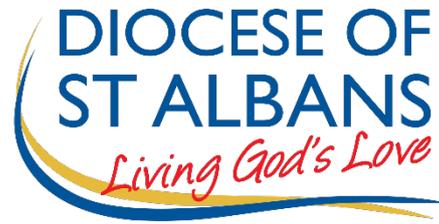


Churchyard Handbook Guide for Families



**This Handbook is a guide to the rules relating to burial, interment of cremated remains, and other matters relating to churchyards
in the Diocese of St Albans**

July 2021

**"For as in Adam all die, even so in Christ
shall all be made alive." I Corinthians 15:22**

www.stalbans.anglican.org

1st Edition

June 2021

Our thanks to Chelmsford and Lichfield Dioceses for their assistance in producing this document.

**IT IS RECOMMENDED THAT A COPY OF THIS GUIDE BE
KEPT IN THE CHURCH**

Copies available from

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Or downloadable from the Diocesan Website

www.stalbans.anglican.org

Preface

Parishes wish their churchyards to be places of peace and refuge for those who mourn and places where the mortal remains of their loved ones can rest safely. This desire expresses the care and love of the church for the whole community and underlines our belief that the welfare of both the living and departed is important to God.

As far as possible the church tries to ensure that all users of their churchyards are treated with fairness, equity and consistency. To that end, each churchyard is governed by Regulations issued by the Diocesan Chancellor, which say what is or is not generally allowed by way of memorials, unless special permission has been given in a particular case after application to the Chancellor. The Regulations also govern the placing of flowers and planting after burial.

Sometimes families express surprise that their memorial to their loved one cannot be solely a matter of private choice. There is some room within the Regulations for individuality and imagination in the design of memorials, but this is within certain limits which are set to preserve the special nature of churchyards. The beauty and calm of the churchyard would not be the same if unsuitable memorials were there.

In short, the Regulations aim to maintain the churchyard as a haven which in appearance and atmosphere ensures that all can find space for peaceful reflection and dignified remembrance of their loved ones.

Churchyards have unique qualities as:

- *An extension of the church's witness to God and his promise of eternal life through the resurrection of Jesus Christ.* What is put in churchyards therefore needs to be consistent with the spiritual values of the Christian faith.
- *Historical places.* The clergy are stewards of a very long heritage which needs to be preserved and passed on to the next generation.
- *Shared spaces.* Here the differing tastes and traditions of many families need to be kept in harmony with each other, so that discord and conflict can hopefully be avoided.

The parish clergy have the legal responsibility to administer the law as it relates to the church and the churchyard. Funeral directors and stonemasons also must work within the law. All of these people are able to help the relatives of a person who has died with the legal issues which arise on Christian funerals, burials or cremations. They are especially sensitive to the pain of grief suffered by those whose family members have recently died.

The final authority for deciding which memorials can or cannot be placed in a churchyard lies with the Chancellor and if a family is not content with the decision of the local church or if they wish to have a memorial which is different from those which are permitted by the Regulations, they can apply directly to her/him via the Diocesan Registry:

<https://www.stalbans.anglican.org/diocese/diocesan-registry/>

Definitions

Archdeacon:	Senior Priest working with the Bishop
Benefice:	The parish or group of parishes in the care of the Parish Priest
Chancellor:	The Senior Legal Officer for the Bishop of the Diocese
Diocesan Advisory Committee	A legal body which includes clergy and specialists who can provide advice on a wide range of subjects including architecture, archaeology, bells, heating, lighting, organs and stained glass, and work in church buildings and churchyards
Diocesan Registrar:	Legal Advisor to The Bishop of St Albans
Parish Priest:	Vicar, Rector or Priest in Charge of a parish
Rural (or Area) Dean	Presides over a deanery, which is a group of parishes
Diocese:	The Diocese of St Albans covers Bedfordshire, Hertfordshire, Luton and Barnet, and is under the jurisdiction of the Bishop
Faculty:	Special legal permission granted by the Chancellor of the Diocese
NAMM:	National Association of Memorial Masons [or equivalent body]
Parochial Church Council	The PCC is responsible for the financial affairs of the church, and the care and maintenance of the parish church and its surroundings, its fabric and its contents, and works with the Parish Priest in promoting the mission of the church in the parish

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1 Introduction

- 1.1 The purpose of this guide is to provide information to those who are planning to leave directions for their own deaths, to help those who have been bereaved to know what is permitted, and to help the clergy, funeral directors and others to comply with and explain the rules.
- 1.2 The first question to ask is "Do I want burial or cremation?". In particular, if you think you would like your remains, or those of someone who has died, placed in a churchyard, then you need to know what special rules apply to a Church of England churchyard. You should read section 2 of this Guide for answers to some questions about churchyards. Your attention is also drawn to the fact that rules also apply in local authority cemeteries and in crematoria (see paragraph 2.2 below).
- 1.3 Before you make a final decision about the first question, the choice between burial and cremation, you should ask yourself (and anyone else helping you) "Do I want some kind of memorial?".
- 1.4 If you do, and you think you may choose cremation, you should read section 4 of this Guide.
- 1.5 If you think you may choose burial (provided the churchyard is open for burials) then you should read section 5 of this Guide for the answers to various questions about memorials over graves.
- 1.6 Making the right decision will be important to you, so you are strongly advised to read the relevant sections of this Guide and also to visit your parish churchyard, your local authority cemetery and the nearest crematorium before you make your decision.
- 1.7 You should also read the Churchyard Regulations for the diocese. These are available from your Parish Priest or online at

