

**War memorials –
A Bill to make fresh provision –
Leave to introduce granted**

The Hon. Member for Rushen (Mr Watterson) to move that:

Leave be granted to introduce a Bill to make fresh provision about war memorials; and for connected purposes.

The Speaker: Item 7, leave to introduce, and I call on the Hon. Member for Rushen, Mr Watterson.

Mr Watterson: Mr Speaker, Hon. Members cannot be insensible to the fact that this year marks the 100th anniversary of the outbreak of the First World War. This tragic episode in the history of humanity made a massive impression across the globe, including, possibly even especially, the Isle of Man. We are all aware and proud of the fact that more Manxmen per 1,000 put themselves forward for service than any county of England. Their sacrifice is to be marked by an exhibition at the Manx Museum opening next week and is the subject of a book, *This Terrible Ordeal*, by Matthew Richardson.

The names of those who fell are recorded on our Island's war memorials, and there are around 170 such memorials around the Island, not just parish obelisks, but plaques, buildings, books, windows and organs, all sacred to the memory of those who paid the highest price for freedom.

I am proud to be the current Chairman of the Government's War Memorials Preservation Committee. Most of you will be familiar with its fairly recent history. It was founded in 2008 to continue the volunteer work started by Mr Roger Christian and Mr Hector Duff MM, BEM, who are still members of the Committee, and are joined by Mrs Fiona Robinson and Mr Keith Dalrymple, along with your Vice Chairman, the Hon. Member for Castletown, Mr Ronan, and supported by Linda Webb of the Chief Secretary's Office, who I know leaves the Civil Service this year. I would like to pay tribute to all of them for the service that they have given to the Committee.

Almost all of the memorials around the Island were erected or funded by public subscription, demonstrating the outpouring of public feeling that existed at that time. Many were supported by war memorial committees that retained funds for the upkeep of the memorials, and this was supplemented by legislation in 1927, allowing local authorities to spend ratepayers' money on maintaining memorials.

We move on, and the Second World War brought further memorial. However, sadly, due to the passage of time, a loss of interest and the shame perhaps of war that society went through, none of these war memorial committees exist anymore. Indeed, your Committee has noted that some memorials are in desperate need of repair or maintenance and there has been no owner *per se* to care for them.

I am therefore seeking the leave of the House to introduce a Bill to make provision fit for the future to ensure that the memory of those who died continues to be preserved beyond the lifetimes of those who remember them. In doing so, I need to share with you some of the observations of the Committee of the last five years or so that make us worry for the future.

The first is that there is no compulsion for anyone to preserve the memorials we have. Most local authorities act in good faith and use the powers in the 1927 Act to preserve their memorials, but if one fell into disrepair, there would be no compulsion to maintain or restore it. This Bill would seek to place an obligation on the landowner, local authority or church where the memorial was sited to maintain it. In providing this special status, the Bill would seek powers in the Bill for the Council of Ministers to have some powers in this regard, although there would be

the possibility of delegating them to the War Memorials Preservation Committee. This would include the power to approve erection of a new memorial, the power to vest a memorial in a local authority, where ownership is unknown or, as in many cases, collectively by the community. As this would impact both the church and local authorities, I am happy to undertake consultation with both groups in order to ensure that it achieves the desired end.

In allowing leave to introduce this Bill along the lines I have suggested, the Isle of Man will lead the way in the preservation of war memorials. In my research in preparing drafting instructions, I cannot find another country that has placed a duty on a group to maintain memorials. I can only hope that if passed this will be the standard for other countries going forward, and what better time to do so.

Mr Speaker, with those remarks, I see the leave of the House to introduce a Bill to make fresh provision for war memorials and connected purposes.

The Speaker: Hon. Member, Mr Henderson.

Mr Henderson: Gura mie eu, Vainstyr Loayreyder.
I am very happy to second Mr Watterson's initiatives.

The Speaker: Hon. Member for Onchan, Mr Quirk.

Mr Quirk: Thank you, Mr Speaker.
Yes, I am quite happy to support the Member on that too.
I just want an indication there, and I wonder if the Member could say, are the local authorities facing up to their responsibilities?

