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Auckland Live

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Aotea Centre Bans Festival Attendee from Wearing Palestinian Flag Sewn into Dress

Good morning,

1. The Free Speech Union is a registered trade union with a mission to fight for, protect, and expand New Zealanders' rights to freedom of speech, conscience, and intellectual inquiry. We believe that freedom of speech is not only a legal principle, but a social good that allows for people in modern liberal democracies to peacefully, freely advocate for the causes they care about without risking unjust retribution.
2. We write following an incident that occurred at the Auckland Writers Festival held at the Aotea Centre this past weekend. A festival attendee was allegedly pursued by security through the building and told to remove the Palestinian flag sewn into her dress. As far as we are aware, there is no policy or condition of entry prohibiting the wearing of clothing of that nature.
3. The incident appears to amount to a content-based restriction on freedom of expression, given that the Palestinian flag on the attendee's clothing conveys a political viewpoint protected by section 14 of the New Zealand Bill of Rights Act. Where the Aotea Centre is exercising a public-venue function, such conduct is analogous to decisions reviewed in *Moncrief-Spittle v Regional Facilities Auckland Ltd* [2021] NZCA 142, and any restriction must be reasonable and justified.
4. We invite your comment on the following:
 - a. What policy, condition of entry, or operational instruction (if any) authorised security staff to direct the attendee to remove or conceal the Palestinian flag sewn into her clothing?
 - b. What specific concern was said to justify the intervention by security staff?
 - c. Does the Aotea Centre consider the restriction imposed in this instance to be consistent with the right to freedom of expression affirmed by section 14 of the New Zealand Bill of Rights Act 1990, and if so, on what basis?
5. We await your response.

Yours faithfully,
Free Speech Union (New Zealand) Inc.



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