

Neutral Citation Number: [2023] ECC Roc 2

IN THE CONSISTORY COURT OF THE DIOCESE OF ROCHESTER  
Re: HOO ST WERBURGH

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J U D G M E N T

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1. By a petition dated 20<sup>th</sup> June 2022 the petitioner, Miss Andrea Johnson, applies for a faculty for the erection of a memorial in the churchyard of Hoo St Werburgh to her late father John Frederick James Johnson, who was buried on 26th June 2015.
2. The church is Grade 1 listed. The churchyard is almost full, and there are a number of memorials in it which do not comply with the Diocesan Churchyard Regulations.
3. The petition and supporting documentation, including a statement from the petitioner, set out the grounds relied upon in support of the petition. I shall refer to them, where necessary, in more detail below.
4. There is no opposition from the PCC or Priest in Charge to the grant of a faculty, and no objections have been received in response to the display of public notices. The DAC, however, does not recommend several aspects of the proposed memorial.
5. It is on this basis that I determined the petition was suitable to be dealt with by written representations under **Part 14, Faculty Jurisdiction Rules**.
6. The proposed memorial does not fall within the Diocesan Churchyard Regulations and, whilst the Priest in Charge and PCC would not normally agree to a “non-standard” memorial, they are prepared to make an exception in the instant case as there is a similar family memorial nearby, some three plots away. They also seem to have taken into consideration the fact that the grave is about 90 yards from the church, and at the edge of the churchyard.

7. In its Notification of Advice dated 16<sup>th</sup> November 2022, the DAC made no objection to the headstone and kerbstone, but did not recommend the proposed use of the words “Sunrise” and “Sunset”, the proposed tablet at the foot of the grave or the inscription “See you on the other side.”
8. In her letter dated 18<sup>th</sup> November 2022 and witness statement dated 27<sup>th</sup> March 2023, the petitioner reiterated her desire to have the memorial as asked for in her petition. She pointed out that there are “many variations” in the churchyard and that her brother’s nearby grave has a tablet on it. She is, though, prepared to compromise on the wording to be inscribed on the tablet. As far as the use of the words “Sunrise” and “Sunset” are concerned, she says that her father was born at sunrise and took his last breath at sunset and that, in addition, these words are referenced in Psalm 113.
9. I do not accept that the addition of a tablet or any of the proposed options of wording for it are appropriate. The similar family memorial referred to by the petitioner does not, in my view, create a precedent given that each petition must be decided on its own individual merits.
10. As for the use of the words “Sunrise” and “Sunset”, having read the petitioner’s reasons for wanting to use these words, with some diffidence I am prepared to allow them.
11. This means that I grant a faculty approving the memorial to the late Mr Johnson as sought, save that the proposed tablet is not permitted.
12. Let faculty issue accordingly.

**John Gallagher**  
**Chancellor**  
**10<sup>th</sup> May 2023**