



Faculty – Grade I listed small town church – Creation of educational area dedicated to the life and work of the Revd John Newton, slave trader, clergyman, and writer of the hymn ‘Amazing Grace’ – Contested heritage - Faculty granted

Application Ref: 2020-054046

IN THE CONSISTORY COURT
OF THE DIOCESE OF OXFORD

Date: Monday 24 May 2021

Before:

THE WORSHIPFUL DAVID HODGE QC, CHANCELLOR

In the matter of:

ST PETER & ST PAUL, OLNEY

**THE PETITION OF MR DAVID PHILLIPSON, MRS SUSAN BAILEY
(Churchwardens) and THE REVEREND ANDREW PRITCHARD-KEENS (Rector)**

Unopposed petition determined on the papers and without a hearing.

The following case is referred to in the Judgment:

Re St Alkmund, Duffield [2013] Fam 158

JUDGMENT

1. This is an unopposed online faculty application, dated 21 April 2021, by the Rector (the Reverend Andrew Pritchard-Keens) and the churchwardens (Mr David Phillipson and Mrs Susan Bailey) of this growing and successful medieval Grade I listed church to create an educational area in the east end of the south aisle of the church dedicated to the life and work of the Reverend John Newton (1725-1807), to introduce into the church an informative display which has been donated by the Cowper and Newton Museum in Olney, and for Antique Metal Restoration of Surrey to undertake the restoration of an original brass plate from the coffin of John Newton which has been framed and is already on display in the church. Although the petition is unopposed, in view of the subject-matter of the display I consider it appropriate for me to set out my reasons for granting this petition in a written judgment.

2. The proposal has the support of a substantial majority of the PCC (with two abstentions and no-one actually voting against it). It has been recommended for approval by the DAC, who advise that it is not likely to affect the character of the church as a building of special architectural or historic interest. No objections have been received in response to the display of the usual public notices.

3. The church of St Peter and St Paul stands at the southern end of the attractive small town of Olney, on the banks of the River Ouse in Buckinghamshire. It was built in the early C14 and there are later additions. The south aisle was rebuilt in 1831. There was extensive restoration work by Sir George Gilbert Scott in about 1874-6; and further work was carried out in 1880, 1883 and 1885.

4. The background to the application is as follows: The reformed slave ship captain the Reverend John Newton (1725–1807) was the curate-in-charge of the church from 1764 to 1780. (He had become the curate-in-charge rather than the vicar of Olney because the Reverend Moses Browne, the vicar since 1754, had chosen not to resign the living when he moved to take up the chaplaincy of Morden College, Blackheath.) On New Year's Day 1773 John Newton delivered a sermon, based on a hymn he had written a few days earlier, called 'Faith's Review and Expectations'. That hymn later became known as 'Amazing Grace'; and Olney is rightly proud to be known as 'the Home of Amazing Grace' (as a sign on the road into Olney proudly proclaims). The hymn 'Amazing Grace', with its tune based on an American folk melody, features in Aled Jones's (2009) book 'Forty Favourite Hymns'. In 1779 a book was published called 'Olney Hymns' which John Newton wrote in collaboration with his close friend, the poet William Cowper (1731-1800). The book contains 281 hymns by John Newton and 67 by William Cowper. Other famous hymns in the book with words by John Newton are 'Glorious Things of Thee Are Spoken' and 'How Sweet the name of Jesus Sounds'. In 1780, John Newton became

the Rector of St Mary Woolnoth, close to the Bank of England in the City of London. Whilst there, he forged a strong relationship with William Wilberforce, whom he advised and supported during the long campaign for the abolition of slavery. John Newton died in 1807, the year that the Act for the Abolition of Slavery was passed. He was originally buried in the crypt under St Mary Woolnoth together with his wife, Mary, who had predeceased him in 1790. In 1893 the remains of John Newton and his wife had to be removed from the crypt to accommodate the London Underground Northern Line extension, which passes under the church, and the construction of Bank Underground station. The remains were transported to Olney and interred in a tomb paid for by public donation. That tomb itself is now a Grade II listed monument. The original brass plate from the coffin of John Newton is framed and is on display in the church in Olney. New Year's Day 2023 will be the 250th anniversary of the sermon that John Newton delivered based on the words of 'Amazing Grace'. Celebrations in the church, at the Cowper and Newton Museum, and in the town are planned for 2022 and 2023 under the banner 'AMG250'.

