

# PETITION FOR EXHUMATION

Diocese of: .....

Parish of: .....

To THE WORSHIPFUL CHANCELLOR OF THE DIOCESE

1. I am :

Mrs/Mr/Miss/Ms .....  
of .....  
.....

Post Code ..... Tel: No. ....

AND I am the spouse/nearest living relative/personal representative/[.....]  
of the deceased

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

2. On the ..... day of ..... 200 the [cremated] remains of (*full name*)  
..... were interred in (*state the name of the*  
*parish churchyard or cemetery*) .....  
in grave number (*if appropriate*) ..... in row .....

3. The remains are contained in a casket/coffin (delete as necessary) made of .....  
and the Undertaker to be retained for the exhumation has given a written opinion,  
attached hereto, as to the likely state of the casket/coffin.

4. I attach a plan showing the precise location of the burial.

5. IT IS DESIRED that the said remains be exhumed because *(here state the reasons for the exhumation, stating in particular whether any error occurred in the original place of burial, continuing on a separate page, if necessary)* :

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6. The written consents of the Minister and Parochial Church Council of the parish of .....

.....

have been obtained and are attached hereto

OR

The written consent of the Burial Authority of ..... has been obtained and is attached hereto

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

7. If the faculty is granted, the remains will be reinterred in:

The churchyard of the parish of .....

OR

In the civic cemetery of .....

I attach a plan showing the proposed place of reinterment.

8. The written consents of the Minister and Parochial Church Council of the parish of

.....

have been obtained and are attached hereto

OR

The written consent of the Burial Authority of ..... has

been obtained and is attached hereto

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

9. ***(Only in the case of a coffin burial)*** I attach written confirmation from the Local Authority that this exhumation is not considered likely to cause any public health concern.

10. I attach 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

11. I attach a letter (or letters) signifying the consents of all the persons on the family tree to the exhumation and reinterment

THE UNDERSIGNED PETITIONER(S) respectfully request(s) that you should authorise the grant of a Faculty enabling the purposes herein mentioned to be carried out

Signed : .....  
.....  
.....

Dated : .....

*See notes on next page*

The following should be sent with this petition:

1. *(If appropriate)* The written consent of a spouse, personal representative or nearest relative for you to make this application.
2. A plan of churchyard or cemetery where the remains are presently interred *(see paragraph 4 above)*.
3. The undertaker's statement regarding the casket/coffin *(see paragraph 3 above)*.
4. The consent of the Minister and Parochial Church Council (or Burial Authority) of place of burial *(see paragraph 6 above)*.
5. The consent of the Minister and Parochial Church Council(or Burial Authority) of place of reinterment *(see paragraph 8 above)*.
6. *(If appropriate)* Confirmation of the approval of the Local Authority *(see paragraph 9 above)*.
7. A family tree *(see paragraph 10 above)*.
8. A letter or letters from the relatives of the deceased in the family tree.
9. A cheque for the fee due on lodging the Petition.

The Petition and its enclosures should be sent directly to the Diocesan Registrar.

THE CHANCELLOR'S DIRECTIONS:

Date: .....

## NOTES FOR THE GUIDANCE OF PETITIONERS REGARDING EXHUMATION

Christian burial assumes that the interment of the dead is permanent. The remains of the dead interred 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? Normally, exhumation of human remains from consecrated ground in churchyards or cemeteries must be authorised by a faculty granted by the Chancellor of the diocese. If the reburial is to be in unconsecrated ground a Licence must also be obtained from the Home Office
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 reinterred
  - (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
  - (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, he may direct that a public notice is to issue, 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. If the exhumation is from a consecrated place for reinterment in an unconsecrated place (or vice-versa) an exhumation licence from the Department for Constitutional Affairs is required in addition to the faculty. The Department for Constitutional Affairs will generally only issue a Licence after a faculty has been granted. A copy of the faculty should accompany the application for a Licence.
5. Please return the completed Petition form together with the necessary consents and your cheque. This is not "payment" for the faculty. It is the statutory fee for the services of the Registry whether or not the faculty is granted.
6. 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 reinterment has taken place.