



To Lay in Valour

Protecting the Graves of our Military Heroes

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From the Chairman

"This issue is pertinent not just to Victoria Cross recipients or even members of the Armed Forces, it is representative of the sacred covenant that exists between all citizens of the United Kingdom and those who serve on their behalf. All soldiers must be honoured; the bravest soldiers should be granted the highest memorial by a grateful nation, but also heralded as example to its citizenry. VC recipients are as much a part of our national history and canon of achievement as any leaders in politics, the arts, business and industry. It is important British citizens understand that commitment, that we as a nation honour it, and that those that serve in our Armed Forces recognise how greatly Britain values that service."

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Introduction

Today in the UK we are not remembering our bravest soldiers as we should. Many of our greatest military heroes, those who have won our nation's highest military honours, often lie in unmarked graves or graves which are in a state of disrepair.

It goes without saying that all those who serve in our armed forces are worthy of recognition. However, one need only to look to the United States, where the graves of military heroes are not simply protected, but buried at the Arlington National Cemetery, to see the way the UK has fallen behind in managing this important part of our heritage.

The example of recipients of the Victoria Cross (VC) is instructive. The VC is the highest military honour awarded in the UK. The VC was introduced on 29 January 1856 by Queen Victoria to honour acts of valour during the Crimean War. In its history the medal has been awarded 1,356 times to 1,353 individual recipients. Only thirteen medals, nine to members of the British Army and four to the Australian Army, have been awarded since the Second World War.

The Commonwealth War Graves Commission (CWGC), which protects monuments to those who fell during the two Great Wars, have in their care the graves of 380 recipients of the VC; 265 being casualties of WW1, 111 being casualties of WWII and 4 who have fallen since. The CWGC commemorates their sacrifice, either by providing and maintaining a headstone or their name on a memorial.

However, the graves of VC recipients that did not fall during wartime are not currently protected, and many lie in ruin. At the most recent survey, there were 78 unmarked graves for VC recipients. And of the 1300 or so marked graves, many are in urgent need of repair.

Moreover, these graves are in danger of being reused. Local authorities, which have, in effect, freehold ownership of most graves in the country, have a right to reuse graves older than the statutory limitation period of 75 years, so many VC recipients' graves of those who died following active service are not only at risk of falling into disrepair but of being destroyed.

While good work is being done in this area by voluntary organisations like the Victoria Cross Trust, with a lack of substantive funding many VC graves may soon fall into ruin or be destroyed. As regards Victoria Cross recipients alone, the Victoria Cross Trust believe that approximately 1300 graves could be in a state of disrepair and their latest survey found there were 78 unmarked VC recipient graves.

In the UK there is no general legal protection or special measures for the graves of VC winners and, indeed winners of other major military awards. Some legal protections and special measures for those who lost their lives in the line of service in the two World Wars is offered through the CWGC. However, the UK affords no protection at all for those that did not fall in active service.

This paper argues that just as monuments to Karl Marx and Princess Diana are protected by the State, so should the monuments to our greatest military heroes.

Why Maintaining the Graves of our Heroes is Important

There are two main reasons why, as a nation, we should offer protection to the graves of VC and other military medal recipients:

(1) Remembrance and appreciation. To remember and appreciate those who have served our country with distinction is our duty as a nation. From the gallantry of Captain John Wood in 1856 to the heroism of Corporal Bryan Budd in 2006, offering a national memorial to the actions of recipients of the VC must form

part of the Military Covenant our nation enters into with all members of its Armed Forces.

(2) **Heritage.** To remember the actions and stories of our military heroes though a memorial and a record of the location of their resting place is important for keeping the story of our nation alive and reserving them a place in our heritage for future generations. Memorials offer societal benefits to the communities that hold them in their trust. There are also clear economic benefits (as seen with memorials along the Western Front) to the sort of heritage tourism that would be created from protected graves.

How the UK Currently Manages Heritage Sites

Currently in England the responsibility for the maintenance of memorial sites falls on the Department for Culture, Media and Sport (DCMS), with input from other Government departments including the Department for Communities and Local Government and the Department for the Environment, Food and Rural Affairs.

Memorial sites of special historical interest are administered by the quasi-governmental organisation (QUANGO), English Heritage. Independent submissions are made for a potential site, and then English Heritage is required to assess the location for architectural and historic interest, and, acting in proxy for the Secretary of State for Culture, Media and Sport, either refuse the submission or award the site protection and funding, as appropriate.

In Wales it is the responsibility of the relevant Local Authority to consider each specific case. If a local planning authority decides not to proceed, their decision is final, but if a site is granted protection it must inform Cadw; a QUANGO acting in proxy for the Welsh National Assembly, in order for it to be finally approved.

They went with songs to the battle, they were young.

Straight of limb, true of eyes, steady and aglow.

They were staunch to the end against odds uncouth,

They fell with their faces to the foe.

They shall grow not old, as we that are left grow old:

Age shall not weary them, nor the years condemn.

At the going down of the sun and in the morning,

We will remember them.

Lawrence Binyon's Ode of Remembrance (1914)

In Scotland the responsibility falls to the Scottish Ministry of Culture and External Affairs, administered by the QUANGO, Historic Scotland. Independent submissions require an application to Historic Scotland who consult the Local Authority, the land owner and independent experts, as well as offering their own assessment of any relevant architectural and historic interest. In the event of a memorial being approved for protection, Historic Scotland, acting in proxy for the Scottish Minister, grants and administers the required protection and care.

