

Supplementary submission from the War Memorials Trust

The information in the consultation correctly informs that there is no legal definition of a war memorial and War Memorials Trust's definition is included and is accurate. The Trust manages War Memorials Online which is a website to record the condition of war memorials and for the purpose of that website the following basic definition is used, see <https://www.warmemorialsonline.org.uk/about-us/what-is-a-war-memorial>.

However, I think it may also be useful for you to be aware that The UK War Memorials website, created in collaboration with the Government's Department for Digital, Culture Media & Sport, covered definitions of war memorials along with other FAQs such as 'Can any object be a war memorial' and 'What forms can a war memorial take'. Although the site now redirects to the IWM, the attached PDF document '4d What is..' is an extract from the now defunct website (<http://ukwarmemorials.org>) and provides another useful extended definition which I often use as a reference point. It's certainly worth a look as it notes for instance that any tangible object, in theory, can be a war memorial but must commemorate war, conflict victory or peace and have a clearly intended memorial purpose. Any physical object created, erected, or installed to commemorate those involved in or affected by war or conflict. This includes memorials to civilians and animals.

I note for reference that there are few rules around governing war memorials, which our helpsheet 'Parliamentary Acts related to war memorials' explains, and there is no right for public access to be given to war memorial sites nor is there a requirement for remembrance services to be held.

In terms of my own considerations and the salient points of our conversation this afternoon, I include the following. It is understood that the intention of the proposed bill is to deter vandalism which intentionally targets a war memorial structure owing to it being a war memorial as distinct from other pieces of public monuments etc.

However, in generality, and in the experience of the Trust, most of the damage done to the fabric of war memorials is the result of ill-considered but well-intentioned interventions. This may be for example pointing construction joint with inappropriate materials such as cement, or the power-washing or chemical cleaning of sandstone tablets which results in the removal or illegibility of inscribed names and dedications or the use of cement mortars. In recent months, across the UK there has been a rise in the number of political acts of vandalism which apparently deliberately target war memorials presumably because of the attention and outrage this will garner.

However, in many other instances antisocial behaviour towards war memorials may not intentionally target the structure because of its status as a war memorial but rather because (as is very often and rightly the case) it occupies a prominent public location. As the major conflicts of the twentieth century move further from living memory, there is far less understanding of war memorials' significance and of the due reverence. As discussed previously, many war memorials are in poor condition and may consequentially be overlooked as war memorials with antisocial behaviour not intended to single-out the structure because it is a war memorial. This is potentially problematic as the proposed legislation in assuming there is an intention to 'desecrate' may assume a level of education and understanding of the structure's symbolism.

We discussed also issues around the use/ misuse of war memorials using the recent flag waving atop the Royal Artillery war memorial, and the intended design of other war memorials which by they

invite/ encourage their use as a public resting place and beyond that public perception based on demographics).

From our conversation I know you have already contemplated the point, but clarity is required as to whether the proposed Bill makes provision for unintended damage to war memorials, for instance how would the law be implemented in the event that a car crash in which a driver destroys a war memorial (this being just as common or more so than targeted vandalism). Or, what happens for instance when a stained-glass window war memorial (often these are dedicated to individual nineteenth century soldiers) is removed from a former church building during conversion without the realisation that it is a war memorial.

Other issues worth consideration includes how the planned replacement of war memorials can be undertaken legally. War Memorials Trust is a conservation charity and in line with best conservation practice there is a presumption towards the maximum retention of original fabric. However, materials do reach the end of their natural life and, even whole inscriptions plaques, may require replacement and the proposed bill leaves custodians with the concern of how to dispose of these legally.

Finally, and importantly, I think our stats on vandalism may be helpful as a reference point. It may be a little fiddly to extract exactly what you need for your purposes but from here, but you can click on the News statement and Appendix for each year.