

IN THE CONSISTORY COURT OF THE DIOCESE OF LICHFIELD

PATSHULL: ST. MARY

ON THE PETITION OF LISA WILKES

RE: THE CREMATED REMAINS OF CHARLES AND EUNICE LANGFORD

JUDGMENT

- 1) On 3rd July 2013 a casket containing the cremated remains of Charles and Eunice Langford was interred in the churchyard of St. Mary's Patshull. The church of St. Mary's is redundant and is under the care of the Churches Conservation Trust. However, the churchyard is open for interments and is in the benefice of Pattingham and Patshull.
- 2) Very shortly after the interment the son and daughter of Mr. and Mrs. Langford decided that they wished to have the wedding ring worn by Mrs. Langford placed in that casket. By a petition dated 9th August 2013 Lisa Wilkes of Co-operative Funeralcare petitions on their behalf for a faculty to permit this. What is proposed is that the casket should be opened and the wedding ring placed inside it. The casket will then be closed. It is possible that this can be done without removing the casket from the ground but this is uncertain. There will, in any event, be an opening of the casket.
- 3) The approach to be taken by the Court in cases of exhumation and other interference with interments was laid down by the Court of Arches in *Re Blagdon Cemetery* [2002] Fam 299. The starting point is the principle of the permanence of Christian burial and from this follows the need for exceptional circumstances to justify either exhumation or the interference with an interment. The application of the Court's discretion in the context of that underlying principle requires a proper consideration of the particular circumstances of each case to consider whether the proposal in fact conflicts with that principle and whether the particular interference proposed can be said to be justified as a special case.
- 4) I have concluded that the course proposed here is justifiable in the light of the particular circumstances; the nature of the proposal; and the extent of the

interference proposed. Here the petition was presented within six weeks of the interment. The purpose of the interference with the interment is to place a wedding ring in the casket. This is not intended as some form of pagan doctrine of providing "grave goods" to the deceased. Rather it derives from the view of the family members that the appropriate place for the wedding ring which Mrs. Langford wore during her life is in the casket containing her ashes and those of her husband. That is a wholly legitimate view. I have regard to the fact that if Mr. and Mrs. Langford had been buried rather than cremated then it would not have been anything out of the ordinary for Mrs. Langford's ring to have remained on her finger. Finally, it is significant that the interference with the cremated remains will be minimal. It may not be necessary to remove them from the ground and certainly they will not be removed from the graveside and will be reinterred in the same plot. No interference with an interment can be regarded as insignificant but the works proposed here are truly minimal.

- 5) Those considerations enable me to say that the limited interference with this interment is justifiable and I direct the issue of a faculty as sought. In order to ensure that all is done in a seemly and proper manner that faculty shall be subject to the condition that the authorised steps are to be undertaken in the presence of a priest or deacon and in accordance with such directions as he or she makes.

STEPHEN EYRE
CHANCELLOR
15th September 2013