In Northern Ireland it is the responsibility of the Northern Irish Department of the Environment, administered by the QUANGO, the Northern Ireland Environment Agency. There is no formal independent

application for protection or for a memorial to be built; instead listings are created by a survey of all possible sites in all 547 of Northern Ireland's Council Wards. This process has thus far been performed every 20 years.

A solution commonly offered to the problem is to protect the site of each resting place of a VC recipient by giving them 'listed' status. However, to place a resting place of a VC recipient on the Statutory List of Buildings of Special Architectural or Historic Interest would not be practical at state level, nor would it offer the proper protection or, for that matter, any funding.

The processes detailed above offer differing procedures and criteria in each country, and, in some areas, differing criteria for each Local Authority. In order to properly protect and maintain all VC graves through this heritage architecture would mean making independent applications to the relevant governing body for the resting places of all military award winners. This would be unworkable.

Moreover, such a system does not guarantee the same level of protection or upkeep for all such grave sites and, crucially, would not lead to substantive funding.

The Solution Presented

Remembrance, appreciation and heritage are the governing principles and motivation in offering protection to all graves and memorials to our military heroes. A national programme is required to oversee that suitable memorial and legal protection is offered on a national scale.

The programme should be set up to cover the graves of recipients of major military medals; among these, the Victoria Cross, the Distinguished Service Order and the George Cross, and their equivalents in the Royal Navy and Royal Airforce. In setting up such a programme, this paper makes the following policy proposals:

1. The final responsibility for such a programme must fall to central Government and the Cabinet Minister holding the brief for national heritage; currently the Secretary of State for the Department for Culture, Media and Sport.
2. The state must be legal protectors of any graves, and guarantee an annual sum towards the upkeep of memorials to major medal recipients.
3. It would be most effective to entrust the programme to an NGO holding specific understanding and ability to oversee the project from a heritage perspective.
 - Though the relevant Minister should have direct accountability and authority, the operation and administration for would unlikely be best performed by the State.
 - Using an NGO, as operational service provider, opens the door for a 'Big Society' model of non-state-run services. The benefit of involving and enfranchising an NGO is that much of the work can be conducted by volunteers, either from the VC recipient's locality or the Ships, Regiments and Squadrons who by association with the recipient want to assist with the work required.

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The Bow Group is a leading think tank based in London. It is the oldest in the UK and celebrates its 60th Anniversary this year. Since its foundation, the Bow Group has been a significant source of policy ideas, and many of its papers have had a direct influence on Government policy and the life of the nation. Many of the Bow Group's alumni currently sit in Parliament, including 5 former officers who were elected at the 2010 General Election.

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- This model would also take the some of the burden of funding and administration away from the state. Though the State must guarantee to underwrite the cost of memorial and upkeep, individuals should be able to make donations or buy merchandise to help protect these graves directly. NGO programmes of a similar nature suggest that fundraising has the potential to cover the full cost of the programme in the medium term.

- In accordance with Government practice, funding should be put out to tender for appropriate NGOs to bid for funds.

4. The founding of a National Military Medal Recipient Register and survey should also be an immediate requirement of an effective programme to memorialise military heroes.

- This register could be updated with help from local communities, historians and different Ships, Regiments and Squadrons. This database would be a considerable tool for schools and universities and communities to widen the understanding of the UK's history.

5. Legal protections must be given for heroes' graves to ensure they do not fall foul of the 75 year statutory limitation period on burial places.

- VC and major military award winners' graves, as any other grave, are the property of the deceased estate on death. After 75 years, without an application for extension they cease to be the property of the occupier, but that of the local authority.

- If no application has been put forward by the relevant estate for extension of ownership it should automatically be passed onto the state and overseen by the appointed NGO.

- The protection will also see that protected graves cannot have any building, movement or interference to the grave or its surroundings that might endanger the grave or the memorial (or headstone). This law should be in effect from the time of burial or discovery of a major medal winner's grave.

Costs to the State

The funding for NGOs to run this program should be underwritten and guaranteed by the state with a view to the relevant NGO eventually drawing the majority of its funding from private donations.

The VC Trust predicts that the cost of maintaining existing VC graves should no higher than

£200,000 per annum. For the NGO to survey, uncover and memorialise graves as yet unknown the cost is likely to be £1,000,000 per annum.

Depending on the extent of the medals covered in the grave maintenance scheme, additional costs could be payable.

The British Government currently funds the CWGC at the level of £11,300,000 per annum. So our estimate of £1,200,000 for VC winners and a small amount more (which is yet to be quantified) for the winners of other major medals falls at a fraction of the costs for upkeep of WWI and WWII graves.

Conclusions

Those that have served our nation with distinction should be afforded the same honour in death as they are in life. As the country gathers this week to commemorate our war dead, we should think also of respecting the memories of our military heroes.

This paper sets out achievable, costed policy proposals, which would serve to conserve our heritage. By doing so, these proposals would serve to increase heritage tourism, the societal and economic benefits of which are clear.

It is not acceptable that in the UK there is no general legal protection or special measures for the graves of winners of VCs and other military medals, and the Secretary of State for Culture, Media and Sport should this week reflect on these proposals and what they could mean for our country.



Fig 2 - An example of a VC winner's grave in disrepair

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