The Speaker: Hon. Member for Douglas East, Mrs Cannell.

Mrs Cannell: Thank you, Mr Speaker.

I have never refused permission for a backbencher or even a Minister to be given leave of the House to introduce a Bill and so I am not going to be voting against this motion, but I do have some reservations about it.

The Hon. Member said that he does not know of anywhere else in the world where there is legislation which applies that whoever is responsible for erecting the war memorial in the first place will be obliged in the future to maintain it. So I am a little bit worried that we will perhaps be imposing additional charges at a time of greater austerity in the Isle of Man.

I am further concerned that it gives powers to the Council of Ministers to intervene, because I think at the end of the day what will happen invariably is that certain memorials will be found to have been abandoned by either a local authority or a private individual and will cost a fortune to actually reinstate by a sculptor or an artist, and the burden of that cost is likely to fall on central Government... on the Council of Ministers.

I am not bemoaning the bravery and the fact that we would never be on this planet now if it was not for these war people and these war heroes. I am more concerned about giving them financial support, those who have survived, in going forward and their families, rather than to be seen to be investing in a war memorial.

So I have to have some reservations and I just wonder why the Hon. Member, rather than going down the legislative route to perhaps bring and update the 1937 Act (**Mr Watterson:** 1927.) to impose an obligation in law on the local authority or the owner or the family of the owner. Let's face it, if you are going to bury a loved one and you buy a stone in a graveyard, it is usually in perpetuity – in other words, the family are expected to maintain it and look after it. But then eventually in some families the lines die out, and that stone is there and it is falling to bits and in

some places it can be a bit of an eyesore, but there is no remaining family alive that is going to be called upon to actually rectify that situation.

So if he is going to bring through a new Bill to address this situation, and he is going to consult and I am pleased he is, this is the kind of thing that is going to be thrown up by the churches no doubt, because there are lots of abandoned and what can only be described as rubble; but nevertheless, it was put there in memory of a loved one many, many years ago, but nobody there remaining to maintain it.

I just wonder, whilst he has been looking into this issue, and it is a valid thing, although, as I say, I prefer supporting blood and flesh than a piece of art, and my husband will probably murder me when I get home for saying that –

A Member: Hooray! *(Interjections and laughter)*

Mrs Cannell: – being an artist. **(A Member:** Hear, hear.)

But in times of austerity I think it is more important to look after those who are here and have fought for us.

Whether or not the Hon. Member has thought about establishing an Isle of Man charity in order to raise money to look after these war memorials, rather than making it a legislative requirement for it to be an obligation on someone where then the imposition is passed on to either taxpayers or ratepayers. I would have thought establishing a charity might be his best way forward, but I will give him and support him leave to introduce, but I cannot guarantee that I will support the Bill when it comes forward.

The Speaker: The Hon. Member for Douglas West, Mr Thomas.

Mr Thomas: Thank you, Mr Speaker, and to the Minister for bringing this Private Member's Bill.

I, too, will be voting for it and supporting it, but building on what the Hon. Member for East Douglas has just said, I would encourage the Minister to actually think about how the community can be involved in actually making sure that these memorials are there for ever more. What I mean is that quite a few –

A Member: It is what we do through the RBL.

Mr Thomas: – ex-servicemen are coming to me recently to say that they are not managing to get back into economic life and they are unemployed. They are surprised and feel as if communities in other parts of the British Isles are doing more for them. So the process of rebuilding the war memorials could perhaps be used to bring in younger people who have served in Afghanistan and so on, into the process so that they are more engaged in the community to remember and also to make sure that serving does not mean that you would not have a life back on the Island when you return from your service.

The Speaker: Hon. Member for Onchan, Mr Karran.

Mr Karran: Vainstyr Loayreyder, like the principle that I always think, the issues of the personality or what sections or what gangs in this House, the Hon. Member, unless there is some detrimental effect as far as a Private Member's Bill being contrary to the Human Rights Act or something like that, we should support as far as I am concerned, and I think everyone should support.

I am very disappointed with the way things have gone over the last decade, that it has been an open and shut case for the leave to introduce as far as Bills are concerned, and it has taken away from the parliamentary section when that has not been the case.

