

Re St Mary and St Gabriel, Harting

Judgment

1. By a petition dated 19 November 2007, the priest in charge and churchwardens of St Mary and St Gabriel, Harting seek a faculty for the introduction into the north transept of this Grade I listed church building of a statue of St Gabriel, to be designed and sculpted by Philip Jackson. The project is to be funded by private benefaction. There is a consequential application for the removal of certain cupboards, the modest cost of which will be discharged by the PCC. This latter element is not controversial.
2. The proposal has the unanimous support of the PCC, as evidenced by an extract from the PCC minutes of 17 July 2007. I have regard to the careful and persuasive statement of need and statement of significance which have been submitted with the petition.
3. Whether in consequence of the display of public notice or otherwise, certain correspondence has been generated from within the local community.
 - i. Mr David Gault has written twice to the priest in charge. I refer to his letters of 8 and 18 October 2007 respectively, and to the priest in charge's response to the first of these letters dated 8 October. Notwithstanding the requirement for letters of objection to be sent to the Registry, I determined that I would consider this correspondence. Indeed the Registrar wrote to Mr Gault on 23 November 2007 setting out the options available to him as a putative objector. No reply was received to that letter;
 - ii. Likewise Mrs Philippa Sladden wrote to the priest in charge on 28 October 2007, to which he replied on 3 November 2007. On 23 November 2007, the Registrar wrote to her in similar terms to Mr Gault but she has not replied;
 - iii. Mr John Sladden wrote to the Registry on 15 November 2007. Although this letter was out of time, he was informed that it would be forwarded to me with the papers and Mr Sladden kindly acknowledged this in his letter of 24 November 2007.

In making my adjudication, I take fully into account the written observations as expressed in all of the foregoing correspondence notwithstanding any non-compliance with the Faculty Jurisdiction Rules.

4. I have also been assisted by representations from the Council for the Care of Churches, particularly its letters of 26 October and 6 December 2007, and by the Society for the Protection of Ancient Buildings in an undated email to the parish's inspecting architect. The DAC has recommended the proposals as appears in its certificate dated 14 September 2007.

5. It is apparent that the PCC at Harting is considering a number of proposals for the best use of the sacred space which it occupies. There is a continuing dialogue with, amongst others, the CCC. The organ was recently re-located from the north transept to the south west corner of the church, and there is currently a discussion with regard to the positioning of the font and the possible construction of an annex or extension. The CCC commended the ‘uncoupling’ of the issue of the statue and for its determination as a discrete issue, and I respectfully agree.
6. Turning then to the merits of the petition, there is no doubt that Mr Philip Jackson is a sculptor of some repute whose work is well known in the diocese, not least through the St Richard of Chichester statue in the precincts of the cathedral, being the mother church of the diocese. The objections lie not in the quality of the workmanship, but in the appropriateness of the design. Various articulated, the matters raised include:
 - i. that the baroque flourish is entirely inappropriate for a relatively simple parish church, and/or suggestive of a Victorian age oozing sentiment, and/or Bavarian artistry of the 1720s;
 - ii. that it is too large and will dominate the space it is to occupy, described by one objector as beautiful, and medieval and mystical in its simplicity;
 - iii. that it will shut out light;
 - iv. that it would be more appropriate to the Catholic Cathedral in Liverpool;
 - v. that it panders to a ‘cult of saints’ which is antithetical to the work and witness of the Church of England;
 - vi. that it will not ‘balance’ the simplicity and integrity of certain Elizabethan tombs in the south transept;
 - vii. it will disrupt the contemplative nature of the north transept;
 - viii. suspended in the centre of this large space, it would overshadow a meditative area inappropriately.
7. Further, Mr Gault invites the court to appoint an outside expert such as the director of the Pallant House Gallery to pass judgment on this petition. I decline the invitation. It would be *ultra vires* the Care of Churches and Ecclesiastical Jurisdiction Measure 1991, and an abrogation of my judicial oath, were I to accede to such a request. I am required by law to determine this petition and I must do so.
8. This court has the benefit of a wide range of expertise upon which to draw: on a local level from the DAC and nationally from the CCC. Each is a statutory body whose membership includes experts suitably qualified to provide this court with advice on matters of art, architecture, and aesthetics. Both the DAC and the CCC recommend this application. The proposal also has the support of the Society for the Protection of Ancient Buildings, an organisation considered by many to be rather conservative. The professional opinions of these bodies carry greater weight, on factual matters at least, than the observations of individuals in their correspondence. None claims qualifications as an expert.
9. I have considered with care each of the matters raised in correspondence and summarized above. I acknowledge that the introduction of a new piece of religious art into the sacred space of a listed building may give rise to opposing views,

sincerely and legitimately held. I am grateful that in cases such as these opinions are openly voiced both by objectors themselves and by the priest in charge in his measured and thoughtful responses.

10. I note the sculpture is complimentary to the simple style of the interior of the church, and I feel the mildly pejorative tone of certain of the correspondence to be misplaced. Properly conceived and professionally executed, I am confident that it will enhance the north transept and articulate by its presence and symbolism not merely the annunciation but also the message of Christmas and the significance of the church's dedication. I can see no evidence of the promotion of a cult of saints or anything doctrinally offensive in this proposal. The archangel Gabriel has been represented in a variety of media throughout Christian buildings in western Europe from well before the Reformation and continuing to the present day. I am confident that Mr Jackson, whose skill and expertise is rightly acknowledged in the correspondence, has taken fully into account the environment for which his creation has been commissioned and the spatial considerations which impact upon the commission. I am aware, from my own experience in applications such as these, that models and maquettes rarely do justice to the finished product. Much is lost in the scaling down. I do not consider that there will be any significant loss of light, although the north window (until recently blocked by the organ) will be obscured to some degree. I further consider that the contemplative calm of this ancient building will not be compromised in any way: quite the reverse, it may be enhanced.
11. Finally, and arguably most significantly, this proposal is entirely reversible. The means of suspension for this sculpture will be minimally intrusive. Should a future generation wish to see its removal, this could be done with ease, provided a faculty were first obtained. For these reasons faculties such as these are expressed to be 'until further order'.
12. I therefore order that a faculty pass the seal: the installation to be supervised by Caroline Mercer, and the sculpture not to be introduced until the court has approved, following consultation with the DAC, precise details of its means of fixture; the installation is to be completed within twelve months of the issue of the faculty. The grant of this faculty should not be taken as indicating how future petitions will be determined for matters currently under discussion. Each proposal will be considered on its individual merits.