

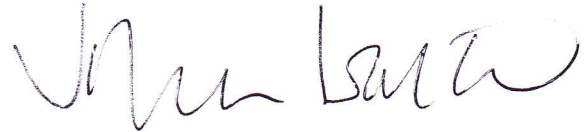
In the Consistory Court of the Diocese of Bradford

In the Matter of a Petition by Mr David Greaves for a Faculty to exhume the remains of Mr. Harold Greaves

JUDGMENT

1. This is a Petition by Mr David Greaves for a faculty authorising the exhumation of the cremated remains of his father ,Mr Harold Greaves who died on 3rd October 1999 and whose remains were interred on 13th October 1999 , from the Holy Trinity, Low Moor churchyard to be re-interred in the North Bierley cemetery. The reason for the application is to fulfil the wishes of the Petitioner's mother (who has recently died) that her remains and those of her late husband be interred together " in a family plot where I (ie the Petitioner) intend to be buried in due time."Revd. Christine Shedd , Team Vicar , does not object to the exhumation nor does the City of Bradford object to the re-interment at North Bierley.
2. In determining this Petition, the question which I have to decide is whether there are special circumstances which justify the making of an exception from the norm that Christian burial [that is, burial of a body or cremated remains in a consecrated churchyard or the consecrated part of a local authority cemetery] is final. The Petitioner needs to satisfy me on a balance of probabilities that there are such special circumstances.
3. The leading decision of the Court of Arches of in re Blagdon Cemetery sets out factors which commonly arise in connection with petitions for faculties for exhumation and identifies those which should and those which should not properly be taken into account .These identified factors are not intended to be exhaustive ,but they do provide guidance . There is nothing in the principles laid down in that case which supports the Petitioner in this case .I must exercise my discretion in the light of all the facts of the case , but having due regard to the principle that a faculty for exhumation should only exceptionally be granted .
4. In this case , applying the relevant law to the contents of the Petition and to the reasons advanced by the Petitioner for making the application I regret that I can identify no exceptional circumstances which could enable me properly to exercise my discretion to grant this Petition. I must therefore refuse it.

5. Finally, I should like to convey my apologies to Mr. Greaves for my delay in dealing with this Petition and for any inconvenience which this delay may have caused.

A handwritten signature in black ink, appearing to read "John Lawton". The signature is fluid and cursive, with the first name "John" written in a larger, more prominent script than the last name "Lawton".

Chancellor of the Diocese

29/6/2010