

Richard Finlay
Coroners, Burials, Cremations and Inquiries Policy Team
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Your Ref

Our Ref
MLA/ENB/104312.0001

Date
6 February 2018

By Email richard.finlay@Justice.gov.uk

Dear Richard

Proposed application to exhume and transfer the remains of Edith Jessie Thompson

We act for Professor Rene Weis who proposes to make an application to the Ministry of Justice to permit the transfer of the remains of Edith Jessie Thompson (née Graydon) from Brookwood Cemetery to the City of London Cemetery.

Further to our recent correspondence, this letter sets out the relevant background of the matter and concludes by suggesting our proposed approach, which I would be grateful for your comments on.

My client was named as the heir and sole executor of Edith Thompson's estate by John Painter (the executor of the estate of and son-in-law of Newenham Graydon, Edith Thompson's brother) and is the registered owner of her grave at Brookwood Cemetery. He has, in addition, and as part of Edith Thompson's estate, acquired the rights to her burial space in the City of London Cemetery so that, if authorised, the remains of Edith Thompson can be transferred there. Edith Thompson's parents are also buried in the City of London Cemetery grave.

By way of summary, it was Edith Thompson's mother's wish that she be buried in the City of London Cemetery, where the rest of her family rests. This was also the desire shared by Edith Thompson's sister, Avis Graydon. My client has worked tirelessly to achieve this in his capacity as the executor of Edith Thompson's estate and the registered owner of her grave at Brookwood Cemetery notwithstanding that both Edith Thompson's mother and sister have passed away.

Background

My client is a Professor at University College London who has written about Edith Thompson (see his book *Criminal Justice: The True Story of Edith Thompson* (Penguin, 1988)). As my client's book details, Edith Thompson, alongside Frederick Bywaters, was convicted of the murder of her husband, Percy Thompson, in December 1922.

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Edith Thompson was sentenced to death by hanging and was executed on 9 January 1923. In accordance with section 3 of the Offences Against the Person Act 1861 (now repealed), she was buried in the precincts of Holloway Prison. It was on this basis that a request in accordance with Edith Thompson's mother's wishes by the Prison Visitor, Margery Fry, to transfer Edith Thompson's remains to the City of London Cemetery was declined by the Home Office in 1924.

In 1971, Holloway Prison was rebuilt and in doing so, the remains of some of those buried there, including Edith Thompson, were moved to Brookwood Cemetery. A licence was granted by the Home Office on 29 June 1971 for the removal of the remains of Edith Thompson together with Annie Walters, Amelia Sach (both executed on 3 February 1903), and Styliou Pantopiou Christofi (executed on 15 December 1954) all of whom were convicted criminals and also buried within the Holloway Prison grounds. The licence states that the "*remains shall be placed in suitable containers and [be] transported to Brookwood Cemetery*" (see **Enclosure 1**).

It is our understanding that the relatives of those whose remains were moved were offered, prior to the transfer to Brookwood Cemetery, an opportunity to claim the remains. Edith Thompson's only living relative (at that point) Avis Graydon, her sister, was not contacted on the incorrect assumption that all of Edith Thompson's relatives had passed away.

As the Home Office paid a nominal fee, her remains lie in a communal grave and she is buried with the aforementioned individuals (namely, Miss Walters, Miss Sach, and Mrs Christofi) in Plot 117 (marked 224527) at Brookwood Cemetery. It is our understanding, given the timings of the executions, that Edith Thompson's remains are below Mrs Christofi's remains but above Miss Sach's and Miss Walters' remains.

My client and Audrey Russell are, by a deed of grant dated 15 January 1985, the registered owners of her (and the three others') burial space in Brookwood Cemetery (see **Enclosure 2**). Mrs Audrey Russell has since foregone her interest in the grave in favour of my client (see **Enclosure 3**) making him the sole owner of the interest in Edith Thompson's grave.

