



# Memorial websites: profiting from loss?

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Tribute or memorial websites, or online shrines as they are also called, are an international and a 21st century phenomenon. They are of course, by definition, an internet phenomenon, and most go back no further than 2004. They are based all over the world; their reach is global, just as death is universal. Some can only be used by people aged over 18; others accept memorials from anyone from age 13. Most cater for all age groups and every type of death.

Self-evidently, the aim of those using them is to set up an enduring memorial for a loved one – the 21st century equivalent of a memorial park bench, or a plaque on a wall or cemetery tombstone. They are also very popular – sites regularly claim many thousands of visitors and users.

However, the motivation behind those who set up memorial websites is less straightforward. Some sites are free, but many are not. Some have been set up following an experience of bereavement, or have a specific charitable purpose. Many do not. Before using one of these sites to create a tribute to a loved one, it is essential to take the time to read the terms and conditions and privacy policy. Too often, commercial gain appears to be the motivating force behind them. Below is some guidance on what is on offer, and what to look out for.

## Hidden costs

Many sites state clearly that ownership of any material published on the site transfers to the organisation that runs it. This means they can do what they want with email addresses and any other details that the person setting up the tribute is asked to provide. This information is commercially useful and highly profitable, as it can be used and sold to others to use for marketing purposes.

Information about people's internet use has real value and fuels many a popular website. It enables a detailed profile of a person's likes, interests, buying habits and more to be constructed from their browsing habits. That is why so much on the web appears to be free.

So, for example, the US-based *Memory Of* ([www.memory-of.com](http://www.memory-of.com)) site spells out its terms and conditions very clearly: 'The

Company may use third party advertising companies and advertising networks to serve ads to users on The Company's behalf on *Memory-Of.com*. These companies may use information regarding user visits to The Company as well as other websites.'

Many websites reserve the right to do whatever they wish with the memorial, and are careful not to offer any guarantee of the longevity of the tribute. The US-based *Respectance* website ([www.respectance.com](http://www.respectance.com)) statement is typical in this respect. It '... reserves the right to change, alter or modify these terms of use for any or no reason at any time. When *Respectance* does so, changes in these terms of use will be posted on the website and will be effective immediately and binding on you from the date of posting. If you visit regularly, please check these terms of use on a regular basis.'

Charges also vary widely. Those that do levy a charge tend to offer a free trial period, after which the user must pay for the tribute – typically, an annual or monthly fee of \$30 per annum or \$5 per month. Others are free, but may provide opportunities for users to make a donation towards running costs, or to a charity, or to 'buy' a more deluxe package (ie. additional storage space for photographs, music or video clips, tributes etc).

An example of the former is the UK site *Gone Too Soon* ([www.gonetoosoon.org](http://www.gonetoosoon.org)), which was reportedly set up by Leeds bar owner Terry George, initially as a personal memorial to a friend who died in Thailand. It has simple terms and conditions, explained in a series of video clips, including an assurance that any information provided will not be used for any other purpose. The site explains that no one working on it is paid. No charges are levied for setting up a basic memorial but users and visitors are invited to make donations or 'gifts' (by buying *Gone Too Soon* credits), or to become a regular 'sponsor', to cover the site's running costs. The site also carries third party adverts (holiday cottages and UNICEF, for example). Sponsors receive a list of additional benefits and services, including the promise that they will 'never see a third party advert on the site'. The donations mean that 'anyone can create a memorial regardless of their financial circumstances'.

## Charitable purposes

An example of a 'give-in-memory' site is the *Cafod* website ([www.cafod.org.uk/get-involved/give-in-memory](http://www.cafod.org.uk/get-involved/give-in-memory)). Mourners are invited to establish a Candlelight Fund in memory of the deceased – the virtual equivalent of lighting a candle in church – where people can make donations to support the Catholic international development charity's work with disadvantaged communities worldwide.

*MuchLoved* ([www.muchloved.com](http://www.muchloved.com)), based in the UK, is an example of one site that appears to operate in an ethical and transparent way. Established by Jonathan Davies after the death of his brother and mother, it is a registered charity 'working for bereaved people worldwide' run by the MuchLoved Charitable Trust.

The site has simply stated policies and charges. It introduces and identifies its trustees and the members of its 'team' and explains its ethos clearly. It makes no charge for its basic, ten-year memorial tributes, although users can pay for additional storage capacity for photos (1,000+) and music. There are charges for 'in perpetuity' tributes, which again vary depending on how much storage space is wanted. Terms of service and the privacy policy are also simple, and there is also a helpful community forum and a blog facility.

In contrast, the US site *Virtual Heaven* ([www.virtualheaven.com](http://www.virtualheaven.com)) is very unclear about its charges. Some memorial packages are said to be free; some carry a charge – there appears to be no way of finding out until you start to go through the business of setting

up a memorial and inputting your information. The site also states that email addresses are not confidential, and carries extensive disclaimers declaring its right to change all and any agreements, terms and conditions, and charges, at any time. There is a long and complex privacy policy that would require a qualified and experienced legal professional to understand. The site gives no names of those involved anywhere, and the email contact is the holding company.

## Choose with care

There is no doubt that memorial websites are very popular, but they should be chosen with caution. The devil is in the detail. If the terms and conditions are unclear, be careful. If you don't want information about you to be passed on to other companies and organisations without your explicit consent and knowledge, look out for specific assurances that this won't happen.

The internet has often been dubbed the new 'wild west' – a lawless zone in which the unwitting traveller is vulnerable to banditry and exploitation. But it is particularly dismaying to find sites that appear to be deliberately seeking to profit from the grief and loss of bereaved people. ■

*This article should not be regarded as endorsing of any of the websites it mentions. Nor should it be seen to confer endorsement by Bereavement Care or Cruse Bereavement Care.*

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