<https://www.stalbans.anglican.org/diocese/diocesan-registry/>

2 About Churchyards

2.1 In your area there may be a parish churchyard, which is open for burials and/or the interment of cremated remains, and also a local authority burial ground open for the same purposes. The church was built as the focal point in the community. In the nineteenth century, public cemeteries were established as burial grounds separate and distinct from churchyards. Public cemeteries are now controlled by local authorities. Crematoria were then developed, with their own grounds providing places for interment after cremation.

2.2 It may be possible for the person's cremated remains to be interred in a churchyard, or in the grounds of a crematorium, or in a local authority cemetery. If the person is to be buried, then the burial can take place in a churchyard (provided it is open for burials) or in a local authority cemetery. In each case there are separate rules and regulations which apply.

2.3 This Guide deals only with **Church of England churchyards in St Albans Diocese**. Before making a choice and a final decision you are recommended to consult those in charge of the local authority's cemetery about the rules which apply to the cemetery, and also to consult those in charge of the crematorium about the rules which apply in their crematorium.

2.4 What is special about a churchyard?

The churchyard is the area surrounding or close to the church. Its centre is the church building, a place where people can encounter God and be drawn into a worshipping community, and from where the parish can reach out in mission. The churchyard is a special area because, like the church, it is usually consecrated. Where the church owns a burial ground which is separate from the church, it will also usually be consecrated ground. This means that it has been set aside in the past by a Bishop as sacred. It is holy ground dedicated to the service of God.

2.5 When a burial or interment of cremated remains takes place in a consecrated churchyard, or in a church burial ground, it is carried out in the Christian context. The intention is that the last resting place of the person concerned shall be in this holy ground. In the words used in the Church of England service the committal into the ground of a body or cremated remains is **"in sure and certain hope of the resurrection to eternal life through our Lord Jesus Christ, who died, was buried, and rose again for us"**.

2.6 Can anyone be buried or have their cremated remains interred in a churchyard?

There is a legal right for anyone to be buried or have his/her cremated remains interred in the churchyard provided that the churchyard has space available and it has not been formally closed for burials:

- who was a parishioner at the time of death, or
- who died in the parish, or
- whose name was at the date of death on the church electoral roll of the parish

2.7 Therefore, there is no legal right for anyone who was not a parishioner, not on the church electoral roll, or who has not died in the parish to be buried in the churchyard. The Parish Priest may also grant permission for the burial in the churchyard of other

persons at his or her sole discretion. There is no right of appeal from his or her decision on this point. In practice this permission is only given in exceptional circumstances, so that space in the churchyard is available for those with a legal right of burial through their connection to the parish.

2.8 When arranging a burial in the churchyard is it essential to have a Church of England service?

No, it is possible to have a burial or an interment of cremated remains without a service. If there is to be a service then it must be a Christian service, which can be conducted by a minister of another denomination, and the Parish Priest **must** be consulted in advance about the date and time of the service and the identity of the minister.

2.9 Can I choose a particular spot for a burial or the interment of cremated remains in the churchyard?

No, this is not possible. The Parish Priest has the right to decide where in the churchyard a particular burial or interment shall take place. The only exception is where a specific place has been reserved by a legal permission (Faculty) which is given by the Diocesan Chancellor (see Section 10). Informal local arrangements to reserve a gravespace are not valid. It may be possible, if there is adequate depth in the existing grave, for the Parish Priest to permit another member of the same family to be buried in that grave. Similarly, the cremated remains of a deceased person can be interred in a grave already containing one or more bodies of relatives of that person. Otherwise cremated remains will be interred in a special area in the churchyard, which has been set aside for the purpose. It is your responsibility, if requesting an additional burial in an existing grave, to ensure that the proposed burial and any associated new memorial or inscription are acceptable to all close members of the family or families concerned. The same applies to the interment of cremated remains in an existing grave.

2.10 In many churchyards space is very limited. When considering the suitability of allowing a grave space to be specially reserved by Faculty, the Chancellor will take account of the need to keep space available for as long as possible for those with a legal right of burial in the churchyard. Once all the space has been used for burials the churchyard may be closed. If this occurs it means that no more burials of bodies can take place except in existing graves where the right to additional burials is expressly permitted in the order that closed the churchyard. However, it may still be possible to have cremated remains interred in the closed churchyard in an area specially set aside for them, or in existing graves. The Parish Priest can advise you on this.

3 Commemorating the Dead

3.1 You will know how death can bring a deep sense of personal loss. It is understood that in the days immediately following a burial, the family and friends mourning the loss of a loved one may wish to place items on a grave to commemorate their loved one and as tokens of their love. At the discretion of the Parish Priest, such items may be left in place for a reasonable period not normally exceeding 6 months. However, the Parish Priest will ask the family to remove items which may be inappropriate, cause distress to other churchyard visitors, or be stolen, or which could be a danger (e.g. glass jars). Those items which are not in accordance with the Christian faith may only be placed with the express permission of the Parish Priest. The PCC has responsibility for the maintenance of the churchyard and will take reasonable steps to notify families before

removing items. This may include letters affixed to individual memorials. However, sensitivity should be applied, and the year's mind (anniversary of the death or funeral) should be avoided. Where loose items are left on an unattended grave, the PCC may arrange for them to be placed in a suitable container for collection by the family.