So as far as I am concerned, I shall be supporting the Member in moving his proposal. I may have some ideas that could possibly be to enhance the idea, as far as war memorials are concerned, and maybe in his reply he could just tell us whether he feels that the issue of the organising of war memorial do's on Armistice Day, whether there are any moves as far as funding that, instead of local MHKs buying the sweets and crisps for the kids and things like that. Maybe it should become on a more formal basis as part of the celebration of those that give the ultimate sacrifice as far as the Island is concerned.

The Speaker: I call on the mover to reply. Mr Watterson.

Mr Watterson: Thank you, Mr Speaker.

Mr Quirk raised the issue, Mr Speaker, the Hon. Member for Onchan, about whether local authorities are facing up to their responsibilities and on the whole I would say yes, they are. There are exceptions, of course, to that, but on the whole local authorities do take these things very seriously.

Just to feed onto a comment that Mrs Cannell made, none of them are piles of rubble. Most of the Island's war memorials are in a very good state, so this to certain extent is pre-emptive, but we have seen and I have experienced some frustrations as the War Memorials Preservation Committee that adequate steps are not being taken early to prevent damage becoming serious to the memorials.

I would certainly like to allay the fears of the Hon. Member for Douglas East. I have put an awful lot of thought into this Bill before taking up the House's time with it. Certainly the intention is not that the costs for these will fall on central Government. The powers and the responsibilities as they stand at the moment are those of local government and the power is already there for local authorities to spend money on the memorials – some are better at maintaining them than others. However, where this falls down, in the view of the Committee, is that there is no compulsion on them to maintain those memorials that are perhaps vested in them.

I would also like to say that we are talking specifically about a war memorial and the Bill that I plan to bring forward – and it looks like I will be bringing it forward – will define what a war memorial is. These are not just grave markers. These are not just people who fell in conflict and have been buried. There is a specific definition set out by the War Memorial Trust about what a war memorial is and that will be incorporated in the Bill.

The point about a charity to provide an alternative source of funding has been considered by the War Memorials Committee. We are also considering the Friends of Memorials, whether we do it on an Island-wide basis or try and get local groups to adopt their local memorial. So there is a certain amount of thought already going into this. It is of course going to be quite a considerable undertaking considering the number of them that there are around the Isle of Man and the fact that most of them are already vested in either local authorities and the church.

I want also to pick up on several points made around the Chamber that the Royal British Legion branches play a role, both in supporting memorials, and memorial gardens especially, and of course the day-to-day work that they do to pick up Mr Thomas' point about the work that they do with veterans and ensuring that they are prepared for civilian life after the Armed Forces.

In terms of Mr Karran's comments, I look forward to discussing his ideas with him as the Bill comes forward. This does not deal with Armistice Day issues – the Remembrance Day services that are organised around the Isle of Man. This is not about funding those. This is very much relating to the physical fabric of our Island, the memorials that were built by public subscription and ensuring that they have a life going forward.

As I say, this Bill would largely be pre-emptive. There are not many war memorials around this Island that are in a poor condition. This does, however, I believe, secure their future for future generations so that we do not forget the sacrifice that they made.

With that, Mr Speaker, I beg to move.

The Speaker: Hon. Members, I put the motion as set out at Item 7, that leave be granted to introduce a Bill to make fresh provision about war memorials and for connected purposes. Those in favour, please say aye; against, no. The ayes have it.

A division was called for and electronic voting resulted as follows:

FOR	AGAINST
Mr Quirk	None
Mr Hall	
Mr Karran	
Mr Ronan	
Mr Crookall	
Mr Anderson	
Mr Bell	
Mr Singer	
Mr Teare	
Mr Cannan	
Mr Cregeen	
Mr Houghton	
Mr Henderson	
Mrs Beecroft	
Mrs Cannell	
Mr Robertshaw	
Mr Shimmin	
Mr Thomas	
Mr Cretney	
Mr Watterson	
Mr Skelly	
Mr Gawne	
The Speaker	

The Speaker: Carried unanimously, 23 votes for, no votes against.

Hon. Members, that concludes the business of the House today.

The House will now stand adjourned until the next sitting to take place at 10 o'clock on 11th February in this Chamber.