

**Rt Hon John Healey MP**



**HOUSE OF COMMONS**

**LONDON SW1A 0AA**

Rt Hon Robert Jenrick MP  
Secretary of State for Housing, Communities and Local Government  
2 Marsham Street  
London SW1P 4DF

10 April 2020

A handwritten signature in black ink, appearing to read 'Rob Jenrick'.

**Mourners' right to visit cemeteries**

Our cemeteries in Rotherham are shut and our councils – District and Parish – are saying to residents this is because of Coronavirus measures. This did not seem necessary to me for social distancing and adds to people's grief when they may not be able to attend the funeral of a loved one they lose, so I have looked closely at the Government guidance. Whilst the guidance – backed by new regulations – is clear-cut on funerals, crematoria and graveyards linked to a crematorium the Government have not advised all cemeteries should close.

It is essential that Ministers make this distinction clear, set this Government advice out in public, and ensure Councils keep open the cemeteries that do not need to close. I set out the detail for you below.

There has been a mixed response to the national guidance from local authorities across the country. In our local area some, like Rotherham and Doncaster, have decided to close cemeteries while other areas have kept theirs open.<sup>i</sup> Barnsley's cemeteries are still open, though they ask visitors to take notice of social distancing guidelines. Parish councils tend to follow the lead of their Borough council.

In South Yorkshire, Rotherham and Doncaster have cited the *Health Protection (Coronavirus, Restrictions) (England) Regulations 2020*, which came into force on 26 March 2020.

Section 5, Part 8 of this calls for the closure of crematorium grounds.<sup>ii</sup> The regulation does not specifically mention cemeteries. This ambiguity has helpfully been picked up by the Institute of Cemeteries and Crematorium Management (ICCM), who have checked with Government to clear up this confusion. Their view – issued this week – is now clear-cut: the guidance does not say that all cemeteries must close.<sup>iii</sup>

Councils should not need to rely on the second-hand advice through a membership body like the ICCM. I urge you to ensure the Government clears up the confusion caused by early guidance, rather than leave this to the ICCM.



It is traumatic for those who have lost loved ones that attendance at funerals and cremations has been restricted in the national fight against Coronavirus but I think people largely accept this is necessary and in line with Public Health guidance on social distancing.

However, stopping the bereaved from visiting the graves of those they've loved and lost is different, if this is done in a safe way and in the open air.

Graveside mourning is a private affair, not a social gathering. It is in the open air and low risk, which is why the new national guidance does not say all cemeteries should be closed; only those burial grounds linked to a crematorium.

I do not want to see Rotherham MBC or any other council add to a family's grief unnecessarily, so I am asking you to:

- Issue public guidance on cemeteries and the right to mourn
- Make clear to Councils and the public, the distinction between cemeteries and burial grounds which have crematoriums on site
- Encourage Local Authorities to review the decision to close all local authority cemeteries, and reopen those that are not attached to the crematorium
- Encourage Parish Councils to do the same with the cemeteries they run.

I am copying this letter to the Secretary of State for Health and the Secretary of State for Justice. I look forward to your response to the points and the concern in my letter.

John Healey MP

Copy to:

Rt Hon Robert Buckland QC MP  
Secretary of State for Justice

Rt Hon Matt Hancock MP  
Secretary of State for Health and Social Care

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<sup>i</sup> Rotherham.gov/Emergencies/Coronavirus <https://www.rotherham.gov.uk/emergencies-1/coronavirus?documentId=464&categoryId=20115>

<sup>ii</sup> S5 - (8) A person who is responsible for a crematorium or burial ground must ensure that, during the emergency period, the crematorium is closed to members of the public, except for funerals or burials. <http://www.legislation.gov.uk/uksi/2020/350/made>

<sup>iii</sup> 6 April ICCM newsletter "It is important to note that although cemeteries in England, Scotland and Wales are not required to be closed, they may be closed if they are being misused and health and safety are being put at risk." <https://www.iccm-uk.com/iccm/wp-content/library/Covid-19%20Newsletter%206%20April%202020.pdf>