Barnes abandoned cemetery
- ❖ Because it wasn't licensed it wasn't maintained
- ❖ Haldimand County now owns the cemetery, and it is being licensed
- ❖ It's a process that can take two years
 - Land easements, ownership transfer, legal, environmental concerns...
- ❖ But is worth it to respect the dead, their descendants, preserve heritage and history for generations to come

How licensing preserves Ontario cemeteries



Church under fire for barring man's burial in a plot his family already owns

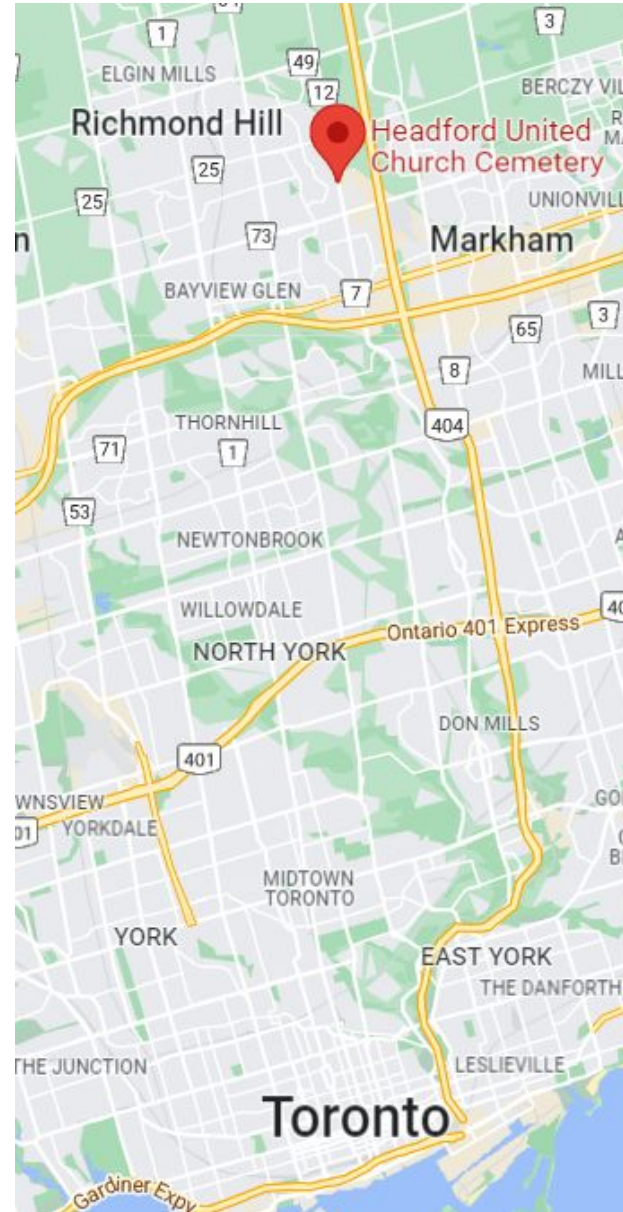
Body of Louis Tsotsos 'in limbo' at Toronto-area funeral home since Jan. 15, family says

CBC News · Posted: Feb 09, 2022 4:00 AM ET | Last Updated: February 9



Christina Nastas, niece of Louis Tsotsos, clears the headstone at the family plot in the Headford Cemetery on Feb. 4. (Mike Smee/CBC)

Relatives of a Toronto-area man who recently died say a church is refusing to let them bury him in its cemetery even though they own a plot there.



Headford Cemetery in Richmond Hill made headlines in February

The BAO administers the law – the *FBCSA*

Without **BAO intervention**, this family still wouldn't be permitted to bury their loved one – even though they own the plot!

Many landowners don't know the law

Some just don't care and need to be told

Thank you / BAO handy links



TheBAO.ca



Beyond online magazine

<https://thebao.ca/beyond-bao-magazine/>



Consumer Information Guide

<https://thebao.ca/for-consumers/consumer-information-guide/>



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