

IN THE CONSISTORY COURT OF THE DIOCESE OF COVENTRY

Church of St John the Baptist, Berkswell
Re Christopher Richard Dodd (deceased) &
Rose Shields née Adams (deceased).

Private Petition for permission to :
(i) remove existing memorial; and
(ii) erect non-conforming memorial in Churchyard
C6700/2021

JUDGMENT

1. By an application dated 20th May 2021 Elizabeth Shewring makes petition for the removal of an upright memorial stone upon the grave of her brother, Christopher Richard Dodd and its replacement with a similar headstone that would also commemorate their Mother, Rosalie Anne “Rose” Shields.
2. Christopher Richard Dodd sadly died in September 1977, aged only 21 years, and was laid to rest in the Churchyard of St John the Baptist, Berkswell. Upon his grave was set a polished dark grey headstone, rectangular with a slightly arched upper edge, bearing the carved images of (upper left) an arched leaded church window with an imposed cross and (lower left) at least two stalks of wheat (that image is not clear in the photographs with which I have been provided). The headstone sits atop a polished grey stone plinth, with a single

flower holder to the right hand side. The inscription upon that headstone appears to read “Treasured /Memories Of /A Dearly Beloved /Son and Brother /CHRISTOPHER /RICHARD DODD /Born January 21st 1956 /Died September 13th 1977 /To the World he was one /To us he was the world”.

3. In August 2020 Rosalie Anne Shields, known as Rose, also died, aged 85 years. It is not specifically stated whether she was also buried, or instead had her ashes interred, in the grave of her son. Following her death the family realised that there was insufficient space upon the memorial to Christopher to also commemorate his Mother, so Elizabeth Shewring, on behalf of the rest of the family, petitions to replace the existing headstone with a new headstone.
4. The proposed new headstone would be of an arched shape in grey sandstone with a honed obverse, standing atop a plinth with a single flower holder on the right hand side. The proposed inscription would be the same as that set out above, to commemorate Christopher Dodd, but below that would be added “ROSE SHIELDS /nee ADAMS /Memories Of A Much Loved /Mum, Nan and Great Nan /Born October 22nd 1934 /Died August 31st 2020 /Always In Our Hearts”. It is also proposed to effectively repeat the hand carved images from the original headstone by adding (top left) a leaded church window with a pedestal cross upon the window sill and a representation of sunlight shining through at the upper right edge of the window. The second requested image (bottom left) is three ears of wheat with leaves. There is also proposed a further

hand-carved image immediately to the left of the name “ROSE SHIELDS”, being a rose with stalk, the head of the flower being closest to the name. No colouring is proposed for the carved images but the lettering will be coloured black.

5. The existing headstone is outside the Churchyard regulations as it is of polished stone. The current churchyard regulations for the diocese, issued on All Souls Day 2020, prohibit polished memorials and that was also the policy stated in the previous regulations. It is also of note that earlier regulations prohibited headstones in non-local stones such as marble and granite, from which the existing headstone appears to have been made. The proposed replacement memorial is in a stone type approved under the churchyard regulations, but the memorial would fall outside the regulations owing to the number of carved images requested.

The current regulations have this guidance concerning carved images:-

“Care has to be taken in permitting symbols to be included on a memorial. Nonetheless, well-designed symbols can be visually delightful; can make a positive contribution to the churchyard; and can provide a fitting record of an aspect of the life of person who has died.

The incumbent may permit a plain cross not exceeding 152mm (6”) in height or an image of a dove not exceeding 152mm (6”) in length or a single floral symbol extending up to the length of any one side and for no more than 20% of

the width of the top of the memorial. With the agreement of the Archdeacon the incumbent may permit the use of two of such images on the same memorial.

