

Desecration of War Memorials Bill

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Create the offence of desecrating a war memorial; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendments to the Criminal Damage Act 1971

- (1) The Criminal Damage Act is amended as follows.
- (2) After section 1 (destroying or damaging property) insert—

“1A Desecration of a war memorial

A person who without lawful excuse destroys, damages or otherwise desecrates a war memorial shall be guilty of an offence.” 5

- (3) After section 4(1) (punishment of offences) insert—

“(1A) A person guilty of an offence under section 1A is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 12 months, or to a fine, or to both; 10
- (b) on conviction on indictment, to imprisonment for a term not exceeding ten years, or to a fine, or to both.”

2 Disapplication of damage threshold for offence to be triable either way

After section 22(12) of the Magistrates’ Court Act 1980 (certain offences triable either way to be tried summarily if value involved is small) insert— 15

“(13) This section does not apply to offences under section 1A of the Criminal Damage Act 1971 (desecration of a war memorial).”

3 Interpretation

In this Act—

“war memorial” means any physical object, including a grave or headstone, created, erected or installed to commemorate those 20

involved in or affected by a conflict or war, including civilians and animals;
“desecrates” includes an act of disrespect including graffitiing, burning, spitting, urinating or defecating.

4 Short title, commencement and extent

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- (1) This Act may be cited as the Desecration of War Memorials Act 2020.
- (2) This Act comes into force at the end of the period of 6 months beginning with the day on which it is passed.
- (3) This Act extends to England and Wales.

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To create the offence of desecrating a war memorial; and for connected purposes.

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