

## Guidance for the Bereaved: Memorials in Churchyards

A churchyard is a shared sacred space overseen by the church. It is a final resting place for body or cremated remains (ashes), set aside in quiet dignity and good order, where all are equal. It is a precious and rare space, which in the fullness of time, may have to be reused.

For those grieving the loss of a loved one, marking that resting place in a local churchyard with a memorial may be a significant way in which to honour and cherish their memory.

Your minister will want to do all they can to assist so the proposed memorial meets your needs and conforms with the Churchyard Regulations for the Diocese of Lichfield, which are designed to promote the common good.

This Guidance is also here to help.

For more detail, please see the Handbook for the Bereaved and the Churchyard Regulations, on the Diocese of Lichfield website.

### IMPORTANT

Please understand that the Churchyard Regulations are **rules of law** and **legally limit** what a minister may allow. The Chancellor of the Diocese of Lichfield is the **Judge** who enforces the Churchyard Regulations in the Consistory **Court** of the Diocese. The Chancellor has the final say in these matters (subject to any appeal to the Court of Arches!).

### What are the first steps in seeking permission for a memorial?

#### Allow a period of at least six months

Six months must pass after a burial or interment before applying for a memorial to be introduced into the churchyard.

This allows time for the ground to settle and to reflect on the most appropriate form of memorial.

Your minister and memorial mason can offer guidance in this period regarding the type of memorials that conform to Churchyard Regulations.

Memorials should always be installed by a fully qualified and registered memorial mason.



### **Complete a Memorial Application Form**

Memorials in churchyards can only be introduced with the correct permissions in place.

Your memorial mason can provide and assist you to complete the application form, giving details of the type of stone to be used, the design, dimensions, inscriptions and other key details.

The form then needs to be sent to your minister who is authorised to permit memorials that conform to the Churchyard Regulations.



### **Conforming Memorials**

The minister will sign the application form granting permission under delegated authority from the Chancellor of the Diocese and return it to the memorial mason.

This allows work to begin on the memorial and the mason will then contact you and the minister to indicate when the memorial is ready for installation.

Sometimes proposed memorials do not conform to the Churchyard Regulations and are beyond what the minister is legally authorised to permit, or the minister may need to seek further advice.

If this happens the parish priest or a church representative will contact you and the memorial mason to discuss next steps.

A fee will be payable to the church when the memorial is approved for installation.

### **What kind of memorials can a local priest permit?**

Full details are available in the Churchyard Regulations:

<https://www.lichfield.anglican.org/about-us/registry/guidance-on-churches-and-churchyards/>

Your parish priest, the funeral director and memorial masons will be able to advise on these. Churchwardens and members of the Parochial Church Council (PCC) never have control of churchyards, but if there is no minister, they can help you find out who is the responsible member of the clergy.

Memorials that conform to the Regulations and can be authorised by the parish priest:

- are made of natural stone of a colour, type and texture traditionally used within, or in the locality of the church e.g. limestone, sandstone, slate or granite (not black or dark grey granite).
- have a honed finish, not polished or reflective.
- are of the right shape, height, width and thickness whether vertical or horizontal.

- may include a small plain cross or a single floral symbol or other motif reflecting life or interests of an appropriate size. Colour is not usually allowed
- include inscriptions that are simple, reverent and accurately commemorate the deceased, (but not excessively informal, over-sentimental, flippant or irreverent) and which are incised (cut) into the stone or carved in relief.
- are informative to visitors to the churchyard and consistent with the Christian faith.
- may include verses from the Bible, or lines from a poem or another suitable phrase consistent with the Christian faith.
- ensure that any additional inscriptions match the style and appearance of existing inscriptions.

The minister reserves the right to refer any application to the Chancellor of the Diocese for further guidance or authority.

Please be aware that, decisions on new memorials must be based on the current regulations, whatever monuments have been approved in the past.

### **What else should we be aware of when considering a memorial?**

The upkeep of a churchyard will usually fall to the local church, very often volunteers. In the case of 'closed' churchyards, responsibility for upkeep falls to the local council. The Churchyard Regulations are also designed to make maintenance, such as mowing, more manageable. They take into account the needs of other families who have loved ones buried nearby, and those of present and future generations of visitors. Churchyards are also public and natural spaces that need to be managed in environmentally friendly ways. It is important that the churchyard be harmonious in appearance so that memorials integrate well into the established character of the churchyard.