- 3.2 Although there are legal rights in relation to burial and interment (see paragraph 2.6 above) they confer no right of ownership of the soil in which the burial or interment has taken place. This means that you are not permitted to place items on a grave without permission, as the churchyard belongs to the Parish Priest. Please be very careful to ensure that you have obtained permission from the Parish Priest to place any kind of memorial or other item in the churchyard before you order it or bring it into the churchyard. The Parish Priest will explain what is and is not permissible.
- 3.3 The person with the legal responsibility for making rules about memorials in churchyards is the Chancellor of the Diocese. There are rules which apply to areas set aside for the interment of cremated remains (see section 4), and other rules which apply to the erection of memorials over graves (see section 5). These are guidelines as to the type of commemoration which will be regarded as appropriate in a consecrated churchyard. The Parish Priest must abide by these Churchyard Regulations. In case of doubt or difficulty the Parish Priest is advised that he/she should always refer the matter to the Chancellor for directions. It may be appropriate to seek guidance from the Archdeacon in the first instance.

4 Cremation

- 4.1 Over 70% of deaths are now followed by cremation. This public preference means it is possible to accommodate many more interments of cremated remains than burials in a small area of land. Use of a local churchyard or cemetery can therefore continue for longer in providing for interments of cremated remains than in providing for burials of bodies in coffins.
- 4.2 Once a churchyard or cemetery is full it may not be possible to find land nearby for an extension of the churchyard or cemetery. This means that any new land for burials may be some distance away from the community or communities which were served by the local burial ground, whether it was a churchyard or a local authority cemetery.
- 4.3 The Church of England provides for interments of cremated remains in a different context from that which applies to crematoria and local authority cemeteries. A churchyard is usually the setting for the local church and is consecrated ground where the minister will inter the cremated remains according to the rites of the Church of England. In local authority cemeteries there is no obligation to provide a consecrated area for interments, although some do have such an area.
- 4.4 Your parish church is concerned with the living, whilst at the same time giving due recognition to the place of the dead. The church constantly and confidently proclaims that God promises eternal life, and this message is carried through into the churchyard where the earthly remains of those whose lives on earth are ended can be laid to rest.
- 4.5 For many years it has been recognised that a sensible way of providing for the interment of cremated remains is to have a special area in the churchyard for this purpose. This has in turn led to new ideas about forms of commemoration.

4.6 The present rules provide for an area to be set aside in the churchyard for the interment of cremated remains. The Parish Priest and Parochial Church Council can seek a Faculty (permission) to make provision for some sort of central memorial, or individual memorials commemorating those interred in the area. Some areas will simply be maintained as a garden. Some questions about these rules are considered in the following paragraphs.

4.7 **How is an area set aside for interment of cremated remains?**

This is part of the churchyard which has been selected by the Parish Priest and the Parochial Church Council. It is consecrated ground which is set apart from other uses and dedicated to God. The area is usually defined in some way by corner stones, or wooden posts or a small hedge or some other kind of physical feature marking the boundary of the area. The area may be referred to as a Garden of Remembrance, and if separate areas have been opened and consecrated over time, different rules may apply to each as the Regulations change over the years.

4.8 **Are there rules about the kind of container which may be used for interments?**

Yes. Ideally the cremated remains should be interred directly into the ground without any container and this practice is to be encouraged. If any container is used it must be bio-degradable: for example, willow or cardboard. Some parishes may have their own rules about the maximum size of container which is permitted. It **must** not have any form of lining which prevents it from being bio-degradable.

4.9 The Parish Priest is legally required to bury cremated remains, so they may not be scattered on the surface of the churchyard. Interment must be at a depth of not less than 300mm (12 inches) below the surface of the ground for a single interment with an appropriate adjustment to a greater depth if further interments are to take place in the same plot.

4.10 **Is any kind of memorial provided in the area set aside for interments?**

As the area is intended to be a place of peace and reflection you may find that it contains a stone or other plaque inscribed with words such as "Rest in the peace of God", or "Garden of Remembrance: May they Rest in Peace". Whether there should be a memorial arrangement for commemoration of the dead is left to the discretion of the Parish Priest and Parochial Church Council. There may be a Book of Remembrance displayed in the church (see section 4.15). The parish may decide to keep the special area simple, but to decorate it with plants and shrubs, and to provide a bench, so that visitors to the churchyard can sit and reflect quietly. Alternatively, they may have obtained a Faculty to provide a central stone to bear inscriptions, or a wall for individual memorial plaques, or some other form of memorial arrangement. These will normally carry only the names and dates of birth and death of each person commemorated. Memorial plaques will all usually be identical in size and in the material used.