5. The church proposes to create a John Newton-themed area to the east of the south aisle, immediately behind the outer vestry. The area is to be used as a meeting, display, and educational area for the numerous visitors to the church, and to celebrate John Newton and the hymn 'Amazing Grace'. Around the area, the church will place artefacts which are directly related to John Newton together with other items from the church which he would have known and used. Items to be placed in this new area include the brass plate from John Newton's coffin (after cleaning and any necessary restoration work), a disused moveable font which would have been used by John Newton for baptisms during his time at the church, an iron-bound wooden chest with three locks which dates from the seventeenth century and traditionally has been used to store churchwardens' records, and a framed print from an engraving of John Newton in the year of his death (1807) when he was 83 years of age. The layout of the area will otherwise be flexible and capable of being adapted to accommodate a range of purposes and visiting groups.

6. Four pews, and the seat from a fifth pew, are to be removed, leaving five rows of pews between the newly created area and the south doors. These pews will not be disposed of but will be used at the back of the church to form 'barriers' around areas which are being used by, for example, toddlers in the 'Church Mice' group. These south aisle pews were installed in 1904 when the nave and the north aisle were re-seated. The existing pews in the proposed John Newton area are hardly ever used because the views of the chancel and the altar are entirely blocked by the outer vestry and the organ so the church will not be losing any valuable pew space. On the very few occasions when space is at a premium (such as at carol services and large funerals) existing collapsible chairs will be used in this area.

7. The Church of England has recently published guidance for parishes and cathedrals addressing concerns over memorials with links to slavery and other contested heritage. This guidance encourages churches and cathedrals to consider the history of their buildings and congregations, and to engage with everyone in their community in understanding how physical artefacts may impact upon their mission and worship. It offers a framework to approach such questions locally and, where necessary, to engage with the relevant bodies who oversee changes to cathedral and church buildings. It notes that whilst churches and cathedrals are, above all,

places dedicated to the worship of God, for a range of reasons not all members of the local community may always feel welcome in these buildings. One such reason can be the presence of objects commemorating people who were responsible for the oppression and marginalisation of others. The guidance specifically addresses the issue of heritage associated with racism and the slave trade – including plaques, statues, inscriptions, and other monuments; but it hopes that by doing so, it will establish a methodology which can be used for other forms of contested heritage. The guidance does not prescribe solutions, but it presents a range of options and considerations, together with suggested models for local consultation and discussion. It encourages balanced, inclusive decision-making. It also states that while ‘no change’ may be the outcome of such a consultation, this is not the same as ‘no action’; and it encourages research, consultation, and reflection where concerns are raised, to assess how particular artefacts may impact upon missional, pastoral, and liturgical activities. The guidance recognises that issues of contested heritage require the church honestly and openly to discuss ways in which its buildings can demonstrate the church’s commitment to social and racial justice, as a reflection of the church’s faith in Jesus Christ. The recent report from the Archbishops’ Anti-Racism Taskforce also recognises that whilst history should not be hidden, the church does not want unconditionally to celebrate or commemorate people who have contributed to or benefitted from the tragedy that was the slave trade.

