



THE DIOCESE OF LEICESTER

PETITION FOR FACULTY FOR AN EXHUMATION IN A CHURCHYARD OR CONSECRATED CEMETERY

Please read the guidance at the back of this form before completing.

TO THE CHANCELLOR OF THE DIOCESE OF LEICESTER

PARISH OF:

1. YOUR DETAILS

Mrs/Mr/Miss/Ms

Address

Post Code

Telephone

Email

EITHER

I am/we are [the spouse] [nearest living relative] [personal representative]

[other (*please specify*)] (*delete as applicable*)

of the deceased.

OR

I/we enclose a form of written consent of one of the above (*specify which*):

.....

2. DETAILS OF THE BURIAL

2.1 On [.....] (*specify date*) the [cremated] remains of

..... (*full name*)

were buried in

(*state the name of the parish churchyard or cemetery*)

in grave number [.....] in row [.....] (*please provide details as appropriate*)



4. RE-BURIAL

If the faculty is granted, the remains will be reburied in the [churchyard of the parish of []]
OR [civic cemetery of []].

I attach a plan showing the proposed place of reburial.

5. CONSENTS

5.1 The written consent of the [Minister and Parochial Church Council of the parish of []]
OR [the Burial Authority of []] where the remains are currently buried have been
obtained and are attached to this application.

(If the Minister, Parochial Church Council or Burial Authority has not consented, they should write to the Diocesan Registrar stating their position.)

5.2 The written consent of the [Minister and Parochial Church Council of the parish of []]
OR [the Burial Authority of []] where the remains are to be reburied have been
obtained and are attached to this application.

(If the Minister, Parochial Church Council or Burial Authority has not consented, they should write to the Diocesan Registrar stating their position.)

5.3 FAMILY MEMBER CONSENTS

I attach:

(a) a family tree showing the names and addresses of (where appropriate) the spouse of the deceased, the siblings and children of the deceased and (if any) any parent of the deceased; and

(b) a letter (or letters) signifying the consents of all the persons on the family tree to the exhumation and reinterment

5.4 (ONLY IN THE CASE OF A COFFIN BURIAL) I attach written confirmation from the

(i) Local Authority that this exhumation is not considered likely to cause any public health concern; and

(ii) funeral undertakers, who are [name of company] of [address of company] that the conducting of the exhumation and reburial will be carried out with due care and decency and with such sanitary precautions as are prescribed by the Governmental Medical Officer of Health.

THE UNDERSIGNED PETITIONER(S) respectfully request(s) the Chancellor to authorise the grant of a Faculty enabling the exhumation and reburial to be carried out

Signed:

Print Name:

Signed:

Print Name:

Dated:

(all petitioners to sign)



ENCLOSURES

The following should be sent with this petition:

1. The written consent of a spouse, personal representative or nearest relative for you to make this application (*if appropriate: see paragraph 1, page 1*).
2. The undertaker's statement regarding the casket/coffin (*see paragraph 2.2, page 2*).
3. A plan of churchyard or cemetery where the remains are presently buried (*see paragraph 2.3, page 2*).
4. A plan of the churchyard or cemetery where the remains are to be reburied (*paragraph 4, page 3*).
5. The consent of the Minister and Parochial Church Council (or Burial Authority) of the place of burial to the exhumation (*see paragraph 5.1, page 3*).
6. The consent of the Minister and Parochial Church Council (or Burial Authority) of the place of reinterment (*see paragraph 5.2, page 3*).
7. A family tree (*see paragraph 5.3(a), page 3*).
8. A letter or letters from the relatives of the deceased in the family tree (*see paragraph 5.3(b), page 3*).
9. In the case of a coffin burial, confirmation from the Local Authority (*see paragraph 5.4(i), page 3*).
10. In the case of a coffin burial, confirmation from the undertakers (*see paragraph 5.4(ii), page 3*).
11. A cheque in payment of the statutory petition fee of £342.60, payable to 'Stone King LLP'.

The Petition and its enclosures should be sent directly to the Diocesan Registrar, Lee Coley:

c/o Stone King
Boundary House
91 Charterhouse Street
London EC1M 6HR

If you would like to send the form and enclosures and/or fee electronically, please contact registry@stoneking.co.uk



NOTES FOR THE GUIDANCE OF PETITIONERS REGARDING EXHUMATION

Christian burial assumes that the interment of the dead is permanent. The remains of the dead buried in consecrated ground are under the protection of the Chancellor of the Diocese. Occasionally a request is made for exhumation. It might be that, regrettably, someone has made an error about the place of burial, but there may be other reasons for making such a request. Under normal circumstances, exhumation can only be authorised by the Chancellor, by the grant of a faculty for that purpose. A faculty is not granted automatically and only after the consideration of the reasons in each case.

Anyone considering applying for a faculty for exhumation will need to think carefully about the seriousness of what is being requested. These notes are merely intended to help you explain what steps must be taken if it is decided to go ahead with the application.

1. Where is it wished that the remains are to be reburied? Exhumation of human remains from consecrated ground in churchyards or cemeteries must be authorised by a faculty granted by the Chancellor of the diocese, and scattering of ashes is contrary to the teachings of the Church of England and is usually discouraged.

2. A petition for exhumation, obtainable from the Diocesan Registry, must be completed by or on behalf of the applicant. You must make sure that:

- (a) if you are not the spouse, nearest relative or personal representative of the deceased, you have the written consent of such person(s);
- (b) you have the written consent of the Minister and Parochial Church Council from whose churchyard the exhumation is requested (or the Burial Authority in the case of a civic cemetery);
- (c) you have the written consent of the Minister and Parochial Church Council (or Burial Authority) of the place where the remains are to be reburied;
- (e) you have a statement from the undertaker to be commissioned for the exhumation, giving his opinion as to the likely state of the casket or coffin; and
- (f) in the case of a coffin burial, a written statement from the appropriate department of the Local Authority that exhumation is not considered in this instance to cause any public health concern.

3. When the Chancellor considers the petition, she may direct that a public notice is to be issued, to be exhibited (in the case of a churchyard) on notice boards outside and inside the church. If you are not a close relative or personal representative of the deceased, you must supply the name and address of at least one member of the family of the deceased to whom notice will be sent.

4. Please return the completed Petition form together with the necessary consents and supporting documents. Please note that a fee is payable on presentation of the petition. This fee is not "payment" for the faculty. It is the statutory legal fee for the services of the Chancellor and the Registry, whether or not the faculty is granted.

5. If a faculty is granted, the Registry will also send you a form of Completion Certificate which is to be filled in and returned to the Registry as soon as the reburial has taken place.