4.11 A special area for cremated remains, like the rest of the churchyard, has to be maintained. Offers of practical or financial help from relatives or friends towards the upkeep of the churchyard are always welcomed by the Parochial Church Council. The particular objective in respect of an area for cremated remains is to manage and maintain it as a place of dignity, beauty and peace both for present and future parishioners and visitors.

4.12 If there is a memorial arrangement in a churchyard, then the Parochial Church Council

will have its own rules about the type of plaque and inscription which may be used. **Because every churchyard is different it is important that you, or someone on your behalf, visit the churchyard and find out what arrangements apply to the area set aside in that churchyard before you decide to have cremated remains interred in that area.**

4.13 **Can I place flowers in the Garden of Remembrance?**

The Parochial Church Council has the responsibility for maintaining the churchyard, and will have its own rules about where flowers may be placed and when they will be removed from the area, because they have withered and become unsightly. Only fresh flowers or stems cut from shrubs and bushes including holly will be permitted. **Plastic flowers are not permitted.** This is because they are not in keeping in a churchyard and are inconsistent with any concept of a Garden of Remembrance which is intended to contain only plants and flowers which grow naturally. Silk flowers are only permitted in exceptional circumstances, at the discretion of the Parish Priest, for example where rabbits destroy floral tributes. The PCC may remove dead and artificial flowers (including silk flowers that have deteriorated) to keep the churchyard tidy.

4.14 In some parishes there may be limited exceptions, such as on Remembrance Sunday, at Christmas, or placing wreaths at the anniversary of the death, for a limited period. **Please consult the Parish Priest about the rules relating to placing flowers in the churchyard, so as to avoid any distress.**

4.15 **Will there be a Book of Remembrance?**

The Parochial Church Council may provide a Book of Remembrance and keep it on display in the church. You should ask the Parish Priest, or a churchwarden, or the secretary of the Parochial Church Council whether there is a Book of Remembrance in the church and, if possible, go and look at it yourself. If there is a Book you will be able to have an entry made in it about the person whose cremated remains have been interred at your request in the churchyard belonging to that church. You will probably be asked to pay for the entry and the charge will cover the fee paid to the calligrapher. The content of your entry will have to be approved by the Parish Priest. The Parochial Church Council may have a policy about the number of words which may be added, and the format for the names and dates of birth and death of the person commemorated.

4.16 If the Parochial Church Council encourages the use of a Book of Remembrance, it will not only be offering you the opportunity to commemorate someone in a permanent way but will be providing an important contribution towards the history of the parish. The 'Book of Remembrance' will be kept safely by the church as part of the Parochial records.

5 Memorials over Graves

5.1 Any memorial placed over a grave has to be carefully chosen in recognition that the churchyard is sacred ground and is the area that forms the setting for the church building. Once this principle is recognised it should be easier for you to understand why there are rules governing what is, and what is not, permissible in a churchyard in the diocese. Many churchyards are the settings for historic churches, which are listed as being of special architectural or historic interest under the planning legislation. Care has to be taken to ensure that nothing incongruous or detrimental to that setting is

introduced into the churchyard.

5.2 The organisation Memorials by Artists, part of the Lettering Arts Trust www.letteringartstrust.org.uk/memorials helps people to commission interesting individual memorials. See also the very comprehensive guide to headstones at <http://stoneletters.s3.amazonaws.com/downloads/Headstones-Book-Downloadable.pdf>

5.3 Churchyard rules have changed over the years. You may see memorials in the churchyard which are different from those permitted under the present rules. **Whatever may have been allowed in the past, it is the present rules which apply in the churchyard.** The following paragraphs of this Guide are intended to help you to understand what these rules are.

5.4 **Some general points and questions about memorials**

We said earlier (at section 2.6) that in certain circumstances there is a legal right to burial or to have a person's cremated remains interred in the churchyard. However, **there is no legal right to place a memorial or any other item in the churchyard. Permission has to be obtained in each case.** It is important for you to bear this in mind because anything which is placed in the churchyard without permission is there unlawfully and can be ordered to be removed. Distress can be avoided by observing this rule and recognising that, as in other areas of life, it is necessary to obtain permission first to ensure that all is in order.

5.5 **What do I have to do to obtain permission to erect a memorial over a grave?**

Some memorials can be authorised by the Parish Priest or, during a vacancy in the benefice, by the Rural Dean or Archdeacon. These are memorials that are compliant with the Churchyard Regulations, and so can be considered as 'pre-approved'. A special form has to be used to make this application. It is a Memorial Application form CR1. **Until this form has been submitted (in duplicate if as a paper copy), and the application has been approved in writing, we recommend you do not order a memorial from a stonemason.**

5.6 The form CR1 can be obtained from the Parish Priest, the Rural Dean, most stonemasons, undertakers, the Diocesan Office or via the Diocesan website at: <https://www.stalbans.anglican.org/diocese/diocesan-registry/>

5.7 If the application is for a type of headstone or a form of decoration for which the Parish Priest, Rural Dean or Archdeacon cannot give permission, then an application can be made to the Chancellor for a Faculty. Special permission by way of a Faculty is not given automatically. A Petition for a Faculty will be considered on its merits in each case.

