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5th January 2015

Dear Andrew

During plenary on 16 September 2014 you raised the issue of your constituent Ms Sian Woodland's request that her fiancé's name be included on Penarth Cenotaph. Ms Woodland's fiancé, Paul Woodland, had tragically been killed during a Royal Marines training exercise and his name has been omitted from Penarth Cenotaph on the grounds that he was not killed in active service. I agreed to write to you with proposals regarding a way forward.

My officials have looked into this matter and I have been advised that the issue of adding names to war memorials comes under the War Memorials (Local Authorities' Powers) Act 1923 and is therefore not devolved. The Welsh Ministers could issue non-statutory guidance in relation to war memorials under the Government of Wales Act 2006 but, being non-statutory guidance, it could only make recommendations or give advice about best practice – it could not require local authorities (or other bodies) to add names to existing war memorials.

Please note that there is relevant existing guidance in relation to this issue included within the UK Government Department for Constitutional Affairs' document *War Memorials in England and Wales: Guidance for Custodians*, which states that:

Under the War Memorials (Local Authorities' Powers) Act 1923, local authorities also have the power, though not a duty, to correct errors in a war memorial's inscription and to add new names to make a war memorial serve for wars or conflicts subsequent to that for which it was erected. The addition of names to memorials can, however, be controversial and owners are recommended to advertise the intention to add an additional name and to receive representations before coming to a final decision.

Full guidance can be found at the following link: <http://tinyurl.com/WarMemorialGuidance>

It appears therefore that local authorities hold the statutory power for this issue. In carrying out this function, I would expect local authorities to follow best practice in making any decisions as to whether individuals should be included on memorials and cenotaphs. I would also expect them to be mindful of the feelings of fallen servicemen's loved ones in making their decisions.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carwyn Jones', written in a cursive style.

CARWYN JONES

