

Response ID ANON-8P3M-7F8E-2

Submitted to Display of Flags and Emblems - Call for Evidence
Submitted on 2026-07-23 16:25:28

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

6 Do you agree with Clause 1 of the Bill?

No

7 Please provide information to support your answer here

Accessible:

I do not support this proposal.

In my view, people should be free to display the flags of their country, and that includes the Union Flag throughout Northern Ireland as part of the United Kingdom. I believe that flying the national flag in a British city or town should not, in itself, be regarded as something that requires state intervention.

I accept that any flag can be misused where it is displayed for the purpose of intimidation, inciting hatred or threatening others. Existing laws should be used to deal with those situations. However, I do not believe it is appropriate to introduce broad powers that could result in the removal of flags simply because some people object to them.

I am concerned that the "public interest" test is too subjective and could lead to inconsistent decisions. A national flag should not be treated as inherently intimidating because of differing political views. Decisions to remove flags should be limited to situations where there is clear, objective evidence that they are being used to intimidate, harass or create a genuine risk to public safety.

In a democratic society, freedom of expression includes the peaceful display of national symbols. The law should protect that freedom while dealing robustly with genuinely threatening or criminal behaviour.

Clause 2: Sensitive places

8 Do you agree with Clause 2 of the Bill?

No

9 Please provide information to support your answer here

Accessible:

I have reservations about Clause 2 in its current form.

I agree that places such as hospitals, schools and other essential public services should be welcoming and accessible to everyone. Where a flag or emblem is being displayed specifically to intimidate, harass or discourage people from accessing those services, there should be powers to remove it.

However, I am concerned that the definition of "sensitive places" is too broad. Including locations such as arterial roads, shopping centres and public parks could mean that large areas of Northern Ireland are effectively treated as places where the display of flags is restricted. This risks interfering with the legitimate and peaceful display of national, cultural or community flags.

Northern Ireland is part of the United Kingdom, and I believe people should be free to display the Union Flag and other national flags without the assumption that doing so is intimidating or inappropriate. The focus should be on the behaviour associated with the display, not the existence of the flag itself.

If this clause is retained, the definition of "sensitive places" should be narrowed and the legislation should make clear that removal should only occur where there is objective evidence that a flag or emblem is being used to intimidate, threaten or prevent people from accessing public services. Peaceful and lawful displays should not be caught by these provisions simply because they are located near a broadly defined public space.

In its current form, I believe Clause 2 gives the Department overly broad discretion and could lead to inconsistent decisions that unnecessarily restrict freedom of expression.

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

10 Do you agree with Clause 3 of the Bill?

No

11 Please provide information to support your answer here

Accessible:

I do not support Clause 3.

I do not believe it is appropriate to require people to notify the Department before displaying a flag or emblem or to create an online portal for members of the public to express support or opposition to a particular display.

In my view, this creates an unnecessary level of bureaucracy around what is, in many cases, a lawful expression of national or cultural identity. People should not feel that they need the approval of the state or of their neighbours before displaying the flag of their country.

I am also concerned that an online portal could encourage vexatious or politically motivated complaints. Decisions about whether a flag should remain in place should not be influenced by the number of complaints received or by organised campaigns. They should be based on objective evidence that a display is causing genuine intimidation, threatening behaviour or a public safety risk.

Northern Ireland is part of the United Kingdom, and I believe people should be free to display the Union Flag and other national flags without being expected to register that display or justify it to a government department. Existing criminal and public order legislation already provides powers to deal with situations where flags are used to intimidate, incite hatred or contribute to disorder.

For these reasons, I do not believe Clause 3 is necessary and would prefer it to be removed from the Bill.

Clause 4: Code of Practice

12 Do you agree with Clause 4 of the Bill?

No

13 Please provide information to support your answer here

Accessible:

I do not support Clause 4 because I do not believe a statutory Code of Practice on the display of flags and emblems is necessary.

In my view, the peaceful display of national or cultural flags should not require detailed government guidance. Existing laws already provide powers to deal with criminal behaviour, public disorder, intimidation and hate crime where these occur. Introducing a Code of Practice risks creating uncertainty about activities that are otherwise lawful.

I am also concerned that any Code of Practice would inevitably involve subjective judgments about which displays are considered acceptable. This could lead to inconsistent application and undermine public confidence that decisions are being made fairly and without political influence.

While I recognise the importance of consulting organisations such as the Northern Ireland Human Rights Commission, the Equality Commission for Northern Ireland and the Police Service of Northern Ireland, I do not believe consultation alone addresses the fundamental issue. The law should protect the peaceful display of the Union Flag and other national flags, while continuing to take action against behaviour that is genuinely intimidating, threatening or unlawful.

If the Bill proceeds, any Code of Practice should make it clear that the peaceful display of flags is a legitimate form of freedom of expression and should only be restricted where there is clear and objective evidence of intimidation, criminality or a genuine threat to public safety. In my view, however, the better approach would be not to require a statutory Code of Practice at all.

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

14 Do you agree with Clause 5 of the Bill?

No

15 Please provide information to support your answer here

Accessible:

I strongly oppose Clause 5 because it creates a criminal offence to enforce powers elsewhere in the Bill that I do not believe should exist in the first place.

This Bill gives the Department broad discretion to remove flags and emblems based on a subjective "public interest" test. It then seeks to criminalise those who object to or obstruct those removal decisions. In my view, this is fundamentally the wrong approach. Before Parliament creates a new criminal offence, it should first be satisfied that the underlying powers are necessary, proportionate and clearly defined. I do not believe this Bill meets that standard.

Northern Ireland is part of the United Kingdom. The peaceful display of the Union Flag, and other national flags, should not become something that requires state approval or risks state enforcement. The Bill risks criminalising people whose only intention is to defend the lawful display of their country's flag.

