

Submitted to Display of Flags and Emblems - Call for Evidence
Submitted on 2026-08-04 12:54:25

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 because public streets and street furniture are shared public spaces that should not be used by any individual or group to claim territory or intimidate others.

I support the right of people and communities to celebrate their cultural identity. However, there is an important distinction between displaying flags for legitimate cultural or commemorative purposes and attaching them to public infrastructure for prolonged periods without permission. When flags remain on lampposts, railings and other public property indefinitely, they can make people feel unwelcome, excluded or intimidated.

I particularly support the requirement for the Department to remove flags or emblems that are threatening, intimidatory, likely to stir up hatred or support proscribed organisations. I also welcome the wider public interest test, which recognises that the impact of a display on ordinary members of the public is an important consideration. A reasonable person should be able to travel through any part of Northern Ireland without feeling that a public space has been marked as belonging exclusively to one community.

I also support the requirement for the Department to consider the context, including the location, timing and purpose of a display. This allows appropriate flexibility for genuine cultural celebrations and commemorations while providing a mechanism to remove displays that undermine good community relations or create fear.

Overall, I believe Clause 1 strikes an appropriate balance between respecting cultural expression and protecting the rights of everyone to use shared public spaces without harassment or intimidation. I would suggest that the Department should publish clear guidance on expected timescales for removing flags that meet the mandatory removal criteria, so the process is transparent and consistent.

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 agree with Clause 2 because some locations should receive greater protection from displays that could create fear, intimidation or division. Places such as schools, healthcare facilities, leisure centres, libraries, places of worship, parks and shopping areas are shared spaces that should be welcoming to everyone, regardless of their national or cultural identity.

I also support recognising interface areas and new housing developments as sensitive places. These are often locations where community relations can be particularly fragile, and it is important that public spaces do not become associated exclusively with one community through the display of flags or emblems on public infrastructure.

The list of sensitive places is appropriately broad while allowing the Department discretion to consider the circumstances of each case. This flexibility is important because the impact of a display will vary depending on its location and context.

I believe the definition of shared communal places is especially important. No one should feel reluctant to access public services, attend school, visit a park or use a public road because flags displayed on public street furniture make them feel unwelcome or intimidated.

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

10 Do you agree with Clause 3 of the Bill?

Yes

11 Please provide information to support your answer here

Accessible:

The principle of having a formal process is a good one, but the notification system should not become a way of legitimising permanent displays on public infrastructure. I agree with some reservations.

I agree with the principle of Clause 3 because there should be a transparent and accessible process for notifying the Department about the display of flags or emblems and for members of the public to express their views. The current lack of a formal process has contributed to inconsistency and uncertainty.

It is particularly important that members of the public have a straightforward way to report flags or emblems that they believe are threatening, intimidating, hazardous or damaging to good community relations.

However, I do not believe that notifying the Department that someone wishes to display a flag or emblem should be interpreted as permission to do so. Public street furniture is a shared public asset and should not be treated as available for occupation simply because notification has been made.

The process should be simple, transparent and timely, with clear criteria for decision-making and opportunities for local residents to have their views considered. It should also include published timescales for responding to reports and making decisions, so that the process is fair, consistent and accountable.

Overall, I support the creation of a formal procedure, provided its purpose is to improve transparency and public confidence rather than to legitimise unauthorised displays on public infrastructure.

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 because clear guidance is essential if the legislation is to be applied consistently, fairly and transparently. A code of practice should help communities, public authorities and the wider public understand what is considered acceptable and what is not, reducing uncertainty and helping to prevent disputes before they arise.

I welcome the requirement to consult a broad range of organisations, including those with expertise in human rights, equality, policing and community relations. This should help ensure that the code balances respect for cultural expression with the rights of everyone to feel safe and welcome in shared public spaces.

In particular, I believe the code should provide clear guidance on the appropriate duration for displaying flags or emblems, the respectful display and removal of flags, and the distinction between temporary cultural or commemorative displays and permanent displays on public street furniture. It should also make clear that public infrastructure belongs to everyone and should not be used to mark territory or create the perception that an area belongs exclusively to one community.