With the agreement of the Archdeacon the incumbent may permit the inclusion of a symbol which has a particular relevance to the life of the deceased. Such symbols will include: items relating to the deceased person's occupation (such as a sheaf of wheat or a farm animal for a farmer, an instrument for a musician, or a wheel for a potter); the symbol of a patron saint; the tool or symbol of a particular trade, occupation, hobby, or pursuit; professional insignia; a regimental, school, or college badge or motto; a family crest or motto; and similar items. Where it is proposed to use a badge or the equivalent confirmation should be obtained that the relevant body or organisation is content for its badge to be used on the memorial. Such symbols should be incised or carved in relief and should be of such a size as not to ensure the symbol does not dominate the memorial. With the agreement of the Archdeacon the incumbent may permit the use of two of such images on the same memorial."

Clearly the use of three hand-carved images would be outside that envisioned in the churchyard regulations.

6. The proposal for the removal of the current headstone and replacement with the proposed memorial was considered by the members of the Parochial Church Council of St John the Baptist, Berkswell, on 19th July 2021. A clear majority of the attending members voted in favour of the petition. I am unsure whether

the two members who voted against expressed any reason for the vote made, such as objecting to the removal of an existing memorial.

7. At the meeting on 2nd September 2021 the Diocesan Advisory Committee determined to issue a notification of advice certificate of no objection for the installation of the proposed memorial stone. The reason why a certificate of approval was not issued was stated to be because *“the memorial could not be unqualifiedly recommended because the number of images depicted is greater than is permitted under the churchyard regulations.”*
8. The public notice has been displayed both inside and outside the church for a period of more than 28 days and no objection has arisen from that.
9. I have considered the application with care. I am mindful that the wording proposed to commemorate Christopher Dodd is exactly that as appears already upon a non-conforming memorial in the churchyard. Two of the proposed hand-carved images are also very similar to those already upon the existing memorial. It is only the addition of a fairly small sized image of a rose that would be additional. Given that Rosalie Anne Shields was habitually referred to as Rose that provides a good reason why there should be an additional small image of a rose immediately beside her name, otherwise there would be no personalisation for her upon the headstone, save the inscription. Having seen a representational sketch of the proposed memorial I cannot conclude that the use

of three images, in the scale proposed, would make the memorial look cluttered or untidy. I also see good reason for repeating (effectively) the images that have adorned the memorial to Christopher Dodd for over forty years now. It would not seem appropriate to now require the family to select just one of the two images to represent Christopher Dodd, so as to permit only two images upon the memorial. The new wording to commemorate Rose Shields is also unobjectionable. Although once it would have been considered inappropriate to use the expressions 'Mum', 'Nan' or 'Great Nan' upon a gravestone there is nowadays unlikely to be any reasonable objection to those particular terms of affection. I am also mindful that a clear majority of the Parochial Church Council has indicated support for the new memorial and the members of the Diocesan Advisory Committee decided to raise no objection to the proposed memorial, even though it clearly falls outside the Churchyard Regulations. My only concern is that in future those viewing the headstone would not know that Rose Shields was the name by which Rosalie Anne Shields was habitually known. I do not suggest it would be necessary to add the full name, or to require that the name Rose appears in speech marks, so as to indicate it was not her given name. I am satisfied that any person truly interested in finding the full name of Rose Shields would be able to obtain that information with relative ease, to which end I shall make a direction that the Churchwarden(s) ensure her full name is recorded in the Parish records. In those circumstances, I am satisfied that there are good and cogent reason why a faculty should be granted permitting the removal of the original headstone and the installation of

the proposed new memorial. I also give permission for the proposed wording and the hand-carved images requested.

Subject to the following conditions, let a faculty be issued :-

Conditions

- (a) The Petitioner shall within one calendar month of installation formally notify the Churchwarden(s) of the Parish in writing that the works have been completed, so that details of the removal of a memorial and replacement with a new headstone can be entered in the church log book;
- (b) The petitioner shall supply to the Churchwarden(s) of the Parish a copy of the final design of the new headstone and the photographs enclosed with the petition so they can be retained with the parish records;
- (c) The Churchwarden(s) are directed to ensure that when recording the details of this replacement headstone it is clearly stated “Rose Shields née Adams” was the name by which Rosalie Anne Shields née Adams was known.

Glyn Ross Samuel
Chancellor
18th November 2021.