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Sent by: Vincent Gribbin

To: Stephen Hill/OFMDFM/DFP@DFP
Subject: Flags and Emblems

12/03/2004 11:02

Stephen,

Attached is a descriptive summary of the report that I put together previously. You may wish to cut it down before releasing it to Tina Gamble. I've also attached the Terms of reference for the work.

Vincent



Flags and Emblems brief.dc Flags and Emblems TOR.dc

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Flags and Emblems

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Brief description of the report by section.

Introduction

The researcher goes over the issues regarding the official and unofficial display of symbols and emphasises that these issues are live, ongoing and central in many incidents of failing community relations.

Nature of Symbols

This is an academic discussion on how and why symbols matter, how they evolve and how they can be manufactured. It includes describing how flags and emblems can help define and create unity in a very disparate and ill-defined group. The group may have varying backgrounds, beliefs and politics but they all hold allegiance to common symbols.

The Law

This section is a comprehensive summary of the legal remedies that are or could be used in dealing with issues of the official and unofficial display of flags and emblems. The remedies range from laws on trespass to laws on vandalism and incitement to the statutory duty on public authorities to Section 75.

Policies

Each of the District Councils were asked in turn what their policies were with regard to the flying of official flags on public buildings to the unofficial display of symbols on public property.

Case Studies

Three case studies are used to illustrate the differing causes for the unofficial display of symbols, how it can cause tension and the varying ways that they can be dealt with.

Case 1 Loyalist reacted angrily to the display of tricolours in a small Catholic estate in a larger Protestant area. The Council asked Counteract to help resolve the situation. Counteract set up a forum for each side. On the Catholic side they found a lack of infrastructure and had to help set up a community organisation and the Council provided a Portacabin for them to meet. The outcome was that the number of flags were reduced to one in the centre of the estate.

Case 2 The area is a mixed area becoming increasingly Protestant as Catholics have moved out. The Town it is situated in was 80% Protestant but is now 50-50. Loyalist flags went up in the centre of town and created a sense of tension. Counteract became involved and carried out a questionnaire of people living in the area and 85% of respondents wanted the symbols removed. With this Counteract went to the paramilitaries and negotiated set times of year when symbols could be displayed.

Case 3 Loyalist paramilitary flags were erected in a mixed area. Police tried to negotiate their removal and canvassed the community on what they wanted

and removed the Flags. More flags appeared and the Police identified who was putting the flags up and arrested them, finding evidence of paramilitary activity at their houses. Those arrested are awaiting prosecution under the Prevention of Terrorism Act.

Conclusions and Options

This section offers up a number of policy considerations on this issue. These include local negotiations and consultations on creating protocols for when and where symbols should be used.

The social and political changes in NI have led to increasing levels of insecurity and so led to a proliferation of symbolic displays.

Flags and Emblems Research

Terms of Reference.

Background

The divided nature of Northern Ireland society is manifest in any number of ways. One of the most visible manifestations of the two different traditions in Northern Ireland is that certain areas can be identified by the Flags flying from lampposts, the colours painted on the kerbstones or the subject matter of the murals.

The issues surrounding flags and emblems in specific geographic areas are numerous. Such trappings can be seen as an adornment of the community and even as a tourist attraction to benefit the community. Furthermore, it can be seen as a celebration of one's culture. Flags and emblems have the capacity to strengthen a community's social capital, give the inhabitants a sense of belonging and a pride in their own culture.

There are however, other issues to be taken into consideration. For instance, the adornment of an area with flags and emblems might be a unifying factor for one community but in so doing alienates the other community.

Furthermore, although many of these flags and emblems can easily be equated with cultural displays there are some that may cause insult and can be viewed as sectarian or even incite hatred (paramilitary flags and sectarian slogans).

Proposed Research

It is proposed that a research project will investigate the issues surrounding the unofficial display of Flags and Emblems in residential areas. The research should;

- review and consider the legal obligations and powers of public authorities regarding responding to the defacement of property, complaints of sectarian slogans and other issues such as public obstructions and public safety
- description of current practice by public authorities
- assess, through a literature review, the work that has been carried out tackling the problem of removing sectarian displays or agreements on the acceptable use of symbols
- discuss the intricacies of the debate using real life case studies to highlight the problems
- through case studies look at areas where these issues have been tackled, both successfully and unsuccessfully and identify the key determinants of success or failure and

- make recommendations regarding the successful management of territorial displays.

Completion date

A finished report should be with OFMDFM by 19th September 2003.

Cost

The cost of the study will be subject to discussions with the researcher regarding the methodology and scale of the study.