For these reasons the following are not permitted:

- kerbs or edging.
- chippings, stones or artificial turf.
- memorials in the shape of a book or other unusual shape.
- wind chimes or other wind-propelled items, lighting or solar propelled items.
- plastic or other artificial flowers (cut flowers are allowed, so long as any cellophane or other wrapping is removed, but such flowers can and should be removed once past their best).
- photographs of the deceased.
- placing other items on graves in addition to the memorial.

What is unlawfully introduced is likely to be required by the Chancellor to be removed at the cost of the person who introduced it.

### **What if the kind of memorial we would like cannot be authorised by our local priest?**

Your application will need to be considered by the Chancellor of the Diocese. The Chancellor is a judge of the Consistory Court who has legal authority relating to Church of England churches and churchyards in the diocese. The Churchyard Regulations are issued by the Chancellor who determines whether a memorial can be permitted in a churchyard by way of

a faculty or his delegated authority to the minister to allow conforming memorials to be installed.

If the proposed memorial falls beyond what the parish priest (or Rural or Area Dean if the parish is in vacancy) can approve, a request for legal permission must be made to the Chancellor. This is known as a faculty petition.

It is not the purpose of the Churchyard Regulations to suppress quality or individuality in favour of an mindless uniformity. Churchyards can be enriched by memorials which are outside the norm whether their difference from the norm is in appearance, material, or design. It is particularly important in such instances that the memorial is well designed and is of the highest quality.

### **Why can't someone just have what they want?**

Churchyards are consecrated to God, Father, Son, and Holy Spirit. They must be treated and cared for accordingly. They often provide the setting for Christian places of worship. They contain memorials to departed Christians demonstrating the Church's continuing love for them and its belief in the communion of saints. Churchyards are places of solace and relief for those who mourn. Comfort derives in part from a confidence that the character of that place will be preserved. There is also an equality among the mourned, so no monument should dominate or detract from others, but peace, dignity and good order should prevail.

The memorials placed in our churchyards must be fitting and appropriate, not just for today but also for the future.

Churchyards are places of permanent repose for departed.

For those who cannot subscribe to these ideals, local authorities provide alternative cemeteries

### **What does applying for a faculty involve?**

A person applying for a faculty would need to go through the memorial application process described above. Your minister can then advise whether a faculty will be required, explain the process more fully and help you through the various stages. You will also need help from the Diocesan Registry (who will seek the advice of specialists, known as the Diocesan Advisory Committee or "DAC"):

<https://www.lichfield.anglican.org/about-us/registry/guidance-on-churches-and-churchyards/>

A statutory fee must be paid when the application is submitted.

### **Do these rules apply to cremated remains?**

There are special rules for cremated remains:

- If a member of the family is already buried in the churchyard, you can apply to have the cremated remains buried in that grave and an addition made to the inscription on its monument.
- If the churchyard has an area set aside for cremated remains under a Faculty previously granted for that purpose, then they can be buried there, either by being poured into a specially prepared hole or interred in a biodegradable container.

- Memorial tablets can only be used where that is the established rule for the churchyard in question (and as set out in the Faculty authorising interment of cremated remains) and collective memorials are preferred.
- If the churchyard is closed by Order in Council, you can apply for a faculty to inter cremated remains into an existing family grave
- **It is illegal for cremated remains (ashes) to be scattered or strewn in a churchyard. There are no exceptions to this rule.**

## **We are here to help**

Thank you for taking the time to read this leaflet. We hope it will be of help to you and recognise that you may be trying to absorb this information at a time when your loss still feels very acute. Please contact your parish church for links to further bereavement support if needed. More information regarding memorials is available on the Diocese of Lichfield website (see below).

Your minister and memorial mason are available to provide further guidance. We look forward to working with you to ensure that your loved one is remembered well in your local churchyard.

Almighty God,  
 Father of all mercies and giver of all comfort:  
 deal graciously, we pray, with those who mourn,  
 that, casting all their care on you,  
 they may know the consolation of your love;  
 through Jesus Christ our Lord.  
 Amen  
 A Prayer from Common Worship: Pastoral Services  
 ©The Archbishops' Council 2002, 2005

## **For further information and advice:**

<https://www.lichfield.anglican.org/about-us/registry/guidance-on-churches-and-churchyards/>

## **Contact the Diocesan Registry Clerks:**

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