Next of Kin

Guidance issued by the Ministry of Justice (the **Guidance**) states that, in applying for a licence to remove remains, "*consents of all the next of kin of the deceased are normally required*" and sets out the order of kinship but does anticipate "*applications by those other than by next of kin*" provided that "*an explanation why this is the case should be provided in a covering letter.*"

As part of a forthcoming BBC documentary on the case of Edith Thompson, the great-granddaughter of Edith Thompson's aunt has now been found. She has confirmed that she also desires the remains of Edith Thompson to be moved to the City of London Cemetery. No other relatives have been found. On the basis that this consent has been obtained and an explanation has been given for our client's interest, the quoted provisions of the Guidance are considered satisfied.

The Guidance further states "*if there are other human remains in the grave, then the consents of the next of kin for those remains will be required.*" Mrs Christofi was a member of the Greek Cypriot community and, in order to obtain the consent of her next of kin to move her remains (to allow for Edith Thompson's to be removed), a notice was published in *Parikiaki*, a weekly Greek Cypriot newspaper

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published in London (see **Enclosure 4**). Following this notice, Mrs Christofi's grandson has been found. He has confirmed that both he and his mother are content for Mrs Christofi's remains to be disturbed in the process of moving Edith Thompson's remains.

It has not been possible to trace the relatives of Miss Sach and Miss Walters given the passing of time and the unavailability of historical records. That said, it is Ministry of Justice practice not to require consultation with relatives of those buried over 100 years ago (see *The Queen (on the application of Plantagenet Alliance Ltd) v Secretary of State for Justice* [2014] EWHC 1662 (QB) at [71]). This would cover the remains of Miss Sach and Miss Walters.

Proposal

In order to comply with the wishes of Edith Thompson's family, and in his capacity as both the executor and heir of Edith Thompson's estate and also as the registered owner of the aforementioned Plot 117, my client proposes to make an application for a licence for the removal of Edith Thompson's remains from Brookwood Cemetery and their transfer to the City of London Cemetery.

As mentioned, the burial space is shared by Mrs Christofi, Miss Sach and Miss Walters. We further propose to submit an application to remove Mrs Christofi's remains on the basis that she lies above Edith Thompson. We would be grateful if the licence could give permission to disturb the remains of all four individuals given that their disturbance may be inevitable given they are all in Plot 117. Would it, therefore, be appropriate to submit two further applications in respect of Miss Sach and Miss Walters in the event that the order of the burial is not as we believe it to be? As outlined above, we believe the appropriate consents required in this case have been obtained.

We will, if authorised, instruct an exhumation specialist to ensure all remains, with the exception of Edith Thompson's, are re-interred in Plot 117 in a respectful manner.

I would be most grateful if you could consider this proposal and confirm that you are content for us to proceed on this basis. I appreciate this matter is complicated and so, should it be helpful, both my client and I would be happy to meet you^x and others in your department to answer any queries you have.

I look forward to hearing from you.

Yours sincerely

Nicholas Brown
Partner and Parliamentary Agent
For and on behalf of Bircham Dyson Bell LLP
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x I think that I can manage the walk to your office!

enc

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Licence Number.....11422.....

File Number BUR/61 46/9/14

ENCLOSURE 1



LICENCE FOR THE REMOVAL OF HUMAN REMAINS

1. In virtue of the power vested in me by Section 25 of the Burial Act, 1857 (20 & 21 Vic., cap. 81), I hereby grant Licence for the removal of the remains of Annie Walters, Amelia Sach, Edith Jessie Thompson and Styliou Pantopiou Christofi

from the grave in which they are now interred in the burial ground at 1X Parkhurst Road, London N.6

2. It is a condition of this Licence that the following precautions shall be observed:—

1. The removal shall be effected with due care and attention to decency in the presence of the senior medical officer, or his deputy and in accordance with any directions which either of these persons may give.

2. The remains shall be placed in suitable containers and transported to Brookwood Cemetery, Woking, Surrey where they shall be reinterred.

3. The arrangements for the removal and the reinterment shall be so devised as to ensure that nothing shall be done likely to attract publicity and no disclosure likely to attract publicity shall be made until the re-interment has been completed.

3. This Licence merely exempts from the penalties which would be incurred if the removal took place without a Licence; it does not in any way alter civil rights. It does not, therefore, confer the right to bury the remains in any place where such right does not already exist.


