

## IN RE STREATHAM PARK CEMETERY

This is a petition by the South London Crematorium, which owns and runs Streatham Park Cemetery, to exhume the remains of May Roberson from one grave in the Cemetery (No 17289 Sq 18) to another (No 17127 Sq 18).

The facts of the matter are these. In 1974 Mrs Rebecca Adeshiyan died and was buried in grave No 17289 Sq 18 in the consecrated part of Streatham Park Cemetery. This was a double plot which Mr William Adeshiyan, her widower, bought at that time; he intended that in due time his own remains should be buried there.

In 1980, the remains of May Roberson were interred, by mistake, in grave No 17289 Sq 18. They should have been interred in grave No 17127 Sq 18, which was a family grave and in which are interred her great nephew (1930<sup>1</sup>) and her sister (1966). Graves No 17289 Sq 18 and No 17127 Sq 18 are in the same consecrated square and about 50 feet apart. The reason for the mistake does not appear from my papers and it is not material to my consideration of this matter.

In 2013, Mr Adeshiyan died. His burial was arranged for 9 May. It was on the morning of that day that the mistake which had occurred in 1980 was discovered. His remains were temporarily interred in an unconsecrated grave; it is proposed that, as soon as possible, they should be re-interred with the remains of his wife in grave No 17289 Sq 18. For this to happen, the remains of May Roberson need first to be interred in grave No 17127 Sq 18; this requires a faculty since her remains are interred in consecrated ground. Mr Nigel Cooper who is May Roberson's great nephew, and owner of the rights in respect of grave No 17127 Sq 18, is agreeable to a faculty being granted.

This is a classic "mistake" case and it is appropriate that a faculty should issue to permit its correction. Accordingly I direct that a faculty should issue.

I should add this. The situation that arose on 9 May 2013 was evidently a very difficult one and I have not been supplied with the details of what happened. It is not ideal for a funeral to be conducted and remains interred in the ground on the basis that such burial would be temporary. However Mr Adeshiyan's family would have had very little time to make a decision and what was arranged may have been the best in the circumstances. I guess that the reason why the burial was in unconsecrated ground was because the South London Crematorium considered that in these circumstances it would avoid any complication with obtaining a faculty in respect of that burial. Yet the burial in unconsecrated ground might have been a cause of further distress to Mr Adeshiyan's family. I can indicate that I would have granted a faculty for the exhumation of Mr Adeshiyan's remains had they been interred in consecrated ground.

However what happened on that day has happened; and I am sure that the South London Crematorium will have dealt with all those affected by the mistake that occurred in 1980 with the sympathy and concern that was evidently called for.

PHILIP PETCHEY  
Chancellor  
28 May 2013

---

<sup>1</sup> I wonder if this is the correct date: it could perhaps be a mistranscription of 1980. The date is not material for my purposes.