

Neutral Citation Number: [2023] ECC Wor 2

Private Petition Number: 23/49

Directions of the Chancellor of the Diocese of Worcester

Petition For Exhumation and reburial of Cremated Remains

Re: Bretforton Cemetery

Judgment

1. A petition dated 20 July 2023 has been lodged by Keiren Curtis whose address has been provided, the son of the deceased, seeking permission for the exhumation of a small part of the cremated remains of Lara Curtis from grave number 222 in Bretforton Cemetery with the bulk of the cremated remains to be reinterred in the same space. The remains of Lara Curtis were originally interred on 31 March 2023.
2. The reason for the request is due to an error made by the undertaker Martyn Jeynes of Merstow Green Funeral Home. It was agreed at the time of the funeral and cremation that the undertaker would bury the bulk of the cremated remains of Lara Curtis in the grave no 222 also containing the remains of Marjorie Sarah Ann Tomkins, Lara's grandmother but retain a small part to be symbolically scattered in accordance with her expressed wishes. Unfortunately, that part was not retained but the whole of the remains were buried. The family (Lara's 3 children) wish to comply with her wishes, open the grave and remove small part of the cremated remains.
3. The mistake was noticed shortly after the remains were interred and the petitioner has acted promptly. There is no plan to remove the majority of the remains of Lara Curtis, or for them to be disturbed further than is necessary for a small part to be removed.
4. All three of Lara's children consent to the exhumation. In the circumstances of this case, I do not consider it necessary to consider the views of any wider family members, but trust they will understand the petitioner and his siblings seeking to comply with the express wishes of the deceased.
5. Bretforton Parish Council who have responsibility for the Cemetery support the application made by Keiran Curtis. The funeral directors have confirmed that the casket containing the remains will be in almost perfect condition having been buried so recently and therefore it should be practically possible to remove a small section of the cremated remains.

6. I am content that the circumstances of this petition fit within the legal exceptions to the doctrine of permanence, such that it is lawful and appropriate to permit exhumation in this case.

Order

1. I order that a faculty shall pass the seal permitting exhumation of the cremated remains of Lara Curtis from grave space number Bretforton Cemetery provided that they are forthwith reinterred in the same space after removal of a small part of the ashes and that the exhumation and reinterment take place in a discrete and seemly manner within 6 months from the date of this order subject to all reasonable conditions required by the Bretforton Parish Council.
2. In the particular circumstances of this case the Chancellors fee is waived and shall be returned to the petitioner with my condolences for the loss of his parents.

JACQUELINE HUMPHREYS
Chancellor of the Diocese of Worcester
19 September 2023