4. This Licence expires on the

29th June, 1971

HOME OFFICE,

WHITEHALL,
29 March

, 1971


One of Her Majesty's Principal
Secretaries of State.

Brookwood Park Limited

ENCLOSURE 2

224527/Edith Thompson P117
111 Date 15.1.85

Received of £100 ——— ery

M. Rene J. A. Weis
the sum of One Hundred Pounds

For ~~E. Manselockham~~
BROOKWOOD CEMETERY

Deed of Grant No. 1871.....

In consideration of the sum of
paid to Brookwood Park Limited by

ONE HUNDRED POUNDS (£100).....

MR RENE J.A. WEIS & MRS. AUDREY RUSSELL.....
UNIVERSITY COLLEGE LONDON.....

GOWER STREET, LONDON WC1E 6BT.....

MR RENE J.A. WEIS & MRS. AUDREY RUSSELL.....

the Company hereby grants to the said
the exclusive rights of burial for 50
years in the grave site numbered
in the Company's books and measuring

224527/EDITH THOMPSON - PLOT 117.....

NINE FEET BY FOUR FEET (9' x 4').....

subject to the rules and regulations of the Company. A memorial stone or monument may be erected only
with the prior approval of the Company, such memorial stone or monument to be kept clean and in good
repair at the expense of the Grantee. It is strongly recommended that advice be sought from the Company

We have an annual maintenance scheme whereby for the sum of £20 + £3 VAT we maintain
grave for one year. An account is sent out each year. You are of course at liber
maintain the grave yourselves.

The Brookwood Cemetery

The Brookwood Cemetery
Woking
Surrey

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lockham.

OUR OFFICIAL STONEMASONS AT THE CEMETERY ARE:-

PATRICK STONEMASONS
of GUILDFORD ROAD, FARNHAM, SURREY
PHONE: 0252 - 722345

PATRICK'S MANUFACTURE, ENGRAVE AND ERECT
ALL THEIR OWN MEMORIALS. THEY REFIX, CLEAN
AND RENOVATE EXISTING MEMORIALS, AND CARRY
OUT ADDITIONAL INSCRIPTIONS IN SITU.
ARABIC AND OTHER SPECIAL ALPHABETS ARE
A SPECIALITY. AS THEY VISIT THE CEMETERY
ON A VERY REGULAR BASIS, FREQUENT INSPECTION
OF ALL NEW MEMORIALS IS GUARANTEED.

CATALOGUES ARE AVAILABLE ON REQUEST.

32 Palumboom Rd,
Newlands,
Cape Town.
South Africa
2000.

To whom it may concern
at Brookwood Cemetery.

I, Audrey Russell prego my
interest in the grave of Edith
Thompson which I held in
common with Professor René Weiss

At the time of that
arrangement many years ago
I resided at 14, Court Lane Gardens,
London SE21 7DZ.

Should you wish to contact
me personally my email address is:
audrey.a.russell@gmail.com

Yours faithfully,
A.A. Russell

Raising
entitled
print on

Nearest Stations:
Blackfriars, Mansion House
and St Paul's

award winning,
accessible website design,
recognised by public sector
IT society Socitm and the

my haringey and leave
comments by visiting:
[www.haringey.gov.uk/
my-haringey-feedback](http://www.haringey.gov.uk/my-haringey-feedback).

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ENCLOSURE 4



Mrs Styllou Christofi (1900-1954)
Brookwood cemetery, Woking (Surrey)

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Professor René Weis of University College London (UCL) would be grateful if any member of the family of **Mr Stavros and Hella Christofi, née Bleicher**, could kindly contact him with regard to Mrs Styllou Christofi, who shares a grave with Mrs Edith Thompson in Brookwood Cemetery, Woking. René Weis is the executor of Edith Thompson's estate and wishes to move Mrs Thompson into her parents' grave in London, in accordance with her mother's wishes. **In order to do so he is seeking the required consent of the family of Mrs Styllou Christofi.** He wishes to reassure the family of his absolute discretion. René Weis's university email address is r.weis@ucl.ac.uk and his home number is 0208 995 2707. His address for correspondence is 55 Chiswick High Road, London W4 2LT.