



## Information for Incumbents, Churchwardens and PCC members of Church of England Parishes

Free UK Genealogy is a registered charity (number 1167484). We are committed to supporting the transcription of public records and making these available as free access public databases. Our current projects include FreeBMD, FreeCEN and FreeREG – transcribing General Register Office (GRO) indexes of Births, Marriages and Deaths for England and Wales, censuses and parish records and similar sources respectively.

Each of the projects is a significant undertaking and overall since the beginning more than ten thousand volunteers have contributed over 350,000,000 records. This achievement allows over 40,000 people each day to search the databases helping them in their family history research. More recently the organisation has begun to investigate how these databases can be made available under Open Data licences to provide additional benefit to researchers and the public.

### Frequently Asked Questions

Can we have copies of the scanned images or photographs for use on our website / newsletter / for people to look at in our Church?

Yes – we are happy to provide you with digital copies for any use. Our users like to see a photograph of the original to verify our work, and we are pleased if we can show them this, either on your website, the Record Office's website, or our own. But if you prefer that the image of the original is kept by us confidentially, and used only to make the index and to check any suggested corrections, we will do that.

Can we have copies of the transcriptions?

Yes – we are very happy to do this. We will try to do this in a format or formats which will mean you can most easily use them for the purpose(s) you want them for.

How else might we work together?

If you are planning a parish project involving heritage, please do get in touch to see as transcribing the registers could be part of the project. We will provide either FreeREG volunteers, or train local volunteers and provide them with the software needed. Our work with Frome St. John (<http://www.sjfrome.co.uk/>) is an example of this kind of partnership working with a church.

From finding an individual record, users of our website are able to trace the source back to your parish. We are still developing our website, and we intend there to be places in our record for each church which you can use to provide our users with your contact and other information of interest to family historians.

Will you keep personal information concerning living people private?

We believe that material in parish registers is already available to the public, without restriction, other than the time taken to travel to view them, or payment of a fee to someone else to do this work. Therefore as a default, our transcriptions of these records are served as the result of a search, and shared as Open Data. However, we follow the wishes of the custodians of records who wish us to place restrictions on records of baptism and/or marriage, to protect the privacy of the subjects of



these records. Please let us know in writing (e.g. by email) if this is the case, and we will ensure that the records are neither found by our searches, nor shared as Open Data, until a time limit set by yourselves.

**I am not familiar with 'Open Data' – can you explain that?**

Open Data is information which can be redistributed, reused, modified and remixed by members of the public without violating intellectual property law. You may be aware of 'creative commons' licences, which are one type of open data licencing. The licence we use is Open Data using Open Database Licence 1.0. There is a description here:

<http://opendatacommons.org/licenses/odbl/summary/>

Sharing our transcriptions is core to achieving our mission to make data that was collected and created at great expense, through the will of the Crown and Parliament free to use by everyone, everywhere.



THE CHURCH OF ENGLAND

ARCHBISHOPS' COUNCIL

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*Chief Legal Adviser to  
the Archbishops' Council  
and the General Synod*

5<sup>th</sup> June 2019

Dear Dr Reynolds,

#### Parochial Registers

Thank you for your letter of 29<sup>th</sup> May. I am sorry that you have found it so difficult to make contact. I will try to find out why the messages you sent through the various means you used did not reach me.

I am afraid I do not know why the opinion on parochial registers was not included in the 2007 edition of the Legal Opinions. I see that the relevant opinion in the 1997 edition in summary states that—

- there is no copyright in the content of parochial registers;
- the making of a copy of a complete register requires the consent of the incumbent or churchwardens and the PCC; that is because they own the physical register. The incumbent, churchwarden and PCC accordingly have a right to require payment of a contractually agreed sum for giving consent for the copying of a complete register (irrespective of whether the register is in parochial custody or has been deposited at the diocesan record office);
- the incumbent, churchwardens or PCC are entitled to make their consent to the copying of a complete register conditional on contractual terms relating to control over the making of subsequent copies.

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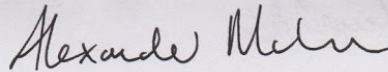
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The Legal Advisory Commission has not, so far as I am aware, revisited the questions it dealt with in the 1993 opinion. As the relevant common law and statute law has not materially changed since 1993, my expectation would be that the 1993 opinion remains a correct statement of the law.

There is, as you say a statutory right of access to parochial registers and a right to obtain certified copies of individual entries on the payment of the statutory fees. But the statutory rights do not extend to the making of a copy of a complete register. The making of a copy of a complete register is accordingly a matter for negotiation and agreement between the incumbent, churchwardens and PCC and the person who wishes to make the copy.

None of the National Institutions of the Church of England asserts rights in relation to parochial registers. But incumbents, churchwardens and parochial church councils may do so as described above.

*Yours sincerely,*



A S McGregor