

## CASE NOTES

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EDITED BY RUTH ARLOW

Barrister, Deputy Chancellor of the Dioceses of Chichester and Norwich

AND WILL ADAM

Vicar of St Paul, Winchmore Hill

### **Re Oxley, deceased**

Bradford Consistory Court: Walford Ch, March 2010

*Exhumation – special circumstances*

The daughter of the deceased sought a faculty for the exhumation of the cremated remains of the deceased from the churchyard. The husband of the deceased had converted to Roman Catholicism and had expressed a wish that his remains and those of his wife be buried together after his death, in another local cemetery. The chancellor found no special circumstances that would warrant a departure from the norm of permanence and the application was refused. [RA]

doi:10.1017/S0956618X10000992

### **Re Putney Vale Cemetery**

Southwark Consistory Court: Petchey Ch, April 2010

*Exhumation – Roman Catholicism – consecrated ground*

The deceased, an Italian Roman Catholic, was interred in the consecrated area of Putney Vale Cemetery shortly after his death. Prior to and at the time of burial the family was not made aware that the relevant plot was in consecrated ground nor of the significance of burial in consecrated ground. After the interment the widow felt that she had made a mistake and the family intended that the deceased should be cremated and that upon the death and cremation of the widow they should both be interred in a mausoleum in Italy with other family members. The deceased's cremated remains would be kept by the widow at home until this could take place. The deceased's widow, supported by her six children, petitioned for a faculty permitting the exhumation of the deceased's cremated remains. The chancellor sought and received evidence from relevant