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Submitted to Display of Flags and Emblems - Call for Evidence
Submitted on 2026-08-13 18:00:57

Introduction

1 Confirmation of having read the Northern Ireland Assembly Committee's Privacy Notice.

I confirm that I have read the privacy notice.

2 What is your name?

Name:

[REDACTED]

3 What is your email address?

Email:

[REDACTED]

4 If you are providing a submission on behalf of an organisation or business, please state its name.

Organisation:

5 The Committee for Infrastructure has agreed to publish all responses as part of the survey results. If you would like to have your survey results anonymised and for us not to publish your name or organisation, please indicate so here.

I would like my views to be anonymous and understand that my name and organisation details will be withheld, along with any identifiers in the response, but my views will still be published.

Clause 1: Removal of flags or emblems in the public interest

6 Do you agree with Clause 1 of the Bill?

Yes

7 Please provide information to support your answer here

Accessible:

I agree with Clause 1. There has been a longstanding need for a clear, transparent and effective route for addressing the display of flags and emblems in public places where their presence is not considered to be in the public interest.

In some areas, the proliferation of flags has become excessive, with large numbers displayed on public infrastructure and left in place for prolonged periods. At present, there can appear to be no clear or accessible route for members of the public to raise concerns about such displays, or for their removal to take place safely and consistently.

I therefore welcome the establishment of a clear statutory responsibility for the Department to act where appropriate. It will be particularly important that there is clear and publicly available guidance on how the "public interest" test will be applied, what factors will inform decisions, and how members of the public can report flags or emblems which they believe should be considered for removal.

The legislation should provide a consistent process which does not place individual members of the public or local communities in the position of having to consider removing flags themselves, particularly where doing so could lead to intimidation, confrontation or concerns for personal safety.

Clause 2: Sensitive places

8 Do you agree with Clause 2 of the Bill?

Yes

9 Please provide information to support your answer here

Accessible:

I strongly agree with Clause 2. In my view, the principle that sensitive public and shared spaces should remain neutral, welcoming and accessible to everyone should not be particularly controversial.

Schools, medical facilities, libraries, leisure centres, public parks and other shared spaces exist for the benefit of the whole community. They are publicly

funded or intended for communal use, and people should be able to access them without feeling that the space has been politicised or associated predominantly with one particular section of the community.

The proliferation of flags and emblems around these places can create the impression that a public space belongs to, or represents, one particular group rather than everyone who lives in or uses that area. This is increasingly difficult to justify as the demographics of our cities, towns and neighbourhoods continue to change and become more diverse.

Public and shared spaces should feel genuinely shared. People from all backgrounds should feel equally welcome in a park, library, school, medical facility or other public space, regardless of their identity or community background. I therefore strongly support a clear presumption against the display of flags and emblems in the vicinity of these sensitive places where they risk undermining that principle.

Clause 3: Procedure for / notification of, or giving views on, flags or emblems

10 Do you agree with Clause 3 of the Bill?

Unsure

11 Please provide information to support your answer here

Accessible:

I agree with the principle of Clause 3 and believe that an accessible online portal through which members of the public can raise concerns about the display of flags and emblems is a positive and necessary development. It is certainly preferable to the absence of any clear mechanism for reporting concerns.

However, I question how effective the system will be if notification by those erecting flags and emblems is entirely voluntary. Those who are already willing to comply with a Code of Practice are perhaps the people most likely to use a voluntary notification system, while displays which are excessive, contentious or contrary to the Code may simply never be notified. This risks creating an incomplete picture and potentially undermining the Department's ability to apply the public interest test consistently.

I would therefore favour a stronger expectation, and potentially a requirement, that significant displays on public property or infrastructure are notified in advance, including information about who is responsible for the display, its location, the period for which it will remain in place, and arrangements for its removal. There should also be a clear process for dealing with displays which have not been notified.

I also believe greater clarity is needed around how cultural identity protections are to be balanced against the use of shared public space. The right to express a cultural identity is important, but this should not necessarily translate into an unrestricted right to use public streets, lampposts or other publicly owned infrastructure for that expression. There is an important distinction between an individual displaying a flag on their own private property and flags or emblems being erected throughout spaces which belong to and are used by the wider public.

The portal should therefore form part of a transparent and enforceable system rather than simply a voluntary register. It should allow residents to report displays easily, provide transparency about whether displays have been notified and for how long, and set out clearly what action the Department will take where displays do not comply with the Code of Practice.

Clause 4: Code of Practice

12 Do you agree with Clause 4 of the Bill?

Yes

13 Please provide information to support your answer here

Accessible:

I agree with Clause 4 and with the requirement for a clear and publicly accessible Code of Practice. It is important that the legislation is supported by practical guidance which makes clear what constitutes an appropriate display, the circumstances in which flags and emblems should be removed, and how the public interest test will be applied.