8. Given the sensitivity and the relevance of John Newton’s involvement in, and his experiences of the slave trade, the petitioners have clarified how they propose to approach the subject of the slave trade in their exhibits. They intend to celebrate the Christian conversion of John Newton, his life as an evangelist and hymn writer, and his inspirational relationship with William Wilberforce. There is said to be no intention to sanitise or to airbrush history; and the church will continue to highlight the evils of the slave trade and all that this involved. The church intends to celebrate both John Newton and his hymn ‘Amazing Grace’; but at the same time they will be sensitive to the feelings of others. The display that has been donated to the church by the Cowper and Newton Museum is a good example of this approach: it acknowledges Newton’s role in the slave trade, mapping his life through his involvement in that inhuman trade to his work with William Wilberforce in the abolition of slavery. It bears a heading: ‘From **Slave** Trade To **Fair** Trade’; and it includes the following statement about John Newton: “His involvement in the slave trade, both as a trader in slaves and as a supporter of the movement for its abolition, remains a good example of how individuals can play a vital part in bringing about change towards a fairer and more caring world.” The church have been working very closely with the Museum, which has been concerned to address the lack of diversity amongst the presenters of materials and the need to recognise the vital contributions made by African writers and abolitionists, working class radicals and women rather than simply focusing upon the work of white, upper and middle class males like William Wilberforce and John Newton.

9. I have consulted the current article on John Newton in the online Dictionary of National Biography, written by D. Bruce Hindmarsh and published in May 2010. This describes Newton as a “slave trader and Church of England clergyman”. The section on slavery concludes: “Newton has sometimes been accused of hypocrisy for holding strong religious convictions at the same time as being active in the slave trade, praying above deck while his human cargo was

in abject misery below deck. He was not, however, within the orbit of evangelicals such as John Wesley, who had advanced views against slavery, until he had already left the sea. He was a typical European of his time. Later in life he had deep regrets and repented of his involvement in the traffic, supported William Wilberforce in his abolition crusade, gave evidence to the Privy Council, and wrote a tract supporting abolition, *Thoughts upon the African Slave Trade* (1787).” The writer later notes that when Newton was awarded the degree of DD by the University of New Jersey in 1792 “... he chose not to recognize the honour, feeling that his behaviour in Africa as a young man disqualified him from doing so”. This appears to paint a balanced picture of a reformed sinner.

10. The Historic England listing entry for the church was amended as part of the bicentenary commemorations of the 1807 Abolition Act. The entry includes the statement: “Newton's singular position as a figure of unimpeachable moral authority with first-hand experience of the slave trade made his contribution to the success of the abolition movement extremely valuable ...”. Recorded amongst the principal reasons for the designation of the church at Grade I level is: “Strong connection with John Newton, slave trader and clergyman, and William Cowper, poet and abolitionist, adds to historical interest of building.” It is clear that the significance of the church building cannot be divorced from its historical association with John Newton.

11. The simple grey granite chest tomb of John and Mary Newton, located approximately 20 metres south of the church, is itself designated for listing at Grade II for the following principal reasons: A handsome chest tomb of 1893, carrying a powerful epitaph. The tomb is of particular historical interest, having been erected to commemorate John Newton, slave trader turned evangelical minister, who made a singular contribution to the campaign for abolition. The setting of Newton's tomb is particularly appropriate: Newton's years as curate-in-charge for the church of Saints Peter and Paul made the town a centre of the evangelical revival; and the 'Olney Hymns' Newton wrote with William Cowper include some of the best-loved English hymns. The tomb has group value with the Grade I listed church of Saints Peter and Paul, the listed gate piers of the churchyard, and the listed vicarage with attached coach-house. The epitaph, on the south side, in leaded capital letters, was written by John Newton himself for the memorial tablet which remains in the church of St Mary Woolnoth and it reads: “JOHN NEWTON, CLERK. / ONCE AN INFIDEL AND LIBERTINE / A SERVANT OF SLAVES IN AFRICA, WAS / BY THE RICH MERCY OF OUR / LORD AND SAVIOUR JESUS CHRIST / PRESERVED / RESTORED, PARDONED / AND APPOINTED TO PREACH THE FAITH HE / HAD LONG LABOURED TO DESTROY. / NEAR 16 YEARS AS CURATE OF THIS PARISH / AND 28 YEARS AS RECTOR OF ST MARY WOOLNOTH.” This is a personal, and public, acknowledgment that John Newton saw himself as a reformed sinner.

