

In the matter of St Mary, Bepton

Judgment

1. By a petition dated 8 April 2013, Hans Paul Joachim Liebschner seeks a faculty for the introduction into the churchyard of St Mary, Bepton of a memorial at the grave of his late wife, Dorothy who was generally known as Biddy. The proposed memorial is outside the classes of headstone which the incumbent has delegated authority to permit, hence this petition.
2. The matter was referred to the DAC, as is required in cases such as these, which raised a number of reservations and concerns concerning the quality of the design, the precise wording proposed, and the prospect of the appearance of the stone being compromised by lichen growth and bird droppings.
3. The current version of the Chancellor's General Directions for the Diocese of Chichester include the following:
 - 6.12 The purpose of the Churchyard Regulations is not to impose homogeneity, since variety is to be encouraged, but to ensure that headstones are erected which are appropriate for the environment in which they are set and in keeping with the church building. Thought must be given to aesthetics and to the sensibilities of those who will have cause to visit other graves in the same churchyard.
4. The points raised by the DAC were referred to the petitioners, and fulsome and thoughtful responses have been marshalled and placed before the Court by Mrs Sheila Ryan, one of the churchwardens, on the petitioner's behalf. This material comprises statements from the petitioner, the memorial sculptor, and the priest-in-charge.
5. One of the gifts of the Church of England to the nation is the volume and variety of its funerary art dating back over centuries: a source of pleasure and information to the historian, ecclesiologist and enquiring bystander. The current generation, perhaps regrettably, leans towards less expensive 'catalogue' headstones and is not as disposed to commission original bespoke memorials. Whilst there is force in certain of the reservations carefully articulated by the DAC, I am satisfied that these matters have been addressed and answered by and on behalf of the petitioner. That there may be different, and arguably better, ways of representing in image and lettering the thoughts of those close to the deceased, is not a sufficient reason for refusing a faculty for the particular memorial proposed.
6. I am satisfied that the petitioner has discharged the burden of proof in making out a cogent and compelling case for the introduction of this memorial: it has been thoughtfully conceived and designed, the chosen material is appropriate, the inscription is sufficiently clear having regard to the limited space for lettering, and there is nothing theologically objectionable in the imagery or wording. It will be a source of solace to the petitioner and

other close relatives, and it will add variety and interest to this attractive rural churchyard. For those in future generations who may be of an enquiring mind, the paperwork arising from this faculty application will remain permanently retained with the parish records so that this remarkable local story of love and post-war reconciliation will form part of the collective memory of the parish long after the petitioner and his wife are reunited.

The Worshipful Mark Hill QC
Chancellor of the Diocese of Chichester

14 June 2013