

## CASE NOTES

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EDITED BY JUSTIN GAU

Barrister, Deputy Chancellor of the Diocese of Lincoln

AND RUTH ARLOW

Barrister, Deputy Chancellor of the Diocese of Chichester

### Re an exhumation

Birmingham Consistory Court: Cardinal Ch, June 2007

*Exhumation – exceptional circumstances*

The deceased had been brutally murdered 23 years previously by an unknown person with sexual motives. The deceased's ashes had been buried at some distance from the family home in order to ensure a private burial and to avoid unwelcome and invasive publicity. The chancellor granted a faculty for the exhumation of the deceased's ashes and for their reinterment in a cemetery closer to the family. The chancellor found that exceptional circumstances existed in this case, the family having come to realise that they had made an error in burying the deceased's remains so far away. [RA]

doi: 10.1017/S0956618X08001063

### R (on the application of Swami Surayanda) v The Welsh Ministers

Court of Appeal: Pill, Thomas and Lloyd LJJ, July 2007

*Hindu temple – Article 9 – slaughter of sacred bullock – public health*

The Welsh Assembly Government (sued as the Welsh Ministers) appealed the decision of HHJ Hickinbottom (sitting as a deputy high court judge), in which he quashed a decision of the Welsh Minister of Sustainability and Rural Development ordering the slaughter of a bullock (Shambo), kept by the Community of the Many Names of God at Skanda Vale Temple, Wales.<sup>1</sup> The Court of Appeal allowed the appeal.

The community comprised a Hindu sect at the temple complex in rural west Wales, where Shambo was installed as the temple bullock and revered as sacred.

<sup>1</sup> For the first instance judgment, decided on 16 July 2007, see *R (on the application of Swami Suryananda) v The Welsh Ministers* [2007] EWHC 1736 (Admin).