The law already provides powers to deal with genuine criminality, including intimidation, violence, criminal damage, breaches of the peace and hate crime. Creating an additional offence for obstructing the removal of flags is therefore unnecessary and risks escalating community tensions rather than reducing them.

If a Department removes a flag in circumstances where members of the public believe that decision is unjustified, it is not difficult to foresee confrontation. Rather than creating a new offence to deal with the consequences of controversial decisions, the Assembly should reconsider whether those removal powers are appropriate at all.

For these reasons, I oppose Clause 5 and believe it should be removed from the Bill.

Clause 6: Request for assistance from police

16 Do you agree with Clause 6 of the Bill?

No

17 Please provide information to support your answer here

Accessible:

I strongly oppose Clause 6.

The primary role of the Police Service of Northern Ireland is to prevent and investigate crime, protect the public and maintain public order. I do not believe police resources should be diverted to assisting with the removal of lawfully displayed flags under a highly subjective statutory scheme.

This clause risks placing the PSNI in the middle of political and community disputes that should not require police intervention. Requiring officers to assist in the removal of flags, particularly the Union Flag or other national flags that are being displayed peacefully, has the potential to damage public confidence in policing and unnecessarily increase tensions within communities.

The Bill already gives the Department broad discretion to determine whether a flag should be removed. Clause 6 then provides a mechanism for police involvement where the Department anticipates resistance. In my view, this addresses a problem created by the Bill itself. If the powers to remove flags are overly broad, it is inevitable that some decisions will be controversial. The answer is not to involve the police more frequently, but to avoid creating such powers in the first place.

The PSNI already has extensive powers to deal with genuine criminal behaviour, including intimidation, violence, disorder, criminal damage and breaches of the peace. Where the display of a flag is associated with criminal conduct, existing legislation is sufficient to enable the police to act. There is no need for additional provisions requiring police assistance for the routine removal of flags.

Northern Ireland is part of the United Kingdom, and the peaceful display of the Union Flag should not become an issue requiring police intervention. Public resources should be focused on tackling crime and keeping communities safe, not enforcing subjective decisions about the display of national or cultural symbols.

For these reasons, I strongly oppose Clause 6 and believe it should be removed from the Bill.

Clause 7: Interpretation

18 Do you agree with Clause 7 of the Bill?

No

19 Please provide information to support your answer here

Accessible:

I strongly oppose Clause 7 because the definitions contained within the Bill are too broad, subjective and open to interpretation.

Legislation should provide legal certainty. Citizens should be able to understand what the law permits and what it prohibits. In my view, this Bill fails to achieve that standard because it relies on concepts such as the "public interest", "sensitive places" and other subjective tests that could be interpreted differently depending on the circumstances or the decision-maker.

This creates uncertainty for members of the public and gives the Department significant discretion over decisions that engage fundamental rights, including freedom of expression. Such broad powers increase the risk of inconsistent decision-making and perceptions of political bias.

I am particularly concerned that the Bill does not adequately distinguish between the peaceful display of a national flag and the use of a flag for intimidation or criminal purposes. Those are fundamentally different situations and should not be treated in the same way. The law should target unlawful conduct, not the ordinary display of national or cultural symbols.

Northern Ireland is part of the United Kingdom, and people should be free to display the Union Flag and other national flags peacefully without uncertainty about whether their actions may later be judged contrary to an imprecise statutory test.

In my view, the interpretation provisions do not provide the clarity required for legislation that creates powers to remove property and introduces new criminal offences. This reinforces my wider view that the Bill is unnecessary, disproportionate and should not proceed in its current form.

Clause 8: Commencement

20 Do you agree with Clause 8 of the Bill?

No

21 Please provide information to support your answer here

Accessible:

I oppose Clause 8 because I do not believe the substantive provisions of the Bill should come into force at all.

The commencement dates are not the issue. My concern is that the Bill creates unnecessary powers to regulate the peaceful display of flags and emblems, grants excessive discretion to the Department, introduces additional bureaucracy and creates new criminal offences where existing legislation already provides adequate powers to deal with intimidation, disorder and criminal behaviour.

Delaying implementation does not address these fundamental concerns. Whether the provisions come into force in 2028 or at any later date, the same legal and practical problems remain.

In my view, the Assembly should not be focusing on creating new mechanisms for the removal of flags or requiring public bodies to regulate the peaceful display of national and cultural symbols. Instead, it should continue to rely on existing legislation to address genuinely unlawful behaviour while protecting freedom of expression.

Northern Ireland is part of the United Kingdom, and the peaceful display of the Union Flag and other national flags should not become subject to an extensive statutory regime. Existing laws already allow the police and other authorities to act where flags are used to intimidate, incite violence, obstruct the highway or otherwise breach the law.

For these reasons, I do not support the commencement provisions because I do not support the Bill itself. In my view, the Bill should not proceed.

Clause 9: Short title

22 Do you agree with Clause 9 of the Bill?

No

23 Please provide information to support your answer here

Accessible:

I have no specific comments on the short title itself. However, I oppose the Bill in its entirety and therefore do not support Clause 9.

In my view, the Bill creates an unnecessary statutory framework to regulate the peaceful display of flags and emblems, despite existing legislation already providing powers to address intimidation, public disorder, criminal damage, hate crime and other unlawful behaviour.

I believe the Assembly should protect the right of people to peacefully display the national flag of the United Kingdom and other national or cultural flags, while continuing to take robust action against those who misuse any symbol to intimidate, threaten or incite violence.

For these reasons, although the short title is a technical provision, I do not support it because I do not support the Bill as a whole.