

CASE NOTES

EDITED BY JUSTIN GAU

Barrister, Deputy Chancellor of the Diocese of Lincoln

RUTH ARLOW

Barrister, Deputy Chancellor of the Dioceses of Chichester and Norwich

AND WILL ADAM

Rector of Girton, Ely Diocesan Ecumenical Officer

Re St Luke, Heage

Derby Consistory Court: Bullimore Ch, July 2007

Memorials – churchyard regulations

A memorial was approved by the incumbent and erected. It did not conform with the design submitted and, had the true design been submitted, the incumbent would not have approved it. The chancellor took the opportunity to review the churchyard regulations and the procedure for the installation of memorials in general. He identified that a parish priest has no power to approve the installation of a memorial that falls outside the regulations. He or she may approach the archdeacon for guidance, who may allow a departure from the strict guidelines where there have been many other such departures, but the priest is not bound to accept the guidance. The family must then seek the permission by petitioning for a faculty. The chancellor may grant permission for the installation on the basis that he is substituting his judgment on the suitability of a proposal that was not within the regulations. He is neither breaking his own regulations nor acting as an appeal court from the decision of the parish priest. [JG]

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Ladele v London Borough of Islington

London Central Employment Tribunal, May 2008

Civil registrar – ‘gay marriage’ – doctrinal objection – dismissal

Miss Ladele refused, on grounds of conscience, to perform civil partnership ceremonies when Islington Council designated all its existing registrars as civil partnership arrangement registrars. This ultimately led to a disciplinary hearing alleging failure to comply with the council's equality and diversity policy by refusing to carry out work solely on the grounds of sexual orientation of customers. Ladele subsequently brought a complaint of discrimination on the