



OMBUDSMAN FOR BERMUDA

January 30, 2014

To All Media:

Hamilton, Bermuda: Ombudsman for Bermuda, Arlene Brock, has presented to the Speaker of the House of Assembly “A Grave Error” - a report of her Own Motion Investigation into the Demolition of Tombs at the Marsden Methodist Memorial Cemetery within the Tucker’s Point golf course. The report was disseminated today to members of the Legislature and the Speaker will formally introduce it in the next sitting of the House of Assembly. Members of the Legislature will receive copies by email or can collect hard copies at the House of Assembly.

A Grave Error notes: “The Cemetery was the last relatively intact relic that evidences the communal life of a wholly unique population in Bermuda. This population was removed from their lands in Tucker’s Town (either by voluntary sale or compulsory acquisition) pursuant to legislation in 1920 that granted development rights to the Bermuda Development Company to establish an exclusive tourism resort there.”

Ms. Brock said: “In my February 2012 Report on the Tucker’s Point Special Development Order, I had recommended that, notwithstanding that the Cemetery was already designated as an Historic Protection Area, it should receive “an extra layer of protection” as a Listed Building.

Ms. Brock said: “in mid-October 2012, the ancient tombstones were razed to the ground. I conducted this investigation to find out what happened. Despite making a commitment in April 2012 to implement my recommendation, the Ministry for the Environment and the Department of Planning did absolutely nothing to do so. This failure to implement the recommendation set the stage for the tragedy that was to follow.”

Ms. Brock said: “the tombstones were demolished by an agreement of Marsden First United Church (institutional inheritors of the Cemetery), Rosewood Tucker’s Point and Dr. Edward Harris, Bermuda’s premier archeologist. They based the decision on an utterly false assumption that the tombs were newly built in 1992. In fact, it was only the three inch deep lids of the graves that had been replaced. The tombs were clearly Bermuda limestone and had been there for as long as Tucker’s Point / Castle Harbour Hotel employees and a few others could remember.”

Ms. Brock said: “this is so very sad. Before demolishing the tombs no one asked why would an elite private tourist resort suddenly in 1992, build false tombs in the middle of its golf course – without reason, pressure, provocation or incentive?”

Ms. Brock said: “lamentably, no one double-checked with the Department of Planning to see if altering the structures was even allowed. Although the Department and Ministry did not make the decision or actually destroy the tombstones themselves, they could provide no credible reason for failing to do anything to implement the recommendation. The evidence is quite clear – had the Department just scheduled a meeting or otherwise contacted Rosewood Tucker’s Point or Marsden First United Church, the tombs would never have been destroyed.”

Ms. Brock said: “A Grave Error” sets out the history of the area and the reason why this Cemetery is of national importance. The report then sets out some of our research into the law and treatment of historical cemeteries – especially those within private golf courses. Interestingly, while cemetery land may belong to churches or private owners, it appears that descendants have decision rights regarding the actual tomb or headstones.”

Ms. Brock said: “While there are descendants amongst some of the members of the Marsden First United Church, there are also descendants throughout Bermuda. Therefore, I have recommended that, in consulting stakeholders about what to do next, the Historic Building Advisory Committee and the Development Applications Board should engage in a broader community consultation”.

Ms. Brock said: “the year 2020 will mark the 100th anniversary of the removal of a unique black population from Tucker’s Town. We can work together for the next seven ways to find ways of honouring that 1920 experience, not only to bring dignity to the ancestors but also to bring unity to the living. A lot of hurt had continued through the generations – partly because this highly racialized episode has not been fully acknowledged.”

Ms. Brock said: “I believe that a community consultation can use the Cemetery as a focal point to take the high road and forge positive memorials that can truly bring us together in our own Bermuda version of truth and reconciliation.”

Ms. Brock said: “A Grave Error concludes that: the Cemetery within the Tucker’s Point golf course must be understood to be a national heritage site with resonance even beyond its stones. It is more than a mere physical space. It is emblematic of a communal history known, dismissed and forgotten. It is a mirror for us to acknowledge the past as well as its living and institutional legacies. It is an opportunity for us all to rally around, reflect and reconcile.”

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Editors’ Notes:

- The Ombudsman for Bermuda may initiate investigations on her Own Motion under s.5(2)(b) of the Ombudsman Act 2004
- Supporting documentation for the History Timeline (Appendix F of A Grave Error) will be available on the Ombudsman’s website by 4 February 2014 www.ombudsman.bm
- Hard Copies of A Grave Error will be available on 4 February 2014 at the office of the Ombudsman for Bermuda, 14 Dundonald St., Hamilton.
- More information: office of the Ombudsman for Bermuda 441-296-6541