5.8 A Petition for a Faculty can be obtained from the Diocesan Registry at: <https://www.stalbans.anglican.org/diocese/diocesan-registry/>. A fee is payable to the Registry rather than the PCC when a Faculty is applied for. Normally only one fee is payable, subject to any directions made by the Chancellor. The process of obtaining a Faculty usually takes several weeks.

5.9 **How soon after the burial can permission be obtained for the erection of a headstone?**

There are various reasons why an application should not be made too soon. A

headstone is a public statement about the person who is being commemorated. Making the right choice of stone, of design and of inscription is important not only to the relatives or friends who are going to provide the memorial, but also to the wider community. This is because of the effect which the headstone will have upon the appearance of the churchyard.

5.10 In the early days of bereavement, it is frequently difficult for relatives to listen to advice and to make important decisions calmly because of the naturally emotional state brought about by grief. A time is therefore prescribed to allow the grave to settle, and thus facilitate the erection of a headstone, and also to reduce the risk of decisions about the headstone being made too hastily.

5.11 This is why the Regulations say that no application should be made for the introduction of a memorial, nor permission granted, **until at least six months** after the date of the burial, or, in relation to cremated remains, **six months from the date of cremation**.

5.12 **What kind of memorial can be permitted if I make an application using form CR1?**

Memorials which can be permitted on a CR1 application are headstones of certain dimensions (including crosses and boulder memorials). These are the memorials which the Parish Priest or Rural Dean may permit, and you can see the descriptions of these headstones in the Churchyard Regulations at: <https://www.stalbans.anglican.org/diocese/diocesan-registry/> It does not necessarily mean that they are the only types of memorial which may be permitted, but other styles of memorial will have to be the subject of a Petition for a Faculty (see paragraph 5.7).

5.13 If you wish to have a flower vase set into the base of the memorial this will be permitted, but you cannot have more than one flower vase, and it cannot be separate from the memorial, unless you do not intend to have a headstone or memorial. A single vase can be set into the headstone base and can extend a maximum of 205mm in front of the headstone.

5.14 You will be required to sign the **form CR1** yourself or to arrange for someone in your family to sign it on your behalf. The stonemason is not permitted to sign the form for you. The stonemason should help you with your choice of headstone to ensure that it is of a size and design which can be permitted on an application under a form CR1, but it is important that you check this with the stonemason yourself before you sign the form. Otherwise, you could be disappointed by being told that your application cannot be permitted because it falls outside those which the Parish Priest or Rural (or Area) Dean can allow under the authority delegated to him/her by the Chancellor.

5.15 **What kind of stone or other material may be used for the headstone?**

Although no two churchyards are identical, where the churchyard is the setting for the church building the stones or other materials used for memorials should be as harmonious as possible with the church. Some churches in the diocese are not built of stone, so headstones which blend with the church in colour and texture are welcomed; where the church is built of brick different colours and textures may be appropriate. The stone used must not be polished but have a non-reflective finish.

5.16 With these considerations in mind a list of materials which may be permitted on a form CR1 application has been prepared. This offers considerable variety. You may choose from slate (which lends itself to inscription in a flowing script), or from the following stones:

Sandstones e.g. Forest of Dean, Serena (Italy), York

Limestones e.g. Hopton Wood, Hornston, Nabresina (Italy), Portland

Slates e.g. Welsh, Cumbrian or

Granites which may be grey or red and should be:

- no lighter than honed Cornish and
- no darker than honed Rustenberg Grey

Marble Dove Grey only

Any other stones such as marbles, or synthetic stones, cannot be permitted on a form CR1 application. Whether permission will be granted by way of Faculty will depend upon the circumstances in relation to the churchyard in question, but it should not be assumed that a Faculty will necessarily be granted for any such stone. All stones must be ethically sourced and processed and the stonemason or supplier of the stone will need to provide written confirmation that it is.

5.17 As we mentioned in 5.15 above, the stone which you select for approval on a form CR1 must be unpolished, which means that it must have a matt, non-reflective surface and must not be polished or finished in any manner which gives an effect similar to that of polished stone. This provides a setting that encourages a wide variety of lichens. The Parish Priest or Rural Dean who receives your application can allow the entire headstone, and not just the side with the inscription, to be honed (which is the stage before final polishing). Whether permission is given will depend upon the type of stone, its colour and its proximity to the church building.

5.18 Even when your choice of stone falls within those which may be permitted on a form CR1 application, the Parish Priest or Rural Dean receiving your application is not obliged to reach a decision upon it and may instead refer it to the Chancellor if there are any matters relating to the choice of stone, or the proposed design, which appear to justify taking this course.

5.19 **What kind of decoration can be inscribed on the headstone?**

The words of the inscription are usually the most important element of what appears on a headstone. However, some decoration is permissible provided that it is kept in proportion so that an amount of space remains available after allowing for the words of the inscription. The decoration must be seemly and appropriate for a headstone being placed on sacred ground.

