



RECEIVED 28 JULY 1995
DB 1063195

Mr Brown 31.7
Would this be for you?
as
31.7
Mrs Brown

In Cognisance
JAC
31.7
This would have been previous
Papers arising from PQS. The
same relevant issue is CTG's
ideas about a Troubles memorial.
Re
31.7.
Could agree?

UNDER
SEC 681/7
28JUL1995
CENT SEC

c. PS/Sir David Fell
Mr Legge
Mr Spence
Mr Bell
Mr Steele
Mr Williams
Mr Brooker
Mr Maccabe
Mr McCormick

ASST./
31JUL2001/7

C.C.R.U.

TO: MR WATKINS
CENTRAL SECRETARIAT

FROM: N HAMILTON

WAR MEMORIALS

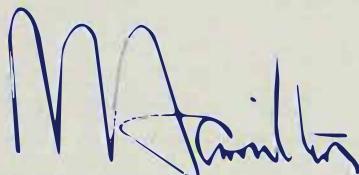
1. During the last 18 months Local Government Division of DOE, has been asked to provide a number of replies for Ministers to letters from MPs and members of the public, which have asked for the names of some of those members of the security forces killed during the last 25 years to be added to local war memorials. Responsibility for drafting these responses has quite rightly fallen to this Department, since the legislation concerning the alteration of war memorials places the power with District Councils.
2. The legislation as it stands, however, places the Department and District Councils in a difficult position on what is proving to be an emotive and sensitive issue. Section 7(i)(a) of the Local Government Act (NI) 1923, as amended by subsequent legislation, allows Councils to incur reasonable expenditure in the alteration of a war memorial, provided it is in relation to "a war". As the "troubles" have not been classified as "a war" the Department has been assiduous in its rejection of any attempts to add the names of those security force personnel killed in the Province to these memorials. There would be difficulties in changing this legislation to allow Councils to make such alterations; indeed the subject could prove to be positively divisive. It is more than likely that District Councils, given their generally orange or green agendas, would choose to follow differing policies when they decided whether or not to alter memorials, and whom to include. The resulting response could only cause considerable difficulties which I am sure we must try and avoid at all costs, especially at present. It may also prove difficult to make a legislative change which would include RUC and Prison personnel, since war memorials, by their very nature, have almost always been for the exclusive use of the armed services. We also have the prospect of some Councils possibly wanting to include those they would consider as "innocent victims".
3. The issue, however, does not end with this flat rejection. One of the correspondents on the issue has been David Trimble MP who wrote to the Secretary of state in early 1994 suggesting that the Northern Ireland office take the initiative and announce immediately that it intended to establish memorials to record all the names of those public servants who

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have been killed during the past 25 years. In his reply, which was agreed with NIO colleagues, the Secretary of state said that while he accepted generally Mr Trimble's suggestion he felt that the subject would best be looked at afresh once the "troubles" were over when one could take account of the sentiments and circumstances then prevailing.

4. Given that we have been repeating this line in recent correspondence with relations of some of those who have died during the "troubles" and who want those names added to war memorials, perhaps the time is right to begin the examination of the options available to Government, if we are to address seriously the undertaking given by the Secretary of State to David Trimble.
5. This issue also involves other colleagues, to whom this minute is copied. Perhaps we might now consider how best to take it forward. We in Local Government Division would be happy to provide any further information which we are able to offer, and to participate in a discussion. I would welcome initial comments.



NIGEL HAMILTON
27 JULY 1995