12. Since the church of St Peter & St Paul, Olney is a Grade I listed building, this faculty application fall to be addressed by reference to the series of questions identified by the Court of Arches in the leading case of *Re St Alkmund, Duffield* [2013] Fam 158 at paragraph 87. These questions are:

- (1) Would the proposals, if implemented, result in harm to the significance of the church as a building of special architectural or historic interest?
- (2) If not, have the petitioners shown a sufficiently good reason for change to overcome the ordinary presumption that in the absence of a good reason change should not be permitted?
- (3) If there would be harm to the significance of the church as a building of special architectural or historic interest, how serious would that harm be?
- (4) How clear and convincing is the justification for carrying out the proposals?
- (5) In the light of the strong presumption against proposals which will adversely affect the special character of a listed building, will any resulting public benefit (including matters such as liturgical freedom, pastoral well-being, opportunities for mission, and putting the church to viable uses that are consistent with its role as a place of worship and mission) outweigh the harm?

13. As well as its strong connections with John Newton and William Cowper (referenced above), the listing particulars record, as the other principal reasons for the church's Grade I listed designation, as follows: a C14 church with exceptional broach spire in the Northamptonshire style; the interior retains a fine C14 structure, and some noteworthy C14 features; and the unusual setting of the church, at the end of the town, remains remarkably unchanged since the C18. None of these features will be affected by the present proposal. The listing description contains no reference to any of the church's pews.

14. Since the present proposal is one that essentially involves the historical associations of the church and its cultural, ethical and heritage values, this is not really a case that engages the *Duffield* questions to any significant extent. I am satisfied that, if implemented, the proposals will result in no harm to the significance of the church as a building of special architectural or historic interest so it is only necessary for me to address directly the second of the *Duffield* questions. The ordinary presumption in faculty proceedings in favour of things as they stand applies; and I find that it has been convincingly rebutted. The planned changes to the eastern end of the south aisle of the church are designed to bring into regular and beneficial use what is presently a little-used area of the church and to ensure that it is available to educate visitors, in a balanced way, about John Newton, his life and his work, and to celebrate his later, and worthy, achievements whilst not overlooking or in any way seeking to diminish his earlier sins. The proposals will enhance the significance of the church through its strong connections with John Newton; and they will have no adverse or negative impact upon the significance of the church building. The four pews that will be removed are of no intrinsic, practical, or historical significance; and they will not be lost to the church. Rather, the proposals are entirely positive in terms of their impact. As the 'Home of Amazing Grace', with significant connections with John Newton and William Cowper, the church already attracts thousands of visitors every year; and the changes that are being proposed will only serve to enhance the visitors' experience, thereby enhancing the church's mission. The new displays will serve to remind the worshipping congregation and visitors alike that Jesus came "to call not the righteous but sinners to repentance" (Luke 5, 32). They will also bring to mind the true saying of Saint Paul, worthy of all to be received: "That Christ Jesus came into the world to save sinners" (1 Timothy 1, 15) as we

are instructed during the Service of Holy Communion according to the Book of Common Prayer. From the material that has been presented to me, it would appear that the church are alive to the need both to ensure that there is appropriate diversity amongst the presenters of materials which are to be displayed within the church, and to recognise the vital contributions made to the abolition of the vile trade in human flesh by African and other global majority heritage writers and abolitionists, women and working class reformers rather than simply focusing upon the work of prominent, white, upper and middle class male abolitionists like John Newton and William Wilberforce.

15. For these reasons, the court will grant the faculty as asked subject to the conditions that:
- (1) The fixings used for the framed brass coffin plate are to be inserted into the mortar between the stones and not into the stonework.
 - (2) The pews to be removed from the south aisle are to be retained within the church and are not to be disposed of without a further faculty.

The period allowed for the proposals to be implemented will be six (6) months from the date of the grant of the faculty.

16. I waive any fee for this written judgment.

David R. Hodge

The Worshipful Chancellor Hodge QC

24 May 2021