

to a violation of their right to freedom of religion as guaranteed by Article 9 §1 of the Convention and that the failure to enforce the judgment in their favour had violated their rights under Article 6 §1 and Article 1 of Protocol No 1. The Court concluded that the failure of the Moldovan authorities to register the Church (and therefore give it legal personality) prevented it and its followers from carrying out a number of essential functions. In essence, the refusal of the authorities to comply with the final judgment of the domestic courts and to register the Church had brought about a situation that, from the claimants' point of view, had the same effect as a rejection by the domestic courts of their claims. The Court therefore held that the authorities' inaction constituted an interference with the right of freedom of religion under Article 9 §1. Moreover, since the claimants had not had any effective remedy available to them in respect of their request to have the Church registered, there had also been a violation of Article 13 (right to an effective remedy). It should be noted that this is not the first time that the Court has found against Moldova under Article 9 in a registration case: see *Metropolitan Church of Bessarabia and Others v Moldova* [2001] ECHR (45701/99).

Case note supplied by Frank Cranmer

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Re All Saints, Burbage

Salisbury Consistory Court: Wiggs Ch, February 2007

Re-ordering – no necessity

The petitioners sought leave to remove all the remaining pews in the church and to replace them with chairs, to lower the pew platforms to the level of the surrounding floor and to relocate the font. The chancellor refused the petition, having concluded, applying the *Bishopsgate* test, that the petitioners had not proved that the re-ordering was necessary. [JG]

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R (on the application of Gibbs) v Bishop of Manchester

High Court, Queen's Bench Division: Munby J, February 2007

Revocation of licence on notice – reasons – right of appeal

After a risk assessment of G had been conducted, the bishop revoked G's licence to serve as a Church Army captain within the diocese. In so doing, the bishop