The requirement to review the code every five years is also sensible, as it allows the guidance to evolve in light of experience and changing circumstances. The code should set presumptive time limits. For example, flags associated with a specific celebration or commemoration should be put up shortly before the event and removed promptly afterwards, rather than remaining on public infrastructure for months or years. That would give the Department and

communities much clearer expectations while still allowing legitimate cultural expression.

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 because legislation is only effective if there is a mechanism to ensure that lawful decisions can be implemented. If the Department has determined that a flag or emblem should be removed in accordance with the Act, individuals should not be able to prevent that removal through obstruction, intimidation or interference.

Without such a provision, there is a risk that the legislation would be ineffective and that decisions made in the public interest could not be carried out.

I believe this clause is particularly important in circumstances where flags or emblems have been used in a way that causes fear, intimidation or division. Public authorities and their staff should be able to carry out their duties without facing obstruction or threats.

However, enforcement should always be proportionate and should respect the right of people to peacefully express their views or challenge decisions through appropriate democratic and legal channels. The offence should apply only to obstructing lawful removal, not to legitimate public debate or disagreement.

Overall, I support Clause 5 as a necessary safeguard to ensure that the Bill can operate effectively. The penalty should not be the main focus. The important issue is that the law creates a clear expectation that decisions made by the Department are respected, rather than allowing groups with the loudest voice or greatest ability to mobilise pressure to override the process.

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 agree with Clause 6 because public authorities should have the ability to request appropriate support when carrying out lawful duties under the Act. If the Department has determined that a flag or emblem should be removed in the public interest, staff carrying out that removal should not be placed at risk of intimidation, harassment or violence.

The involvement of the Police Service of Northern Ireland should not be routine, but should be available where there is a genuine risk of a breach of the peace or where individuals attempt to obstruct lawful enforcement. This provides a practical safeguard for both the Department's staff and members of the public.

I believe it is important that decisions made under this legislation can be implemented consistently and fairly, rather than being undermined by the threat of confrontation or pressure from individuals or groups opposed to removal.

The power to request police assistance should be exercised proportionately and only where necessary, with the primary aim of ensuring public safety and upholding the rule of law.

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 because clear definitions are essential to ensure that the legislation is applied consistently, fairly and transparently.

I support the broad definition of "flag or emblem" to include bunting, posters, banners, billboards and similar forms of display. This is important because intimidation or the marking of territory can occur through a range of visual displays, not only traditional flags.

I also support the definition of "public place" and "public street furniture", as these make clear that the legislation applies to shared spaces and public

infrastructure that should be accessible and welcoming to everyone.

The inclusion of references to national and cultural identity is important in ensuring that the legislation recognises Northern Ireland's complex history and identity. However, this recognition must be balanced with the principle that no individual or group should use public spaces in a way that causes fear, intimidation or exclusion.

Overall, I agree that the definitions in Clause 7 provide a necessary framework for the Bill and help ensure that decisions are based on the context, impact and circumstances of each situation.

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 Clause 8 because it provides a clear and structured approach to bringing the legislation into operation. Allowing time for the Department to establish procedures, consult with relevant organisations and prepare the code of practice is sensible and should help ensure that the legislation is implemented effectively.

However, given the longstanding impact that inappropriate displays of flags and emblems can have on community relations and on individuals' sense of safety and belonging, I would encourage the Department to use the preparation period effectively and avoid unnecessary delays.

It is important that the necessary systems, guidance and enforcement processes are in place as soon as possible so that the legislation can provide clarity and consistency for communities across Northern Ireland.

Overall, I support Clause 8 as a practical approach to implementation, provided that the commencement timetable is actively managed and the protections intended by the Bill are delivered without undue delay.

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 as it provides the Bill with a clear and appropriate short title: the Display of Flags and Emblems Act (Northern Ireland) 2026.

The title accurately reflects the purpose of the legislation, which is to establish a framework for managing the display of flags and emblems attached to public street furniture in public places, while balancing cultural expression with the need to protect people from intimidation, fear and exclusion.

A clear title is important because it helps the public understand the purpose and scope of the legislation.