I also support the requirement to consult relevant bodies, including the NI Human Rights Commission, Equality Commission and PSNI. However, consultation should also provide a meaningful opportunity for members of the public, local communities and those directly affected by extensive displays of flags and emblems to contribute.

I would question whether a potential period of eighteen months from Royal Assent is necessary to produce the Code. Given how central the Code will be to the effective operation of the legislation, I would favour its publication as quickly as reasonably possible so that there is no prolonged period of uncertainty about how the new provisions will work in practice.

Once introduced, the Code should be clear, practical and consistently applied, with regular reviews to ensure that it continues to reflect changing communities and the experiences of those using shared public spaces.

Clause 5: Offence of obstructing the Department in removal of flag or emblem

14 Do you agree with Clause 5 of the Bill?

Yes

15 Please provide information to support your answer here

Accessible:

I agree with Clause 5. If the Department has determined, through the appropriate statutory process, that a flag or emblem should be removed, there must be a clear legal mechanism allowing that removal to take place safely and without obstruction.

This is particularly important given that one of the difficulties surrounding the removal of flags and emblems can be the potential for confrontation or intimidation. Neither members of the public nor those acting on behalf of the Department should be placed in a position where they feel unable to act because of the risk of obstruction.

I would, however, question whether a maximum level 3 fine, currently £1,000, will always provide a sufficient deterrent, particularly in cases of deliberate, organised or repeated obstruction. Consideration could be given to whether stronger sanctions are required for repeated offences.

More broadly, the legislation should ensure that once a lawful decision to remove a flag or emblem has been made, there is a clear and enforceable process for doing so, with appropriate support for those responsible for carrying out the removal.

Clause 6: Request for assistance from police

16 Do you agree with Clause 6 of the Bill?

Yes

17 Please provide information to support your answer here

Accessible:

I strongly agree with Clause 6. The PSNI should be available to assist with the removal of flags or emblems where there is a reasonable concern about obstruction, intimidation or a potential breach of the peace. In some circumstances, a visible PSNI presence may itself act as an important deterrent and allow the Department to carry out its responsibilities safely and without confrontation.

However, for this provision to be effective, requests for PSNI assistance must result in a sufficiently prompt and robust response. In my own experience of living in the city, particularly around periods of heightened community tension such as the 12th and 13th July, I have not always felt that policing responses to intimidating displays, behaviour or incidents perceived by residents as sectarian or hate-related have been sufficiently swift or visible.

It is therefore important that Clause 6 is not simply a power on paper. There should be clear operational arrangements between the Department and the PSNI so that, where assistance is required, lawful decisions to remove flags and emblems can actually be implemented.

This is also important for public confidence. No individual or group should be perceived as effectively beyond the reach of the law because officials are concerned about the reaction that enforcement might provoke. The legislation should be applied consistently across all communities, and the PSNI should be appropriately equipped and prepared to support that enforcement where necessary.

Clause 7: Interpretation

18 Do you agree with Clause 7 of the Bill?

Yes

19 Please provide information to support your answer here

Accessible:

I agree with Clause 7 and recognise the need for clear definitions to ensure that the provisions in Clauses 1–6 can be interpreted and applied consistently. It is particularly important that terms relating to flags, emblems, public places and the display of such items are defined sufficiently broadly and clearly so that ambiguity cannot undermine the practical application or enforcement of the legislation.

Clause 8: Commencement

20 Do you agree with Clause 8 of the Bill?

Yes

21 Please provide information to support your answer here

Accessible:

I agree with the principle of Clause 8, but I am concerned about the length of time before some of the most substantive provisions come into operation. January 2028 remains a considerable period away, particularly for communities that are already experiencing extensive displays of flags and emblems in shared public spaces.

I appreciate that appropriate time is required to develop the Code of Practice, undertake consultation and establish the necessary processes. However, I would encourage the Department and other relevant public bodies to use the intervening period actively rather than simply waiting for the new statutory framework to commence. This should include examining what can already be achieved through existing powers, management of public infrastructure and constructive engagement with local communities.

There is also a wider issue around the use of public infrastructure to mark territory or associate shared spaces with particular community identities. For example, in areas such as Sandy Row, this can extend beyond flags to the painting of kerbstones, post boxes, lampposts and other items of public infrastructure. Regardless of the community or tradition involved, I believe there needs to be a broader conversation about whether publicly owned streets and infrastructure should be used in this way.

The period leading up to implementation presents an opportunity for the Department, councils, statutory agencies and community organisations to begin that work, including identifying areas where there is local support for the removal of outdated or excessive displays and the restoration of public infrastructure to a neutral condition.

I would therefore favour implementation at the earliest practicable opportunity, alongside meaningful action during the lead-in period. Shared public spaces should increasingly reflect the fact that our communities are changing and should feel welcoming to everyone who lives in, works in or visits them.

Clause 9: Short title

22 Do you agree with Clause 9 of the Bill?

Yes

23 Please provide information to support your answer here

Accessible:

I agree with Clause 9. I have no further comments on the short title of the Bill.