5.20 On a form CR1 application you may be permitted to use Christian symbols, including a small cross, a Bible, or the ICTHUS sign, which is approved by the Parish Priest or Rural Dean receiving your application. You may be permitted to use a single flower or a spray of flowers or other plant (such as ears of corn) of appropriate size. Permission may be given for use of an emblem of appropriate scale commemorating a person who served in one of the Armed Forces, provided that written evidence is produced with the form CR1 to prove the entitlement of the deceased person to use that emblem. Alternatively, you may be permitted to have a special decoration on the headstone, but it is advisable to have it specially designed for you. A list of designers for stones can be obtained from stonemasons, Diocesan Advisory Committee, Diocesan Registry or websites e.g. Memorials by Artists: <https://www.letteringartstrust.org.uk/memorials>

5.21 Sometimes relatives wish to use a decorative design, which illustrates the profession, occupation, special skill or interest of the deceased person. Original designs of this kind can be authorised by Faculty but not on a form CR1 application. Faculties have been granted, for example, for a decoration on a headstone consisting of a musical instrument, a boat or a horse rider. The use of such decorative motifs (which should

be uncoloured) requires the permission of the Chancellor by faculty and will only be approved on a case-by-case basis if appropriate to the churchyard and relevant to the commemoration of the deceased. Such forms of decoration need to be carefully designed by the artist or stonemason, with brief wording inscribed on the memorial to make sense of the design e.g. 'talented/enthusiastic musician', 'a keen sailor', 'devoted to the countryside', and the design will be considered by the Diocesan Advisory Committee which advises the Chancellor.

5.22 **Can a photograph be fixed on to the headstone or placed in front or beside it?**

No, this is not permitted. Photographs have their proper place in the homes of relatives of the deceased person. There they serve their purpose in recording the appearance of the person at different stages of life on earth. The words of the inscription on the memorial, on the other hand, speak of the whole span of that person's life from birth to death. The headstone is a public reminder that the person has lived on earth and has now entered eternal life.

5.23 **What kind of inscription is permissible?**

Because a memorial stone is a record of the life of the person commemorated there should normally be formality in relation to the names and dates of birth and death of the person concerned. The person's names are not allowed to be abbreviated but if he or she was usually known by a particular name then this name can be added in inverted commas after the Christian name, provided that the Parish Priest or the Rural Dean who is giving permission, considers it appropriate. The following diminutives to describe family relationships are examples of what can be authorised on a CR1 form: Mum, Dad, Mummy, Daddy, Nan, Nana, Nanny, Grandma, Grandad, Gran, Granny and Grandpa. Descriptions of endearment only familiar and used within the family are not likely to be appropriate and therefore cannot be approved on form CR1. As a general rule the inscription is in English, not in another language. The careful and sensitive use of other languages is permissible but a translation should always be provided with the application. Care should be taken, especially with languages of which the applicant/those dealing with the memorial are not native speakers, that both any inscription and its translation are accurate. **Website links, adverts and electronic communication details i.e. Twitter, quick response (QR) codes on headstones are prohibited.** Technology changes, and you may not be able to control the website to which a QR code is linked.

5.24 **Will a quotation or a verse be allowed on the headstone?**

The general principle is that any words inscribed on a memorial in a churchyard must be consistent with the Christian belief in life after death. An appropriate quotation from the Bible may be used, and the Parish Priest or Rural Dean advising on your application will be able to help you with possible quotations you may like to use.

5.25 You may wish to copy a verse you have seen on another headstone, but by doing so you lose the opportunity to record in your own words something special about the person you wish to commemorate. Several memorials in a row all in similar wording will tell future generations nothing much about the unique nature of the individuals who each have a separate headstone. You are strongly advised to spend time on discussion and reflection upon the wording for an inscription before making your final choice of words. Anyone trying to choose an inscription should always discuss the possibilities with the Parish Priest or Rural Dean before completing the form CR1. Stonemasons and undertakers are expected to discourage the bereaved from applying for permission to use standard verses, because of copyright issues.

5.26 The headstone is an opportunity to record in words something about the character or life of the person commemorated, so that future generations, both of the family in question and the public generally, will be able to read the testimonial and reflect on the life recorded on the memorial. Those who are bereaved are likely to feel a sense of personal loss and sorrow, but the headstone should not be used simply to express these feelings. A positive description of the deceased as, for example, a caring, hardworking or unselfish man or woman, parent or sibling, is a meaningful and appropriate description of that person's character, and wording of this kind will be encouraged. You may wish to use words which describe the work and life of the deceased. Future generations then know something of the person who is commemorated. For example, "Husband of Ann and Father of John, Eleanor and Kenneth" and "Carpenter", "Builder", or "Churchwarden of this Parish" would be appropriate.

5.27 **Are there any requirements about the form of lettering?**

The most lasting way of inscribing a headstone is to hand cut the letters into the stone but machine-cut lettering is also accepted. (The Diocesan Advisory Committee may be able to advise on stone carvers used in the diocese). Or the inscription can be in relief. Lettering may be picked out in black, gold, silver, grey or white. Flush or raised lead is also permitted. Plastic or other applied lettering is not permitted. The lettering will depend on the type of stone to be used, its proximity to the church, and its relationship with other headstones. There are good examples in "The Churchyards Handbook": <https://www.chpublishing.co.uk/books/9780715143018/the-churchyards-handbook>

