

IN THE CONSISTORY COURT OF THE DIOCESE OF LICHFIELD

ST LEONARD: ALTON WITH BRADLEY LE MOORS

ON THE PETITION OF JOHN MICHAEL CHADFIELD

JUDGMENT

- 1) Elaine Margaret Chadfield died in October 2017 and was buried in the churchyard of St Leonard in Alton the following month.
- 2) The Petitioner is the widower of Mrs. Chadfield and seeks a faculty of authorising a memorial on her grave.
- 3) The proposed memorial is to be of local stone which is to be given a rough hewn appearance and to have an upright wedge or pyramidal shape. The proposal is that a bronze plaque be attached to the stone. The plaque is to bear an inscription in these terms:

“ELAINE MARGARET CHADFIELD of Bank End Farmhouse, Ramshorn (nee Townley of Smallheath (sic) Birmingham)

4 August 1946 – 11 October 2017

My much loved wife of fifty years and mother of our two boys, died at home aged seventy-one. She met her death with courage and is now at peace.

SO WE'LL GO NO MORE A'ROVING

For the sword outwears its sheath

And the soul wears out the breast,

And the heart must pause to breathe,

And love itself have rest.

RIP”

- 4) The Parochial Church Council has indicated its support for the proposed memorial. The Petitioner explains that the memorial is to be of the same stone as was used to build St Leonard's and that the incumbent, Revd Brian Leathers, agrees with his view that it will not look out of place in the churchyard.
- 5) The Diocesan Advisory Committee does not recommend approval. It expressed "strong reservations" about the design involving as it does the combination of the bronze plaque and the rough hewn stone in a wedge shape. The Committee felt that this was not in accordance with the setting. It also expressed reservations about the proposed inscription. It regarded this as being too lengthy; believed that the words "my" and "our" were an unusual inclusion and were overly personal; and took the view that the inclusion of a single verse of Lord Byron's poem lacked context and was inappropriate.
- 6) I concluded that it was expedient to determine this matter on the basis of written representations. The Petitioner consented to that course and provided further submissions together with photographs of the churchyard.

The Petitioner's Submissions.

- 7) Mr. Chadfield emphasises that the stone is of the same kind as was made to build the church and is in that regard clearly appropriate for use in the churchyard. I note that the photographs show that the churchyard contains memorials made of various different materials including polished granite and local stone. As to the memorial's appearance Mr. Chadfield explains that the intention was for it to have a "natural look" something which will develop as the stone weathers.
- 8) The Petitioner accepts that the proposed inscription is personal but says why should the message not be personal on a memorial to his wife of fifty years. The extract from Byron's poem was chosen for "brevity and its lament of lost comradeship".

The Approach to be taken.

- 9) The Churchyard Regulations for the diocese identify those memorials which incumbents can permit without the need for a faculty application. They also explain my understanding of the approach to be taken when considering

applications for faculties to permit memorials outside the scope of the Regulations.

- 10) The starting point is to remember that churchyards are consecrated to God, Father, Son, and Holy Spirit and that any structure installed in them must be consistent with that consecration. They are also to provide a fitting setting for the church and to be a seemly resting place for the remains of those interred in the churchyard.
- 11) A uniformity of memorials is neither necessary nor desirable. As the Regulations say at [43] and [44]:

“43. Nonetheless, it is not the purpose of the Regulations to suppress quality or individuality in favour of an unthinking uniformity. Churchyards can be enriched by memorials which are outside the norm whether their difference from the norm is in appearance, material, or design. Memorials which display individuality are to be encouraged. They can demonstrate thought and imagination and can contribute to and enhance the appearance of a churchyard. The Church welcomes such proposals and the Chancellor urges clergy and churchwardens to draw the attention of the bereaved to the possibility of individually designed memorials.

44. It is particularly important in such instances that the memorial is well designed and is of the highest quality. It is for that reason that memorials of unusual design can only be permitted after a faculty has been granted. ...”

- 12) Particular care is needed in the wording of inscriptions. It is important to bear in mind that the inscriptions will be read not just by those who knew the departed loved one but also by those who did not. The message sent to the latter is in some respects as important as that sent to the former. In those circumstances the message conveyed by an inscription must be consistent with Christian belief and must be something more than an expression of loss no matter how deeply felt.

Analysis.

- 13) The design of this memorial is out of the ordinary though what is proposed is by no means unique. I note the strong reservations expressed by the Diocesan Advisory Committee. However, I also note the appearance of the churchyard as shown by the photographs supplied and the support of the Parochial Church Council and incumbent for the proposed memorial. The latter are well placed to make an assessment of what would and what would not appear out of place in

this churchyard. It is of particular note that local stone is to be used and I take account of the weathering which will occur over time. In those circumstances I am satisfied that it is appropriate to authorise a memorial of local stone in the pyramidal shape proposed together with a bronze plaque. Such a memorial will differ from others in the churchyard but will not detract from the overall appearance nor will it “stand out like a sore thumb”.

- 14) The proposed inscription is more problematic. The reference to “Smallheath” should be corrected to “Small Heath”. What of the content as a whole? The inscription is lengthy but length of itself does not make an inscription inappropriate. Many memorials of beauty and seamliness bear lengthy inscriptions. The key question is the content and the longer the inscription which is proposed the more important it becomes to ensure that the content is appropriate.
- 15) I agree with the assessment of the Diocesan Advisory Committee that the references to “my” and “our” do make the memorial overly personal and the same messages about Mrs. Chadfield’s life and her family can be conveyed without those words. Similarly, the reference to “boys” is better made by using the word “sons”. Changing the wording in those regards would also warrant some restructuring of the inscription.
- 16) The passage from Byron is part of a secular poem which conveys no suggestion of Christian resurrection hope. Indeed, Mr. Chadfield says that it is avowedly an expression of loss. I have no doubt that Mr. Chadfield’s loss is intense and the language proposed is beautiful. Nonetheless, it is language which is not appropriate on a memorial in churchyard and cannot be permitted. That is because of the message which it conveys or rather because of its failure to convey a message consistent with the purpose of the churchyard.
- 17) In those circumstances the petition for a faculty for a memorial in the proposed form will be refused. However, if Mr. Chadfield wishes it a faculty may issue forthwith for a memorial of the proposed stone type and shape with the following wording on the bronze plaque:

“ELAINE MARGARET CHADFIELD of Bank End Farmhouse, Ramshorn (nee Townley of Small Heath, Birmingham)

4 August 1946 – 11 October 2017

Much loved wife of fifty years and mother of two sons.

She died at home aged seventy-one meeting her death with courage and is now at peace.”

18) In addition if Mr. Chadfield wishes to propose an alternative verse to be added to the inscription then I will consider that by way of application through the registry. Mr. Chadfield may wish to consult the incumbent with a view to identifying a suitable passage from Holy Scripture or classical Christian poetry or hymnody.

STEPHEN EYRE

HIS HONOUR JUDGE EYRE QC

CHANCELLOR

24th December 2019