

Exhumation Guidance

Although a relatively rare occurrence, occasionally circumstances present themselves which may result in an exhumation being the only feasible outcome. These circumstances may be such things as personal family reasons (repatriation, change of method of disposal etc), mass exhumation for town developments, coroner's or police intervention. Such decisions are never taken lightly due to the emotional impact such action will have.

The Law

It is important to point out that it is unlawful to disturb any human remains (this also includes any cremated remains) without first obtaining the necessary lawful authority.

As such the information contained within this document gives a general guide to the exhumation of both cremated remains and complete full body burials.

The term exhumation is taken from the medieval Latin 'exhumare' which translates very loosely as ex – 'out of' + humus 'ground' and is used to describe the removal of human remains from the ground.

Consideration

The process of coming to a decision as to whether to exhume or not is often long, involved and requires plenty of heartfelt discussion as the process can be quite distressing for all involved.

It is therefore vitally important that you consider all the consequences of such a request and seek as much information as possible from the Local Authority before you commence such a journey. We are more than happy to discuss the issue with you and your family to ensure that you are fully informed before making any decision. It is also important to note that the exhumation application may also require confirmation from other members of the family that they too are in agreement.

Whilst it can be a long time in sorting through the official procedures and co-ordinating matters, we will do all we can to try and make the process as smooth as possible in order to obtain the relevant permissions whether they be from the Ministry of Justice or from the Diocese of Southwell or a combination of both.

Cost

Exhumation is often a very expensive decision and full cost implications should be made clear when the initial request is made to carry out an exhumation, from all agencies concerned.

Not only will there be the cost of the exhumation itself (often more costly than the

original burial as they are usually carried out outside of the normal working day due to the need to ensure that members of the public visiting the cemetery are not disturbed, the use of disinfectants, additional equipment etc.) but also there are other costs to consider which may or may not be applicable such as :-

- the removal of memorials on all relevant graves
- Bishops Faculty Fees
- Funeral Director's charges – it is usual for your appointed funeral director to be present at the time of exhumation, acting as your representative, to receive the body/cremated remains and return them to his chapel of rest for preparing for future burial/cremation/repatriation.
- It is more than likely that a new coffin will be required or new cremated remains casket.
- Cemetery fees and charges as set out in our fees and charges schedule.
- Final disposal costs – i.e. the cost of cremation/re-burial etc.

It should also be noted that in the event that the person/remains to be exhumed is not the last burial within that grave, it may be necessary to gain permissions from the next of kin of others buried within and possibly even exhume them which will have a cost associated with it.

Decision

Exhumation usually requires the issuing of either a Bishop's Faculty or and Exhumation Licence. The decision on which to apply for is dependant on where the remains are presently buried and where the remains once exhumed are planned to be reburied.

Generally if the cemetery is unconsecrated and the cemetery they are being reburied in is also unconsecrated then only an Exhumation Licence as issued by the Ministry of Justice is required. The application is available via your cemetery office or the Ministry of Justice website and also includes guidance notes which must be read thoroughly before completing the application.

In the event that the remains are in a Churchyard or Consecrated cemetery and it is planned to move them to another Consecrated cemetery then you may have to apply for both an Exhumation Licence as issued by the Ministry of Justice and also a Bishop's Faculty from Southwell Diocese.

Most burial grounds/cemeteries are segregated between Consecrated and Unconsecrated areas. Consecration is the term that is given to either all areas of a cemetery or smaller sections that have been 'dedicated to the service of God according to the right of the Church of England'.

The term consecration comes from the Latin 'consecrere', to make sacred. In order for a cemetery or section to be consecrated a religious service takes place in the cemetery prior to burials taking place, by a Church of England Bishop who administers the area the cemetery is in.

Timeframe

Dependent upon circumstances surrounding the proposed exhumation it can take anything from a few weeks to several months to finalise all paperwork etc. and obtain the necessary licences.

Assistance

We understand that the decision to exhume will have been an emotional one to take and the process can be quite daunting. As such, we will offer you as much help and support as possible as you go through the process. For any enquiries relating to exhumation please contact the Registrar of Cemeteries:-

Cemeteries Office

Mansfield & District Crematorium

Derby Road

Mansfield

Nottinghamshire

NG18 5BJ

Tel : 01623 621811

E-mail : crematorium@mansfield.gov.uk