

IN THE CONSISTORY COURT AT LINCOLN

In the Parish of St Nicholas, Ulceby

In the Matter of: Directions for Future Applications in Respect of the Memorials Made
for Mr and Mrs I

Judgment

1. This is an application for directions in respect of two memorial stones prepared for Mr and Mrs I to their specification, both of whom are still with us I am pleased to say. The stones are baseless monoliths rectangular in shape with square tops measuring 54 x 21 x 3 inches. They are made of honed black granite with names and dates incised. Gold leaf has been added to highlight the names. Epitaphs have been added which are in relief.

2. Mr I's memorial has a Christian epitaph:

"Jesus died
Jesus rose from the dead
Turn from your life of sin
Open your heart to Him
He will save your soul"

3. Mrs I's memorial has a different epitaph:

"don't hurt
don't waste
don't lie
be useful
be on time
give thanks
take care
have finesse
make not a fuss
leave not a mess"

4. Both memorials have the Christian cross above the epitaph one in its western form and one in its eastern form.
5. I understand from the email from Mr I that a previous incumbent now retired 'signed off on our headstones from Co Op Care verbally in 2020'. In 2022 Mr and Mrs I changed their arrangements to 'Mindful Memorials' and these stones were then prepared.
6. The previous incumbent left no paperwork in respect of his decision. In the many years I have been a Chancellor in this diocese and before that a Deputy Chancellor in another Diocese I have never known memorial stones to be prepared in this way before death. Additionally, it should be well known by all experienced (and I hope even the most inexperienced) incumbents that unless a grave memorial complies with the Diocesan Churchyard Regulations issued by me some years ago, then the incumbent does not have jurisdiction to 'sign off' on any memorial in the churchyard. It is the Chancellor's jurisdiction to permit gravestones in churchyards which is derived from the jurisdiction of the diocesan Ordinary.
7. These memorials do not comply with the Regulations and so they were always going to need a Faculty before they could be used. I understand that Mr I is a churchwarden and so it is disappointing that he did not realise that a Faculty may be required. I note that Mr and Mrs I have obtained a faculty to reserve a gravespace in the churchyard over which these memorials are proposed to be erected – so the faculty system was not wholly unknown to them.
8. There is no in principle objection to a design being outside the Regulations, but there will always need to be a faculty application in such circumstances where public notice is given, and any objections can be lodged and considered. This is a very important part of the life of a well-ordered church to ensure that all voices are heard before a decision which may affect others is taken. The Churchyard and its appearance is something that does affect not just the families of those buried there, but all those who know and love the church or may occasionally pass through it. It is a public space – 'God's acre' - where the memorials to the faithful departed should meld in with the churchyard and the church to be a peaceful place. For this reason, we do not have a system of private decision-making; this is a public process.
9. The question now is whether before death and the erection of at least one of these memorials a Faculty process can be undertaken. I regret to say that it cannot. There must be a temporal link between the application for a Faculty – for the works to be permitted – and the moment when the works are to be brought

into effect. There is always some leeway in faculties to give applicants two or even three years to begin the works before the faculty expires, but that is not a procedure (or a precedent) which can be followed when dealing with memorial stones when the date of death can never be known for obvious reasons. I cannot grant a Faculty for a memorial which may not be erected for many years, without knowing the circumstances in which that memorial will be set at the time it is required. There must be opportunity for objections to be heard after advertisement at a reasonable time before the memorial stones are to be erected, so that the voices of all can be heard and considered at or about the time that the works are proposed to be carried out.

10. I regret that Mr and Mrs I will not be able to have certainty about their memorial stones at this stage, but I am afraid it is simply not appropriate to grant Faculties before the date is known when the works comprised in that Faculty will be required.

11. My fee is waived for this judgment.

The Revd HH Judge Mark Bishop
Chancellor
16 July 2025