

GENERAL SYNOD

Private Member's Motion: Canon B 38
Canon law in relation to the funerals of those who have taken their own life

'That this Synod call on the Business Committee to introduce legislation to amend Canon B 38 so as to allow those who have taken their own life, whatever the circumstances, to be buried in accordance with the rites of the Church of England.'

1. When writing my short Grove Booklet, *Suicide and the Church: A Pastoral Theology*, I was disturbed to discover that in most circumstances to use the Church of England burial service for the burial of suicides is in contravention of canon law.
2. This astonishing fact is largely unknown to most clergy (and bishops); completely ignored in almost all cases and may lie behind a widespread public perception that suicide is the unforgivable sin and hence the church will disapprove.
3. The introductory rubric to the Burial Service in the Book of Common Prayer forbids the use of that service 'for any that die unbaptized, or excommunicate, or have laid violent hands upon themselves.' There is no reference to the exception where the deceased was of 'unsound mind'. Nevertheless the exception has long formed part of ecclesiastical law.
4. Canon B 38 provides:

*"2. It shall be the duty of every minister to bury, according to the rites of the Church of England, the corpse or ashes of any person deceased within his cure . . . except the person deceased have **died unbaptized, or being of sound mind have laid violent hands upon himself, or have been declared excommunicate** in which case. . . . he shall use at the burial such service as may be prescribed or approved by the Ordinary, Provided that, if a form of service available for the burial of suicides is approved by the General Synod under Canon B 2, that service shall be used where applicable instead of the aforesaid service prescribed or approved by the Ordinary, unless the person having charge or being responsible for the burial otherwise requests".*

5. However:
 - a) General Synod has not provided a form of service for the burial of suicides.
 - b) Very few, if any, diocesan bishops have prescribed or approved a form of service for any of the exclusions above.
 - c) Clergy have neither the skill nor information to determine if the deceased was 'of sound mind'. Coroners' verdicts do not always use such words these days and frequently the verdict comes after the funeral in any case. It is insulting, pastorally

unhelpful and generally inaccurate to assume the deceased must have been of unsound mind to have taken their own life.

Hence funerals of suicides taken by Church of England clergy may be in contravention of Canon B38.

6. As it stands this canon is pastorally unhelpful and is brought into disrepute by its almost universal contravention.
7. There is significant history of church hostility to the burial of suicides: outside of the churchyard, on the north side of the churchyard (without the use of the prayer book office), even in a public place removed from the church. Yet pastoral practice has for many years been much more sympathetic and the vast majority of clergy today would wish to minister to the family in every way possible. Yet there are public residual memories of real or imagined church hostility. The evidence in the literature is that generally the ministry of local clergy and the use of the parish church for a service is much appreciated.
8. I attended a day conference run by the Area Health Authority on suicide which had participants from state and voluntary sectors and was surprised (as were a couple of other clergy present) to encounter significant hostility from a few other participants: the church was seen as part of the problem.
9. Removing this canonical bar would send a very positive message to society at large, particularly if presented in the context that it was actually recognising current practice. We have been doing this for years.
10. The motion leaves it to the Business Committee to determine the best form of legislation. Legislation may require a two thirds majority but the present motion only requires a simple majority.
11. Synod and the Business Committee may also observe that the prohibition on the unbaptized is also widely ignored. I have never asked, or even thought of asking, if the deceased had been baptised.

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