

principles applicable to the disposal of chattels under *St Gregory, Tredington* and the *Bishopsgate* questions applicable to the alteration of listed churches. The court outlined and applied the *Tredington* principles and concluded that, although the parish had established that it faced ‘substantial expenditure’, the chancellor had been wrong to conclude that this amounted to a ‘financial emergency’ sufficient to show a ‘good and sufficient ground’ for the purposes of the *Tredington* principles. In reviewing the chancellor’s application of the *Bishopsgate* questions, the court further held that the chancellor had been wrong to find that the parish had proven a ‘compelling financial reason amounting to a necessity’ for those purposes. The appeal was allowed, with the Victorian Society, as appellant, paying the court costs. [RA]

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Re St Mary’s Churchyard, Goring-by-Sea

Chichester Consistory Court: Hill Ch, April 2009

Exhumation – mistake – family grave

The chancellor granted a faculty for the exhumation of the cremated remains of the petitioner’s father and their re-interment in a ‘family grave’. The remains had originally been buried elsewhere in the churchyard, after the petitioner had been told by the funeral directors that the family grave was full. However the remains of the petitioner’s uncle had subsequently been interred in it. The combined effect of innocent mistake and the undoubted desire for family members to be buried in the same grave brought this case within the exceptional class, in accordance with the principles of *Re Blagdon Cemetery* [2002] Fam 299, Ct of Arches. [RA]

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Maga v Roman Catholic Archdiocese of Birmingham

High Court, Queen’s Bench Division: Jack J, April 2009

Child abuse – priest – vicarious liability

Acting by his litigation friend, the Official Solicitor, the claimant alleged serial sexual abuse by an assistant priest in the Archdiocese of Birmingham during the 1970s. The priest disappeared in 1992 and his current whereabouts were unknown. The judge found that the archdiocese did not make sufficient enquiries about the actions of the priest in question when the allegations first came to