



DAC Guidance

Memorials, plaques and tablets

Many churches contain a variety of memorials which contribute to their historic and artistic interest as well as providing a record of the pastoral life of the parish. That heritage should be respected for the sake of future generations, and it therefore follows that automatic approval cannot be given for every new proposal for a commemorative plaque or tablet. In fact there are a number of criteria which must be followed by the Chancellor and the DAC in considering whether or not a faculty should be granted. The Chancellor has provided the following guidelines to clarify the situation.

1. LEGAL CONSIDERATIONS

The Chancellor aims to be consistent in his decisions with principles already decided in other dioceses. At all events he is bound to follow decisions of the Court of Arches, the court in which appeals from chancellors' decisions are heard. There have been two relevant decisions in the case of memorial tablets:- concerning St Nicholas, Brockenhurst (1978) in the Winchester consistory court, and St Margaret's, Eartham (1981) in the Court of Arches.

These two cases set out the principles to be followed in applications for memorial tablets or plaques.

* **Faculties for memorials** cannot be granted freely or extensively. If they were, the walls of a church might soon become so crowded that its appearance would be spoilt.

* **A faculty for a memorial should be regarded as a special privilege reserved for very exceptional cases.** This involves the questions (a) is this case so exceptional that it merits the special privilege of a faculty, and (b) if so, do the circumstances warrant the grant of a faculty?

Factors which show exceptionality are, for example:-

- outstanding service to church, country or mankind by the person to be commemorated; or
- a desire to record some important or significant aspect of local or national history; or
- some family history or tradition of such memorials – especially (though not necessarily) if any future application based on the family connection would be impossible.

* **The burden of showing that the case is exceptional rests with the petitioner**, who must provide clear evidence of this to the Chancellor. These grounds should be stated in the petition. Any party supporting the faculty petition – the incumbent, the PCC or the DAC – should also explain the particular exceptionality of the case.

If the grounds given for exceptionality rest on character or service to the local church and community, the Chancellor will of course take into consideration the joint opinion of the incumbent, PCC and the DAC when he is sure that these bodies have also considered the questions set out above.

* **Even when exceptionality is shown, a faculty will not be granted as a matter of course.** The Chancellor must consider other factors, for example:-

- the character of the church;
- the number of memorials already in the church;
- the appropriateness of the design for the memorial; and
- any lack of support or opposition in the parish, the PCC, the DAC, or other interested bodies.

* **In any event, it is normal not to allow memorials within about five years from the person's death** so that his or her life and career may be seen in perspective.

2. ALTERNATIVE METHODS OF COMMEMORATION

There are many alternative ways of commemorating people, events or gifts.

In the case of individuals, it may be considered appropriate that devoted and outstanding service (for instance by churchwardens) should be remembered. Their memorial could be an item or feature dedicated as a permanent addition to the contents or even the structure of the church. There are many possibilities: memorial windows, church plate, altar linen, lecterns or other furnishings. All memorial gifts would of course be subject to the normal faculty procedures, and therefore to discussion with the PCC as well as the DAC, but this is a very traditional method of commemoration which has been used to adorn churches for many centuries. The item could be suitably inscribed – for example, with a dedicatory inscription as is so often seen in stained glass windows – or recorded in a commemorative book kept to record all gifts to the church.

In the case of special gifts or benefactions, these too should be recorded either by a suitable inscription attached to the item, if this is possible, or by recording in a book of gifts. However it cannot be expected that for every intended gift or benefaction, faculty consent will be granted for an accompanying plaque: demand would increase and the church would rapidly fill up with small and fairly unmemorable tablets.

3. SOURCES OF ADVICE

It should be remembered that the DAC will be required to give final advice to the Chancellor on the faculty proposal as eventually formulated. However the final decision is made by the Chancellor, not the DAC.

It is always wise to approach the DAC secretary and the Archdeacon at an early stage (and certainly before plans have been made or any tablet or plaque has been ordered).

They will be able to provide informal, preliminary advice on the following points:-

- whether the application is likely to be granted a faculty, and if so, how to proceed; and
- what their advice would be to the Chancellor in the case of a formal faculty petition; and
- whether the details (design, materials and location etc) are appropriate; and
- alternative methods of commemoration, where it is unlikely that a faculty will be granted; and
- if necessary, on the pastoral aspect of the situation.

One particular aspect with which the DAC can help is with the selection of an appropriate craftsman, artist or ecclesiastical supplier, so that any memorial or item will complement the church and its setting.

References

1. In re St Nicholas, Brockenhurst, (1978) Fam 157, a decision of the Winchester Consistory court.
2. Re St Margaret, Eartham, (1981) 1 WLR 1129, a decision of the Court of Arches on appeal from the Chichester consistory court.
3. Newsom, 'Faculty Jurisdiction of the Church of England' (2nd edition, 1993).
4. Hill, 'Ecclesiastical Law' (2nd edition, page 635-6).

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