5.28 **What about children's memorials?**

The death of a child is devastating for a family. Some of the choices you are required to make might seem very insignificant compared to the grief you feel. Parents seeking permission to place a memorial upon a child's grave need special pastoral sensitivity and care. Clergy and the bereaved can refer to organisations such as the Child Death Helpline www.childdeathhelpline.org.uk The Church of England is in every community and offers ongoing support. Parish clergy will meet with parents to support them in completing the CR1 form or to gently explain the Faculty system. The Archdeacon is able to permit memorials which are smaller than the approved ones in the Churchyard Regulations, although a minimum size applies. There are several local stonemasons who are craftsmen and will help parents to create a special and lasting memorial. See also the Memorials by Artists' publications and leaflets at the Lettering Arts Trust: <https://www.letteringartstrust.org.uk/childrens-memorials>

6 **Are there any rules about placing flowers on the headstone or planting bulbs or other plants on the grave?**

6.1 Where a flower vase is included in the base of the headstone fresh flowers or stems cut from shrubs or bushes including holly may be placed in the vase. No plastic or artificial flowers of any kind are allowed. This is because they are not in keeping with the changing seasons of nature which apply in the churchyard. They may serve a useful purpose as decoration in other places but the objective in the churchyard, which is a holy place, is to have flowers and plants which grow naturally. This means that the churchyard can be an important habitat for a wide range of species from insects and butterflies, amphibians and reptiles, birds and mammals.

There are three limited exceptions, and these will depend on local practice:

- (1) Poppies at Remembrance Sunday; they serve a special purpose for a limited period at a time of National Remembrance
- (2) Wreaths at Christmas.
- (3) Wreaths at the anniversary of the death of the deceased, for a limited period.

Silk flowers are only permitted in exceptional circumstances, at the discretion of the Parish Priest, for example where rabbits destroy floral tributes. The PCC may remove dead and artificial flowers (including silk flowers that have deteriorated) to keep the churchyard tidy

- 6.2 The Parochial Church Council has the responsibility for maintaining the churchyard. The planting of small annual flowering plants and bulbs is welcomed. The planting of perennial plants on graves makes mowing the area difficult and shrubs and trees are not permitted as their roots may disturb the grave and can eventually damage the memorial stone or an adjacent grave. Another specific part of the churchyard may have been set aside for gifts of particular plants – please ask if such an arrangement applies. The Parochial Church Council will assist families, particularly those unable to visit often, by removing wreaths and cut flowers from graves and headstones when they have withered and become unsightly. If planting is permitted by the rules made by the Parochial Church Council this does not in any way authorise the introduction of any kind of fencing, edging, or other artificial enclosure of any kind round a grave. It is worth bearing in mind that such enclosure would be unlawful and would be subject to an order for removal to be made by the Chancellor.

7 Can I donate a memorial bench or seat?

- 7.1 Seats and benches are traditional features in a churchyard, and this is certainly something to be discussed with the Parish Priest to see if it would be appropriate in a particular churchyard.
- 7.2 The Parochial Church Council will be involved in deciding the best location for a bench and will obtain permission from the Archdeacon on your behalf. (Note for clergy: Minor Matters List B applies). Please note that it may not be possible to place the bench at or near your loved one's grave.
- 7.3 Because churchyards are shared spaces visited by many members of the public, churchyard seats need to be durable, safe and in keeping with the rest of the churchyard.
- 7.4 The Parish Priest may approve an inscription or plaque on a seat or bench, provided that the wording is considered appropriate, as applies to a memorial inscription.

8 Kerbs have been allowed in the past in some churchyards, so why are they not permitted nowadays?

8.1 Over the passage of years kerbs deteriorate and become partially or wholly sunken into the ground or broken. They present a hazard and create difficulty for those maintaining the churchyard with modern equipment. The expense of maintaining the churchyard falls upon the Parochial Church Council, which has to raise funds for this purpose as well as for the cost of maintaining the church. Few, if any, people donate money for the continuing maintenance of memorials or for the churchyard generally. For many years now, kerbs, statues, urns, railings, bird baths and all ornaments have not been permitted as it is much easier to maintain the grass round a headstone alone.

8.2 The use of chippings and other stones within kerbs was fashionable for a time but these also create hazards for modern equipment and can cause damage if thrown by vandals. It has therefore been the practice for many years not to allow the introduction of chippings or stones of any kind within existing old kerbs or on graves.

8.3 Will I be allowed to add a plaque within existing kerbs or to an existing headstone?

Wherever possible, it is preferable to add inscriptions to the existing memorial. If there is insufficient space on a headstone then the reverse side can be used for additional names and dates only where possible without referring to the Chancellor. (Should a more detailed inscription be desired on the reverse of a headstone a Faculty will be required). This allows members of a family to be recorded in the same way and does not detract from the appearance of the headstone as would a plaque attached to it. If there is no remaining space, the base of a headstone may be extended, and the Parish Priest has authority to permit extensions if they fall within the required dimensions and position. Additional plaques can only be authorised by Faculty and are likely to be allowed only in exceptional circumstances. If the Parish Priest cannot approve the inscription proposed on a CR1 form it will be referred to the Chancellor for her/his direction.

