

## **The Churchyard Regulations**

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## The Churchyard Regulations - background

- Right to burial but no right to memorial except by permission of Chancellor  
- delegated powers to parish clergy (or rural Dean in vacancy)
- Intended to encourage good practices in order to create and maintain a place of peace, dignity and respect for the departed
- Guide and Churchyard Regulations last produced in 2004

Authority regarding memorials is vested in Chancellor; however she has granted delegated powers to incumbents and parish priests who have authority 'at their discretion'.

The beauty and calm of the churchyard is not the same if unsuitable memorials are there.

## The Churchyard Regulations - context

- In 2015 Rural and Area Deans met to discuss potential revision
- Appointment of the present Chancellor – identified priorities for updating the Regulations and Guidance
- Produce a comprehensive document stating what can and cannot be permitted and why
- Remove uncertainty and anomalies

We have been able to consider the potential for change for some time and have welcomed feedback and suggestions from clergy.

## Chancellor's priorities for new version

- Use plain English and include protocols and good practice
- Emphasise the importance of good record-keeping
- Allow flexibility but with scope for parish priest to have distance from decision-making when needed for pastoral reasons
- Allow distinctive provisions in specific churchyards

Good record keeping in terms of churchyard plans and burial records.

Distance from decision-making – allowing the parish priest to say 'I can't say yes to this as it falls outside the Regulations, but if you make this change, it may be allowed/I can support you through the faculty application process'

Distinctive provisions – artificial flowers permitted in churchyards where rabbits run rampant and specific provisions for traveller graves

## Chancellor's priorities for new version

- Review the time recommended between burial and application for a memorial
- Explain why extra permissions may be needed for individual cases
- Reflect environmental requirements
- Allow greater flexibility for temporary expressions of grief
- Review Memorial Application form
- More guidance on the decoration of headstones, including use of images

Clarify why the recommended time is needed – allowing ground to settle. Also, in the early days of bereavement it is frequently difficult for relatives to listen to advice and to make important decisions calmly, so a period of time after the burial reduces the risk of decisions about the headstone being made too hastily by family members.

Environmental requirements – reduce use of plastics; ethically sourced stone?

Decoration of headstones – images and text – permission will depend upon the circumstances in relation to the churchyard in question.

## Recommendations for change

- Produce guidance advice and Regulations as one sequential document
- Revise Memorial Application form
- Produce good practice guidelines for clergy and consider a guide for families
- Explain the Faculty legal process
- Clarify procedure for reservation of gravespace
- Clarify decision-making and that individual decisions should not be regarded as setting a precedent
- Provide sensitive guidance on temporary decorations

## Good practice guide for clergy/PCCs

- Offers practical guidance and advice and shares best practice
- Emphasises importance of good record keeping
- Churchyard and Garden of Remembrance burial plans
- Management rules agreed by PCC and adequately communicated
- Bereavement and funeral preparation
- Temporary or non-permitted items; dealing with difficult cases
- Environmental and wildlife issues

The separate guidelines for clergy will offer quick links to relevant information and good practice, such as how to prepare a churchyard plan.

Recognising that bereavement and funeral preparation may be too early for families to take in the Churchyard Regulations, we also want to provide guidance for families to introduce the different circumstances and requirements that apply to churchyards as opposed to civil cemeteries.

## The review process

- Sept 2019: Diocesan Advisory Committee members consider items raised
- Oct 2019: Drafts of revised *Regulations* and *Memorial Application form* distributed to Rural/Area Deans for comment
- Nov 2019: Drafts sent to parish clergy and funeral directors for comment
- Jan 2020: Chancellor considers consultation feedback; any revisions considered by DAC mid-January; final consultation to all parties from late January/early February
- Draft *Guide for Families* for consultation
- Publication and distribution by Spring 2020

**Any Questions?**