

In re St Peter & St Paul, Hambledon

And in re David John Blackman, deceased, and Alma Eva Blackman, deceased

His Honour Philip Waller CBE, Chancellor

13 January 2022

## JUDGMENT

### Introduction

1. This petition is brought by Mrs Rosalind Collins ('Rosalind'), one of three adult children of David John Blackman and Alma Eva Blackman, who are both now sadly deceased. The other two adult children are Mr William Blackman ('William') and Mr John Blackman ('John'). I will refer to the siblings by their forenames to avoid confusion; in doing so, no disrespect is intended to any of them.
2. Mr David Blackman died on 28 April 2017, aged 84 years and was interred in a new double-depth grave in the churchyard of St Peter & St Paul, Hambledon, Hampshire, on 11 May 2017. Mrs Alma Blackman died on 2 October 2019 and was interred in the existing grave of her late husband on 18 October 2019.
3. The family now wish to erect a memorial to Mr and Mrs Blackman at the site of their grave, but an issue has arisen about the wording of the proposed inscription on the memorial. Rosalind and John propose a simple inscription which gives the names of their parents, with their dates, beneath the words 'IN GOD'S KEEPING' and followed by the words 'FOREVER IN OUR HEARTS'. William wishes the following words to be added: 'Only in the agony of parting do we look into the depths of love'. However, Rosalind and John do not feel that the additional wording is appropriate and would not be what their parents would have wished. Discussions and correspondence have been facilitated by South Downs Funeral Service with a view to resolving this issue, but regrettably it has not been possible to find an agreed solution and it has been necessary for the matter to be referred to the Court for determination.

### Diocesan guidance

4. Guidelines for the maintenance of churchyards and on churchyard memorials in the Diocese of Portsmouth is provided in a document issued by the former Chancellor of the Diocese in July 2004. The guidelines include advice on the size, material and design of memorials and on the nature of any inscription. In the present case, the proposed memorial itself comes within the advice given in the guidelines and there is no issue about the size, material or design. The only question is in relation to the wording of the inscription.
5. In relation to inscriptions, the guidelines include the following advice (at Section F):  
*"1. An inscription should aim to be the most appropriate in all the circumstances and to commemorate accurately the existence of the person who has died. It should, therefore,*

*record either his or her full name or else the surname and the Christian name by which he or she was generally known.....*

*2. Secondly, however, a name on its own says little. A memorial is possibly the only place to say something publicly about the person who has died. It may, therefore, be appropriate to record what he/she did.....or some feature of his/her character..... And some may wish to add a scriptural text or an extract from a poem or some other suitable phrase.*

*3. Trite or over-sentimental expressions on headstones should be discouraged, if possible. It is recognised, however, that this may not be easy..... Careful, yet diplomatic, persuasion may be needed before agreement is reached upon appropriate wording. In undertaking this sometimes difficult task, the Incumbent should point out that memorials in churchyards are of a relatively permanent nature and, by their inscriptions, ought to reflect wherever possible the Christian approach to life and death. It should be emphasised that, simply because a grieving relative doggedly insists on a particular expression, no Incumbent must feel obliged to agree to an inscription on a headstone which he or she genuinely feels is inappropriate. If at the end of the day no agreement can be reached, the matter should be referred to the Chancellor/Archdeacon for resolution.”*

6. It is in these circumstances that the issue falls to be determined by the Court.

#### **The petition and the Court's directions**

7. The petition is dated 27 October 2021 and was presented on 2 November 2021 through the offices of South Downs Funeral Service. It is accompanied by a note from the Funeral Service setting out the background and including an illustration and description of the proposed memorial and by supporting letters from Rosalind and John.
8. I considered that it would not be appropriate to dispense with public notice and, in view of William's position, I directed that special notice should be given to him pursuant to FJR 2015, r 9.1. The notice was sent to William under cover of a letter dated 11 November 2021 and any response or objection by him was to be sent to the Registrar by 6 December 2021. No response has been received from William and he has not elected to become a party opponent. No objection has been made to the petition following display of the public notice.
9. The petition is therefore unopposed, but I should nevertheless consider and take into account the wish expressed by William in earlier correspondence.

#### **The proposed inscription**

10. The inscription proposed by the petitioner reflects the guidance noted above. The words above and below the details of the deceased are simple and straightforward and are, in my judgment, an entirely appropriate expression of the Christian approach to life and death and of the family' love. In their letters of support, John and Rosalind both speak of the family's evident sadness and sense of loss and their desire to have a simple memorial to their parents. John says that his mother herself had wished for a simple memorial to her late husband, but sadly she died before that could be done.

11. William clearly feels the loss of his parents keenly and it seems from his expressed wishes that he would like the inscription to include some reflection of the impact of that loss. I recognise that the loss of both parents within a relatively short time has been very painful for the all the family and William's sentiments are entirely understandable. The question is whether they should be expressed as part of the inscription.
12. It is important to remember that the inscription on the headstone will be a permanent testament to the deceased and that the wording should stand the test of time. In addition, the inscription should reflect something of the deceased's life and death, rather than the feelings of individual members of the family. The words proposed by the petitioner refer to Mr and Mrs Blackman as being placed in God's care and held in the family's hearts. The words proposed by William are more a means of expressing the pain and sense of loss which he feels, which may or may not be expressed in quite the same way by other members of the family, rather than referring directly to the deceased.
13. I do not underestimate in any way the devastating impact on Rosalind, John and William of the death of their parents and they should each be able to express their love and grief in whatever way they feel appropriate. It does not necessarily follow, however, that it is appropriate for their own sentiments to be permanently recorded on their parents' headstone, particularly when there is disagreement about the wording.

#### **Conclusion**

14. I have considered carefully the wording of the inscription proposed by the petitioner and supported by John (to which William does not object) and the additional words proposed by William. The wording proposed by the petitioner has the benefit of clarity and simplicity and the inscription as a whole, as shown in the illustration, is balanced and harmonious. The additional wording proposed by William would not, in my judgment, sit easily with the simple design and may detract from the messages of love and care which the inscription would otherwise convey.
15. Having regard both to the particular wording proposed and to the overall design and appearance of the headstone as a permanent memorial, I have reached the clear conclusion that the design and wording proposed by the petitioner is to be preferred and that, in the circumstances, it would not be appropriate for the additional words proposed by William to be included in the inscription. Accordingly, I direct that a faculty shall issue authorising the erection of a headstone of the dimensions, material and design described in the Schedule annexed to the petition, with the inscription proposed by the petitioner and shown in the illustration included in the Schedule.