8.4 Will I be allowed to decorate the grave?

It is understood that in the days immediately following a burial, the family and friends mourning the loss of a loved one may wish to place items on a grave to commemorate their loved one and as tokens of their love. Please ask permission from the Parish Priest. At his or her discretion, such items may be left in place for a reasonable period not normally exceeding 6 months. However, the Parish Priest will ask the family to remove items which may be inappropriate, cause distress to other churchyard visitors, or be stolen, or which could be a danger (e.g. glass jars). Those items which are not in accordance with the Christian faith may only be placed with the express permission of the Parish Priest. After six months (or sooner if maintenance of the churchyard is planned) the family will be notified if possible, and the decorations will be carefully and respectfully removed and safely stored ready for collection by the family.

9 Is permission required for the removal or replacement of a memorial?

9.1 Yes. Once a memorial has been erected in a churchyard with permission under a CR1 form or by Faculty it can only lawfully be removed permanently from the churchyard with the permission of the Parish Priest, and a Faculty must be obtained. Memorials remain the property of the family, and in due course restoration or replacement may be required. If it is necessary to remove a headstone for a short period simply to add a further approved inscription or for repair then no Faculty is required, provided that the Parish Priest or Rural Dean as appropriate, is informed before the headstone is removed as to when it will be taken away and when it will be returned to the churchyard. This is to avoid causing alarm or assumption of vandalism or the worry that the grave itself may have been tampered with.

9.2 **It is therefore good practice that before any work is carried out the Parish Priest and/or churchwardens are consulted/notified in writing.**

10 Is it permissible to place a memorial cross on a grave?

10.1 The Parish Priest or Rural Dean with responsibility for a particular churchyard has general authority to permit a cross provided it falls within the Regulations, is of traditional shape and simple design.

10.2 In the case of full burials, a small mound of earth will usually be left immediately after the interment. The grave will usually be marked by a simple wooden cross of natural colouring, no higher than 18". A time is prescribed to allow the grave to settle, and this will depend on local ground conditions. No application should be made for the introduction of a memorial, nor permission granted, until at least six months after the date of burial or in relation to cremated remains, six months from the date of cremation. The wooden marker is not intended to be a permanent memorial and is removed as and when a permanent memorial is erected.

11 When is it possible to reserve a gravespace?

11.1 It is sometimes possible to reserve a special gravespace in advance for the burial of a body in the churchyard. There is no right to reserve a gravespace, and this can only be authorised by a Faculty granted by the Chancellor of the Diocese. Any local arrangement is not valid. You may reserve a gravespace if you are a member of the congregation, a parishioner (someone who lives in the parish), or someone whose name is on the church electoral roll of the parish. In exceptional circumstances a non-parishioner with relatives buried in the churchyard may sometimes be permitted to have a grave space reserved for him or her. It is essential that there is adequate space left remaining in the churchyard for the burial of parishioners and others entitled to be buried in the churchyard in the foreseeable future. The Diocesan Registrar should be consulted about the procedure in relation to applying for a Faculty. If space is limited a Faculty to reserve a space will not be granted unless there are exceptional circumstances.

- 11.2 A contribution towards the funds of the Parochial Church Council may be required in addition to the Faculty fee to meet expenses of maintenance and recording the reserved space. Reserving a gravespace, exercising the right of burial, or erecting a memorial does not mean that the family of the deceased owns any part of the churchyard, which remains vested in the Incumbent.

12 **Is it possible to exhume a body or ashes for re-interment elsewhere?**

- 12.1 In deciding to have a churchyard burial, the family is choosing to commit the remains of a loved one to the permanent care of the Church. The consecrated churchyard is therefore intended to be the last permanent resting place of the earthly remains of the deceased person, placed there in the hope of resurrection to eternal life. Exhumation of a body or of cremated remains is therefore only permitted where there are exceptional circumstances to justify it, for example, burial in the wrong gravespace. Convenience of visiting the grave will not be accepted as a sufficient ground for allowing exhumation.

- 12.2 A Faculty is required for exhumation from consecrated ground, irrespective of the proposed site of re-interment and whether or not it is consecrated. If an exhumation is from unconsecrated ground a licence from the Ministry of Justice is required instead. **The Diocesan Registrar must be consulted in any case of this kind.**

13 **What fees are payable?**

- 13.1 Certain fees are determined nationally with Parliamentary approval in respect of funeral services, burials and interment of cremated remains. Fees are also payable for the erection of memorials over graves. All these fees are regularly reviewed and information about them should be obtained first from the Parish Priest or Rural Dean. The Diocesan Registrar will also be able to assist with queries, particularly about Faculty Fees.

Contact Addresses and Websites

St Albans Diocese can be contacted at:

Holywell Lodge

41 Holywell Hill

St Albans

Herts

AL1 1HE

Tel. 01727 854532

www.stalbans.anglican.org

The Diocesan Registry can be contacted at:

St Albans Diocesan Registry

Minerva House

5 Montague Close

LONDON

SE1 9BB

Tel. 020 7593 5015

stalbandsregistry@wslaw.co.uk

Some useful website addresses:

Diocese of St Albans: www.stalbans.anglican.org

Memorials by Artists: www.letteringartstrust.org.uk

Stonewriters: www.stonewriters.co.uk

A Church Near You: www.achurchnearyou.com

Church of England funerals www.churchofengland.org/life-events/funerals

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